SPECIAL APPLE VALLEY TOWN COUNCIL

1777 N Meadowlark Dr, Apple Valley
Friday, November 19, 2021 at 5:00 PM

AGENDA

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Friday, November 19, 2021**, commencing at **5:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor | Dale Beddo |
Council Members | Kevin Sair | Paul Edwardsen | Mike McLaughlin | Marty Lisonbee |

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

https://us02web.zoom.us/j/87311832802

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 873 1183 2802

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

DECLARATION OF CONFLICTS OF INTEREST

APPROVAL OF MINUTES

1. TC Minutes DRAFT 7.28.2021
2. TC Minutes DRAFT 8.10.2021
3. TC Minutes DRAFT 8.23.2021

MAYOR'S TOWN UPDATE

PUBLIC HEARING

DISCUSSION AND ACTION

4. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1365-E FROM OPEN SPACE TO RE-10: APPLICANT DENNIS CLARK
5. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1329-B FROM OPEN SPACE TO SF-1.0: APPLICANT LADD MACDONALD
6. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR AV-1329-B, APPLICANT LADD MACDONALD
7. DISCUSSION AND POSSIBLE ACTION ZONE CHANGE FOR AV-1366-D-1 FROM OPEN SPACE TO SF-.25: APPLICANT NORTHERN ENGINNERING (AGENT: BRANT TUTTLE)
8. DISCUSSION AND POSSIBLE ACTION PRELIMINARY PLAT APPLICATION FOR AV-1366-D-1, APPLICANT NORTHERN ENGINNERING (AGENT: BRANT TUTTLE)
9. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR LOT AV-2184 AND AV-2165 FROM OPEN SPACE TO CABIN OR TINY PARKS ZONE AND PLANNED DEVELOPMENT ZONE AND RE-1.0: APPLICANT STANDARD DEVELOPMENT

10. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1343-A-1 FROM OPEN SPACE TO RE-1: APPLICANT TRAVIS AND LIBBY WELLS

11. DISCUSSION AND POSSIBLE ACTION ON REZONE APPLICATION FOR AV-1329 FROM OPEN SPACE TO RE-1 AND SF-1/2: APPLICANT TRAVIS AND LIBBY WELLS

12. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR LOT AV-1-3-5-211: APPLICANT ALLRED HEBER

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

PUBLIC COMMENTS

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

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

CERTIFICATE OF POSTING: I, Jeff Voran, as duly appointed Administrator for the Town of Apple Valley, hereby certify that this meeting notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website http://pmn.utah.gov, the Town Website www.applevalleyut.gov.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

APPLE VALLEY TOWN COUNCIL

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 28, 2021 at 6:00 PM

(DRAFT) MINUTES

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Wednesday, July 28, 2021**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor |Dale Beddo |
Council Members | Kevin Sair | Paul Edwardsen | Mike McLaughlin | Marty Lisonbee |

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

https://us02web.zoom.us/j/88665189302

To call into meeting, dial (253) 215 8782 and use Meeting ID 886 6518 9302

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

Mayor Beddo called the meeting to order at 8:07 AM.

A Pledge of allegiance was conducted.

PRESENT
Mayor Dale Beddo
Councilmember Michael McLaughlin
Councilmember Paul Edwardsen
Councilmember Kevin Sair
Councilmember Marty Lisonbee

DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflict of interest.

MAYOR'S TOWN UPDATE

Mayor Beddo gave an update on the Mayor's meet, the Mayor forum that took place the night prior. Mayor Beddo expounded on the committee that offered questions to the Mayoral candidates.

Mayor Beddo invited (First name) Chipman to speak. Ms. Chipman discussed how the event went and some of the problems they experienced the night prior: interruptions by a mayoral candidate while presenting rules.

Mayor Beddo gave an update on the development agreement for Robert Campbell. Mayor Beddo elaborated on the purpose of a development agreement. Mayor Beddo explained that the Town Attorney sent a letter covering the purpose of a development agreement, and recommended against a development agreement in the case of Campbell development. He stated that final plat is the instrument that ensures the applicant follows the ordinance of the Town.

Mayor Beddo addressed flyers. He discussed that the one flyer that was sent out by the Fire department that made statements of claims that the town took against the fire department (inaccurately). The Mayor said that he was going to invite the prior mayors to respond in written form (to correct those statements).

The Mayor gave an update on meter reading issues. The Mayor discussed issues relating to the meter reader. Cedar Point and Canaan Springs meter, for two to three months, has had inconsistencies in their readings. We are working on it, trying to find out what the problem is.

1. CONSIDERATION AND POSSIBLE APPROVAL OF A DEVELOPMENT AGREEMENT FOR TLW INVESTMENTS, LLC, PARCEL NUMBER AV-1329-D

   The Mayor stated that this agenda item would be moved to earlier in the meeting.

   The Mayor invited the applicant's engineer to talk.

   Mike Bradshaw, Travis Wells' engineer, discussed that one of the issues was the bond. Mayor Beddo said the town was trying to move away from a performance bond, moving instead to cash bonds or irrevocable lines of credit. Mike Bradshaw and the Mayor had discussions about the required bond, specifically, how to relate to portions that are completed. The developer can build without a bond, at-risk, but the infrastructure would need to be bonded minimally before final plat approval. They also discussed the time element.

   Councilmember Sair read aloud a message that was "sent" to him. The message was relating to the validity of the plat for AV-1329 plat (a split parcel from the main parcel). Councilmember Lisonbee said that it was relating to the fact that there were two lots named AV-1329. He also said that the split went through all the channels, and this message is not factual.

   Councilmember Lisonbee expressed concern regarding the minimum road width. Mayor Beddo, Mike Bradshaw, and Councilmember Lisonbee had a discussion about how wide the minimum road width should be for Rome Way. Lisonbee discussed public roads (20’ vs 25’) The town will put in the road if the developer wants to wait until they do; they had indicated previously that they were willing to asphalt the road. Mayor Beddo also explained the engineers compromise: 20’-25’ as wide as possible with asphalt without having to reconstruct the road. Mike’s concern is meeting the 25’ when it would take reconstruction to do so. Libby Wells objected to a statement Councilmember Lisonbee made regarding what Travis Wells had agreed to verbally in a prior meeting. Mayor Beddo reiterated that they are only asking them to go to 25’ when they can. Mike Bradshaw agreed that the proposal could work. Mayor Beddo discussed the role of the developer and how much the Town should expect from them.

   Councilmember Lisonbee also verified that the 10-14’ was referring only to Juniper.

   Because of the corrections needed, Councilmember Lisonbee said he would like to send it back to Dayton for the attorneys to make final corrections before approval.

   The Council and Mr. Bradshaw discussed the timeline regarding how long the developer has to record the final plat. Mike was concerned with the 2-year time constraint. Mayor Beddo agreed to set it at 2 years from the signing of the construction drawings. He also agreed to call a special meeting to approve the final.

PUBLIC HEARING

2. CONSIDERATION AND POSSIBLE ACTION ON ADOPTION OF FINAL BUDGET FOR THE FISCAL YEAR 2022

Mayor Beddo opened the public hearing.

Local Resident, Margaret Osowski: With the new budget, are there any plans to work on the dirt roads? They are so bad.

Mayor Beddo said they have done some work but they don't have the budget to do gravel roads. They are doing blading about every 2 to 5 weeks. He discussed some of the roads they have been doing. They plan to do more regular maintenance.

Local Resident, (Name), concerned about a washed out road that did not get repaired.

Mayor Beddo assured her that they are going to repair it.

Local Resident, Richard Osowski, stated that Interstate put the worst road base on that they could find. The roads are getting washed out, and with more rain, we are in for a lot of damage. They are deteriorating. The RV park development is creating so much dust. Regarding the budget, Richard asked for some clarification on some line item differences, and wondered if any extra money could be used for emergency case if a road gets washed out.

Mayor Beddo said, yes, if you go through the procurement process.

Local Resident, Richard Osowski, also wondered why our taxes went up, but what we Apple Valley got went down, not by much, but when you times it by all the residents, it is a lot.

No more comments; public hearing closed.

DISCUSSION AND ACTION

3. DISCUSSION AND POSSIBLE ACTION ON BUDGET ADOPTION FOR FISCAL YEAR 2022

Councilmember Michael McLaughlin wondered why p3 "other interdepartmental charges "went from $4000 to 10 grand?

Councilmember Marty Lisonbee explained the difference.

John explained how engineering fees will be treated: coded to specific projects.

Councilmember Marty Lisonbee wondered about the roadway improvements.

Mayor Beddo: We addressed it earlier in the public hearing. We can use the money for road improvements if we come back to here and go through the process.

Councilmember Marty Lisonbee wants to be able to go back to the minutes and see what he says. He also expressed disapproval at the budget reconciliation, which he has requested and still does not have, and yet he is supposed to be voting on a budget without that information. Another concern is that when the contingency got divided up, they do not equal the revenue. He stated that he wants to wait to approve the budget until the council gets financials. Also, we don't have, since March, what the checks are even written for. The consent agendas we have not been getting. There are always reasons, but we are still not getting them. We should be getting the consent agenda every month.

John agreed with Lisonbee that the contingency allocation is just a math error.

Jeff agreed to get the consent agendas out.

Councilmember Marty Lisonbee discussed the problems of various budget line items.

John expressed that Lisonbee's goals are good aims. However, the budget is just the amount that you can do. Every year, the differences will go into an unassigned fund balance. There is more than one day to do the budget.

Mayor Beddo and John discussed the changes that were made from the prior meeting discussion.

Councilmember Kevin Sair wondered why the actuals don't get updated to what actually happened?

John and Councilmember Marty Lisonbee discussed the relevance of adjusting the past budget to actual, and how the auditors will look at it. Basically, there is no problem with the way we have done it.

Councilmember Michael McLaughlin and Paul Edwardson felt that the differences should be made known to the council so they can see what is going on.

John explained that staff turnover causes huge problems in the learning curve, but the expectations that Councilmember Marty Lisonbee's expectations are not invalid, but they need to think about how to approach the problem in a way that does not make the environment tense.

The council decided to wait until the next meeting to approve the budget so that they can get some of those missing reports first.

Councilmember Kevin Sair made a motion to table both line items #3 and #4

Councilmember Paul Edwardson seconded. Passed unanimously

4. DISCUSSION AND POSSIBLE ACTION BUDGET ADJUSTMENT FOR FISCAL YEAR 2021

Councilmember Kevin Sair made a motion to table both line items #3 and #4

Councilmember Paul Edwardson seconded. Passed unanimously

5. PROPOSAL FOR JEFF VORAN TO BE APPOINTED/SWORN IN AS TOWN RECORDER

Mayor Beddo observed that Jeff Voran has already been appointed; he just needs to be sworn in.

Marty explained that it could be done outside of the meeting and noticed. No objections to his being sworn in.

6. DISCUSSION AND POSSIBLE ACTION ON RATIFICATION OF ARPA CORONAVIRUS RELIEF AGREEMENT

John discussed the requirements for this money, similar to Corona Virus relief, but slightly expanded, for example, allows for water systems or broadband expansions—anything that helps the town handle Covid.

7. RESOLUTION AND ADOPTION OF BUDGET FOR FISCAL 21

Mayor Beddo said his printout said this was #7.

Mayor Beddo made a motion to table #7.

Councilmember Mike McLaughlin seconded. Passed unanimously

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Councilmember Michael McLaughlin said the fire department had asked to get on the agenda but it got taken off. Mayor Beddo said he got a formal request to go on the agenda to discuss alternative ways to buy a fire truck. And then they withdrew the request.

Councilmember Marty Lisonbee registered a concern that the minutes are being posted before getting approval without a designator that they are a draft. Also, the recordings are supposed to be posted within three days. Councilmember Paul Edwarson also expressed a concern that we need to be more consistent with the meeting schedule so the community knows what to expect.

Mayor Beddo discussed the internet towers; the owners approached the city wondering if they wanted to take it over, only about $200 a month now. Councilmember Lisonbee said another component has to do with the fire safety. Mayor Beddo told Travis it would make practical sense to just sign it over. Travis will report back. We have been approached by a company out of Arizona to bring additional internet services to our area, so we could potentially increase that income. I will continue to look into it with our attorney.

PUBLIC COMMENTS

Local resident, (Name), some residents are having a hard time getting onto the Zoom meetings. Mayor Beddo explained that it is probably a problem at their end. Mayor wondered if Jeff could talk with provider about technician aide.

Local resident, Margaret Osowski, wondered more about what the ARPA CORONAVIRUS RELIEF was.

John Barlow read the major categories, pretty broad possibilities.

REQUEST FOR A CLOSED SESSION

Councilmember Marty Lisonbee requested a closed session to discuss a [common seen] character.

(?) second

Unanimous vote.

ADJOURNMENT

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

CERTIFICATE OF POSTING: I, Jeff Voran, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Hearing notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website http://pmn.utah.gov, the Town Website www.applevalleyut.gov and sent to The Spectrum on the **21st day of July, 2021**.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

APPLE VALLEY TOWN COUNCIL

1777 N Meadowlark Dr, Apple Valley
Tuesday, August 10, 2021 at 6:00 PM

(DRAFT) MINUTES

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Tuesday, August 10, 2021**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor | Dale Beddo |
Council Members | Kevin Sayer | Paul Edwardsen | Mike McLaughlin | Marty Lisbonee |

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

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https://us02web.zoom.us/j/89102005798

To call into meeting, dial (253) 215 8782 and use Meeting ID 891 0200 5798

DECLARATION OF CONFLICTS OF INTEREST

None

MAYOR'S TOWN UPDATE

skip

PUBLIC HEARING

1. FISCAL YEAR '21 BUDGET ADJUSTMENT

Councilmember Marty Lisonbee said he spent several days on the general ledger. He said found some problems with entries that were made okay but just in the wrong place—such as various tax revenue put in as State Tax, rather than divided out to types of tax. Marty felt that consistent reviewing future entries will help us stay on track. He expressed that co-mingled moneys are making it look like our revenue is higher than it actually is as it includes the portion that must be paid to the state. Fire impact fees, etc. must be segregated out as they are limited in how they can be used. He explained that there is also a time limit on when the money must be spent or we have to give it back. He proposed that these could be tracked on a spreadsheet, and also recognized that turnover staff must be trained and monitored in how to categorize the revenues. Another issue Marty brought up was the deferred tax revenue $101,000—should be on new budget. He concluded by saying that we should do some more homework to finish this up.

2. FISCAL YEAR '22 FINAL BUDGET ADOPTION

Marty pointed out that the $100,000 contingency that was going to be divided into 3 parts could not all be $35,000; one of the $35,000 should be $30,000 for the math to work. He also stated that though some revenue is high, it should not hold this up. He concluded by saying that he would approve this 22 budget with the adjustment on the contingency fees

Richard Osawski, community member, asked who does the budget?

Beddo and Marty said that it is a group effort; many people have input including you [town members].

Richard observed that the Campbell's gave the town a water truck, and wondered if we had money to fix it. Marty said the transmission is out, but he thinks it is worth fixing. Beddo explained that we got numbers; it would take $8000. Further, there is an individual willing to donate a transmission. Richard expressed concern about loaning the town equipment to others such as developers.

Richard also wondered about the Public Bathrooms, noting that he did not see any money allocated in the 22 Budget, and asked if they were completed. Beddo responded that there was one small outstanding invoice, and repairs and landscaping being donated by a private resident. Richard also worried about some pallets of dead grass which he was told that it was the grass that had been torn out. Marty added that electricians were getting lights out to the pavilion.

Richard drew attention to 4141-110: Other Salaries, where he noted that there were increases for some. Beddo pointed out that they were understaffed, undertrained, restructuring, and growing.

Richard also brought up the new, young girl hired for the office, but Beddo confirmed that, no, they were still in the interview process for hiring.

Again, Richard pointed the council to 4441-320: Engineering professional fees, where he noted that $20,000 seemed pretty low when we have to go back to the engineer to solve all these developer problems. Beddo reassured him that the developer pays for the most part—unless the town requires something above and beyond the developer agreement needs.

Richard also wondered about line 4180 where there was $35,000 new from last year. Beddo confirmed that it was the contingency that they had been talking about—reallocated this year.

Richard concluded by observing that the Covid money, $99,000 plus, did not seem to be in the budget. Beddo explained that it happens after the budget is prepared, and that they had already received half of it. He also explained that it is specified as to how it can be used.

Close public hearing

DISCUSSION AND ACTION

3. DISCUSSION AND POSSIBLE ACTION ON FISCAL YEAR '21 BUDGET ADJUSTMENT

Marty made a motion that we table the approval of the current year proposed fiscal year 2021 pending some questions that we provide to the town until we provide some answers.

[?] seconded

Mayor Beddo reiterated that passing this budget was time sensitive—only two days until it must be approved.

Marty said that somebody else could make a motion if they wanted to pass it, but he felt is was missing numbers or categorizing errors.

As it had already been seconded, they voted on tabling it:

Y Mayor Dale Beddo
Y Councilmember Michael McLaughlin
Y Councilmember Paul Edwardsen
Y Councilmember Kevin Sair
Y Councilmember Marty Lisonbee

4. DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF FINAL BUDGET FOR FISCAL YEAR '22

Marty made the motion: I propose that we approve the 2022 Budget with the one modification that we reduce the $35,000 to $30,000 from administration.

Mike: seconded.

Vote:
Y Mayor Dale Beddo
Y Councilmember Michael McLaughlin
Y Councilmember Paul Edwardsen
Y Councilmember Kevin Sair
Y Councilmember Marty Lisonbee

5. CONSIDERATION AND POSSIBLE APPROVAL OF A DEVELOPMENT AGREEMENT FOR TLW INVESTMENTS, LLC, PARCEL NUMBER AV-1329-D

Craig Carlisle, lawyer for applicant, explained that they had worked out all the details on the agreement, adding that they all had a copy—if there are any questions. (Lost connection)

Mayor Beddo, Councilmember Michael McLaughlin, Councilmember Marty Lisonbee, Fred Coats engaged in a discussion regarding the issues of 20' vs 25' road: the road is 25' but not 25' of asphalt: asphalt vs shoulder widths, maintenance issues, possible cut back of the hill and put in a retainer wall around the curve, relocate fire hydrant, culverts, drainage, slope of curve, engineer approvals vs town approval, other alternatives, making policies the same for all developers, limitations as to what can be asked of developers, what the town is able to do, (Mayor Beddo was under the impression that before his time the subdivision was already approved—Marty explained that it can't be yet), concerns about projects being engineered before it gets to this point, (clarification that impact fees had been waived because of the donation of property—valued higher than the impact fees), possibilities of vouchers being used since they could be more accurate as a specific value, concerns that the road should be done right—not just passed, questions as to who should pay for what, any money spent on this road for the town's needs could give the developer a credit (voucher), traffic able to do out the main road, impact of traffic on this road, asphalt could go in all the way to the hill with a slope that sends the water to the hill, concerns of one sub-par road vs another sub-par road, possibly put storm drains under the road, how do we move forward? Beddo wondered about changing the agreement to 25' period and letting the engineers work to solve the water problem? Marty observed that we had previously discussed ways of getting the water off the road and helping with flooding down below.

Mayor Beddo made the motion to approve the development agreement contingent on paragraph 4A being reconstructed and approved by our attorney, as follows: The developer agrees to construct a favorable grade on the existing city road, Rome Avenue, with a 25' wide asphalt road. The developer shall install 25' of asphalt pursuant to the paragraph the developer shall submit for an engineer report, identifying those areas for review and final approval by the town engineer during the construction plan-review process.

?(name) seconded.

Vote:
Y Mayor Dale Beddo
Y Councilmember Michael McLaughlin
Y Councilmember Paul Edwardsen

Y Councilmember Kevin Sair
Y Councilmember Marty Lisonbee

6. DISCUSSION AND POSSIBLE ACTION ON CANCELLATION OF ROBERT & MARIA CAMPBELL'S DEVELOPMENT AGREEMENT

Mayor Beddo reiterated that this had been discussed last meeting in regards to requiring the Campbell's to have a development agreement. He then read the then Mayor's statement regarding specifically limiting the development to 11 units. Since the development was already done, it was a non-issue.

Mayor Beddo made the motion that we remove the development agreement requirement, and the project, Little Creek, may move forward without the development agreement.

(?)Mike, second.

Vote:
Y Mayor Dale Beddo
Y Councilmember Michael McLaughlin
Y Councilmember Paul Edwardsen
Y Councilmember Kevin Sair
Y Councilmember Marty Lisonbee

Councilmember Marty Lisonbee then voiced that his concern was with the limit to 11 cabins. He is okay with it since that is in writing. Platt Amendments can be done and go through the planning process.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

none

PUBLIC COMMENTS

Mr. ?Keate? alleged that he read that roads are 30'—where did 25' come from? However, he added, it does say 25' for an RV road. He also wondered how the RV Park would begin building in 10 days when they had not been approved. Mayor Beddo informed him that the agreement that was approved was with UDOT on the roads. Beddo explained that it would be six weeks; they are in the process.

Richard, town member said that he had put in a Gramma request for the RV park; he had asked for all permits; he also sent a second one; (he went to his car to get copies) . Richard then read that one said it was approved by the planning committee. Also, he suggested that they could use some dust control. He also discussed the .50

charge for paperwork which was on his water bill which he had paid on the spot. He informed them that they owed him 50 cents. Beddo noted that it was an old form, that they now have an updated form.

?Maria: discussed cooking: pastries, tortilla soup

REQUEST FOR A CLOSED SESSION

Call for a private work session; 5 minutes.

ADJOURNMENT

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

CERTIFICATE OF POSTING: I, Jeff Voran, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Hearing notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website http://pmn.utah.gov, the Town Website www.applevalleyut.gov and sent to The Spectrum on the **3rd day of Aug, 2021**.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

APPLE VALLEY TOWN COUNCIL

1777 N Meadowlark Dr, Apple Valley
Monday, August 23, 2021 at 5:30 PM

(DRAFT) MINUTES

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Monday, August 23, 2021**, commencing at **5:30 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor | Dale Beddo |
Council Members | Kevin Sair | Paul Edwardsen | Mike McLaughlin | Marty Lisonbee |

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https://us02web.zoom.us/j/82693838930

To call into the meeting, dial (253) 215 8782 and use Meeting ID 826 9383 8930

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

Present: Councilmember Kevin Sair, Mayor Dale Beddo, Paul Edwardsen

DECLARATION OF CONFLICTS OF INTEREST

None, with the exception of item #4, the applicant Heber Allred is selling a property to a third party that Mayor Beddo has done business with before, but no current contact with the third party, so not a conflict of interest, but worth noting.

CONSENT AGENDA

1. DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF TOWN COUNCIL MINUTES FOR AUGUST 10, 2021

The council members discussed the minutes.

Motion was made by: Councilmember Kevin Sair
Motion: "I move that we accept the minutes for August 10, 2021."
Seconded by: Councilmember Paul Edwardsen,
Vote:
Councilmember Kevin Sair, Yes
Mayor Dale Beddo, Yes
Councilmember Paul Edwardsen, Yes

Carried 3 to 0

MAYOR'S TOWN UPDATE

Mayor Beddo said that he had none, other than a letter that is going out to the community, an update from the Mayor's office, of which he said he would send out tonight for input from the council.

PUBLIC HEARING

Mayor Beddo observed that there was no need for a public hearing and councilmembers agreed.

DISCUSSION AND ACTION

2. DISCUSSION ON PRIMARY ELECTION RESULTS

Mayor Beddo pointed out that there were 280 votes out cumulative for the Mayor, and also 529 for councilmembers, voting for 2 people, so about half of that.

Susan Lewis, from the Washing County, was attending the meeting remotely.

Motion was made by: Councilmember Kevin Sair
Motion: "I move that we accept the elections results."
Seconded by: Councilmember Paul Edwardsen,
Vote:
Councilmember Kevin Sair, Yes
Mayor Dale Beddo, Yes
Councilmember Paul Edwardsen, Yes

Carried 3 to 0

Susan Lewis confirmed to Mayor Beddo that this was acceptable.

3. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION AV-1354-D-9 FROM OST TO A-10

Mayor Beddo noted that the applicants Shane & Julie Hutchingson had just joined the meeting. Mayor Beddo explained that these applicants had come in and talked to him, and shared their concerns: the OST had been placed on their land without their knowledge. Mayor Beddo went on to explain that this same concern has been brought up by other land owners as well, and he plans to address this problem with the Planning Commission because of the limitations of that zoning, and the problems it is creating for owners such as the Hutchingsons.

Councilmember Kevin Sair commented that it was his understanding that this zone was put on their back when simply because they didn't really know what to do with it, and Mayor Beddo agreed that it had been a blanket zone dropped on that area.

Mayor Beddo expressed that he thought this should be approved and allow them to finish pulling their building permit. Mayor Beddo also addressed the concern that Mr. Sair had previously brought up regarding fire safety. He said that they had elected to go with water tanks.

Mayor Beddo pointed out that another resident was working on getting water out there, so within about a year, there should be water available.

Motion was made by: Councilmember Kevin Sair
Motion: "I make a motion to approve it."
Seconded by: Mayor Dale Beddo
Vote:
Councilmember Kevin Sair, Yes
Mayor Dale Beddo, Yes
Councilmember Paul Edwardsen, Yes

Carried 3 to 0

4. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1-3-5-211 FROM OPEN SPACE TO RESIDENTIAL, GENERAL COMMERCIAL, AND TOURIST COMMERCIAL

Mayor Dale Beddo noted that Mr. Allred had worked with the Planning Commission to make some adjustments that would accommodate his zoning, and they recommended that we accept the application.
Motion was made by: Mayor Dale Beddo

Motion: "I make a motion that we approve the application for zone change AV-1-3-5-211 FROM OPEN SPACE TO RESIDENTIAL, GENERAL COMMERCIAL, AND TOURIST COMMERCIAL."
Seconded by: Councilmember Paul Edwardsen
Vote:
Councilmember Kevin Sair, Yes
Mayor Dale Beddo, Yes
Councilmember Paul Edwardsen, Yes

Carried 3 to 0

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Mayor Beddo noted that Harris was on vacation to Montana, but the Mayor wanted to address one item that was on his list when he gets back: NoWood RV, Jason with Chevron gas station. Mayor Beddo continued to explain that their initial application showed them tying their waterline into the gateway entry way, but due to some challenges, the engineer would like them to move it to the District water line on the south side of their property. He also discussed the sewer issue which looks like it will end up being a state approved septic system on their own property.

5. FINANCIAL UPDATE

Jeff Voran gave a report that the budget has been approved with the changes that we discussed.

Mayor Beddo said that they had directed Sanderson, the outside accountant, to include some reports with the monthly meeting packets.

PUBLIC COMMENTS

No public comments

REQUEST FOR A CLOSED SESSION

None

ADJOURNMENT
Motion was made by: Councilmember Paul Edwardsen
Motion: "I move that we adjourn this meeting."
Seconded by: Mayor Beddo
Vote:
Councilmember Kevin Sair, Yes
Mayor Dale Beddo, Yes
Councilmember Paul Edwardsen, Yes

Carried 3 to 0

Interested persons are encouraged to attend public meetings to present their views. Comments can also be submitted in writing at least one day prior to the meeting by emailing administrator@applevalley.gov. Comments submitted in writing will be read on the record during the meeting.

CERTIFICATE OF POSTING: I, Jeff Voran, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website http://pmn.utah.gov and the Town Website www.applevalleyut.gov on August 18, 2021.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

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

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

Zone Change Application

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

Name: Dennis B. Clark, JR		Phone: [redacted]	
Address: [redacted]		Email: [redacted]	
City: ST. George	State: UT	Zip: 84771	
Agent: (If Applicable)		Phone:	
Address/Location of Property:	Parcel ID: AV-1365-E		
Existing Zone: OST/OSC		Proposed Zone: RE-10	

Reason for the request

Would like to build one house on property.

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

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

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

Official Use Only	Paid #1025 Rcpt No: 36290		
Date Received:	9/8/21	By:	Jill (Jenna, Deputy Town Clerk)
Date Application Deemed Complete:	9/29/21	By:	

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

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

Dennis B Clark

Property Owner

Property Owner

Subscribed and sworn to me this 2nd day of September, 2021.

NOTARY PUBLIC
DANIEL CAMBRA
COMM. # 709242
MY COMMISSION EXPIRES
NOVEMBER 13, 2023
STATE OF UTAH

Notary Public

Residing in: St. George

My Commission Expires: 11/13/23

AGENT AUTHORIZATION

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

Property Owner

Property Owner

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

Notary Public

Residing in: _____

My Commission Expires: _____

When recorded mail deed and tax notice to:
Dennis B. Clark, JR., Trustee of Rick Kennedy
Revocable Trust, dated December 7, 2005
PO Box 2254
St. George, UT 84771

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

Order No. 215370 - JLB
Tax I.D. No. AV-1365-E

Space Above This Line for Recorder's Use

WARRANTY DEED

Bruce Hubrecht, grantor(s), of Hurricane, County of Washington, State of Utah, hereby **CONVEY and WARRANT to**

Dennis B. Clark, JR., Trustee of Rick Kennedy Revocable Trust, dated December 7, 2005 , grantee(s) of St. George, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

Parcel 1:
The West 10 acres of the Southwest Quarter Northeast Quarter(SW¼NE¼) of Section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

Parcel 2:
A Right of Way for ingress and egress over existing roads as created by instruments, recorded as Entry No. 278825, 281731, 281733 , 281738, 314581, 450820, Official Washington County Records.

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

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

WITNESS the hand(s) of said grantor(s), this 2nd day of February, 2021.

B Hubrecht
Bruce Hubrecht

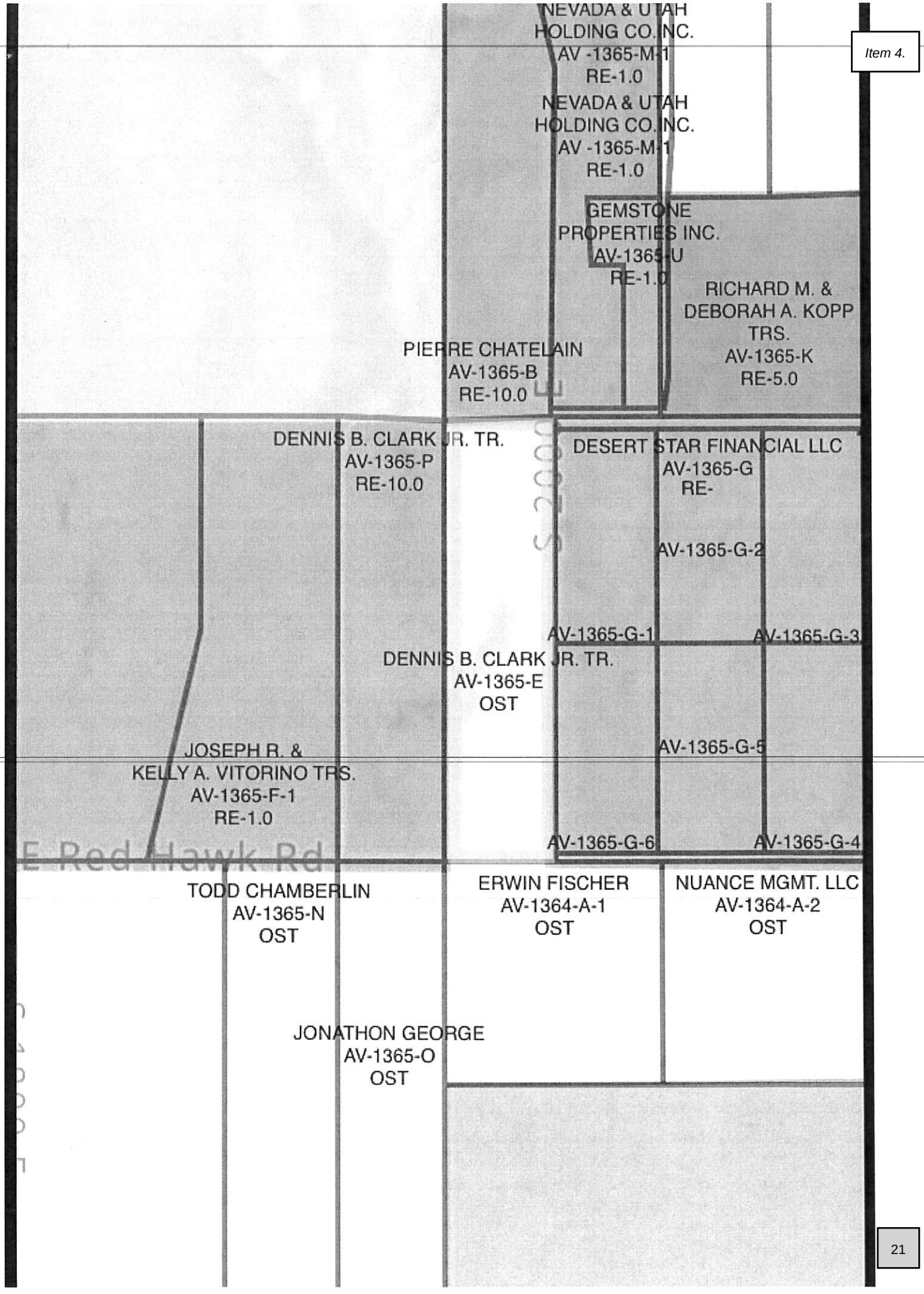
STATE OF Arizona)
:ss.
COUNTY OF Mohave)

On the 2nd day of February, 2021, personally appeared before me, Bruce Hubrecht, the signer of the within instrument who duly acknowledged to me that he/she executed the same.

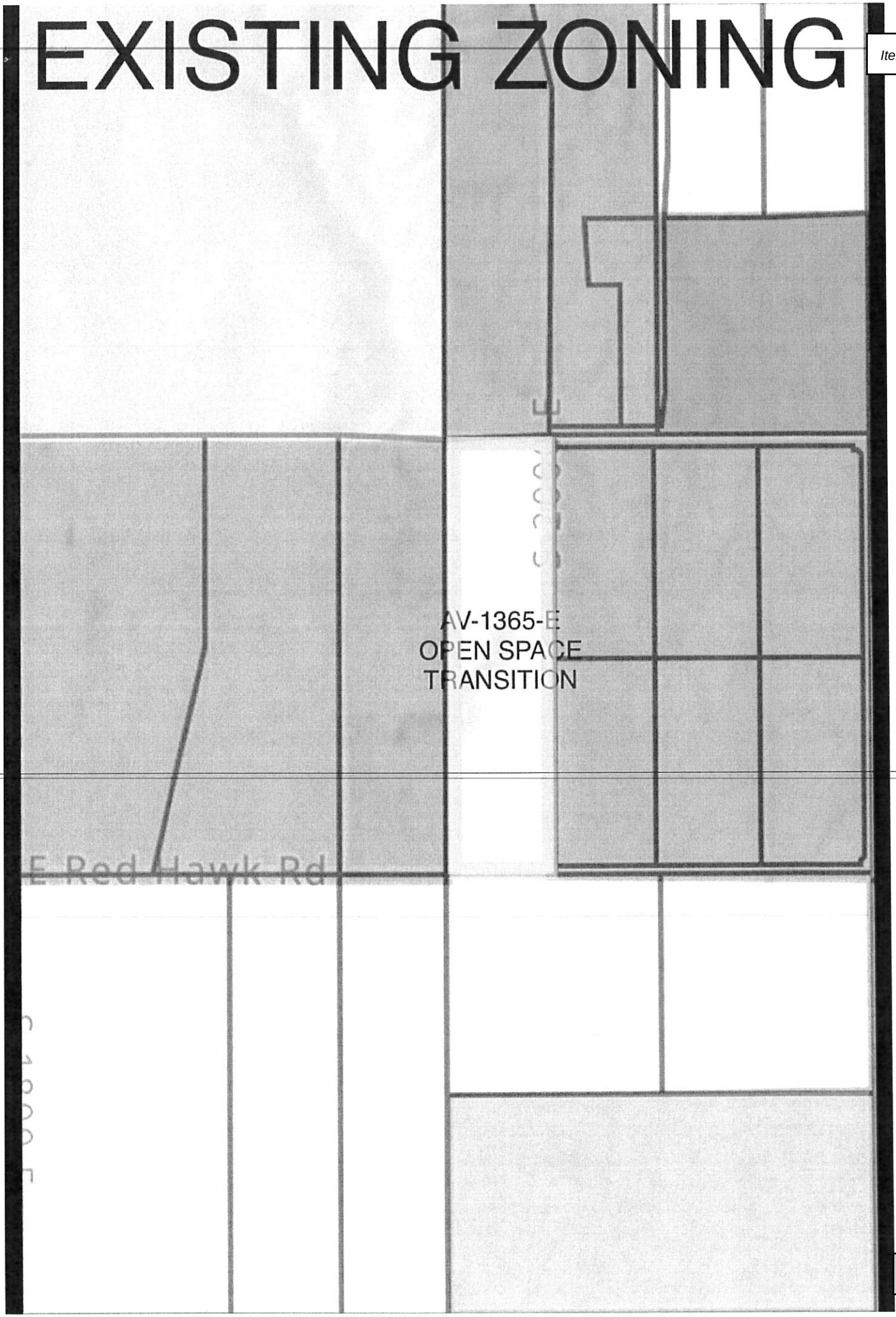
NOTARY PUBLIC

VALARIE J FERREIRA
Notary Public - Arizona
Mohave County
Commission # 588634
My Comm. Expires Oct 27, 2024

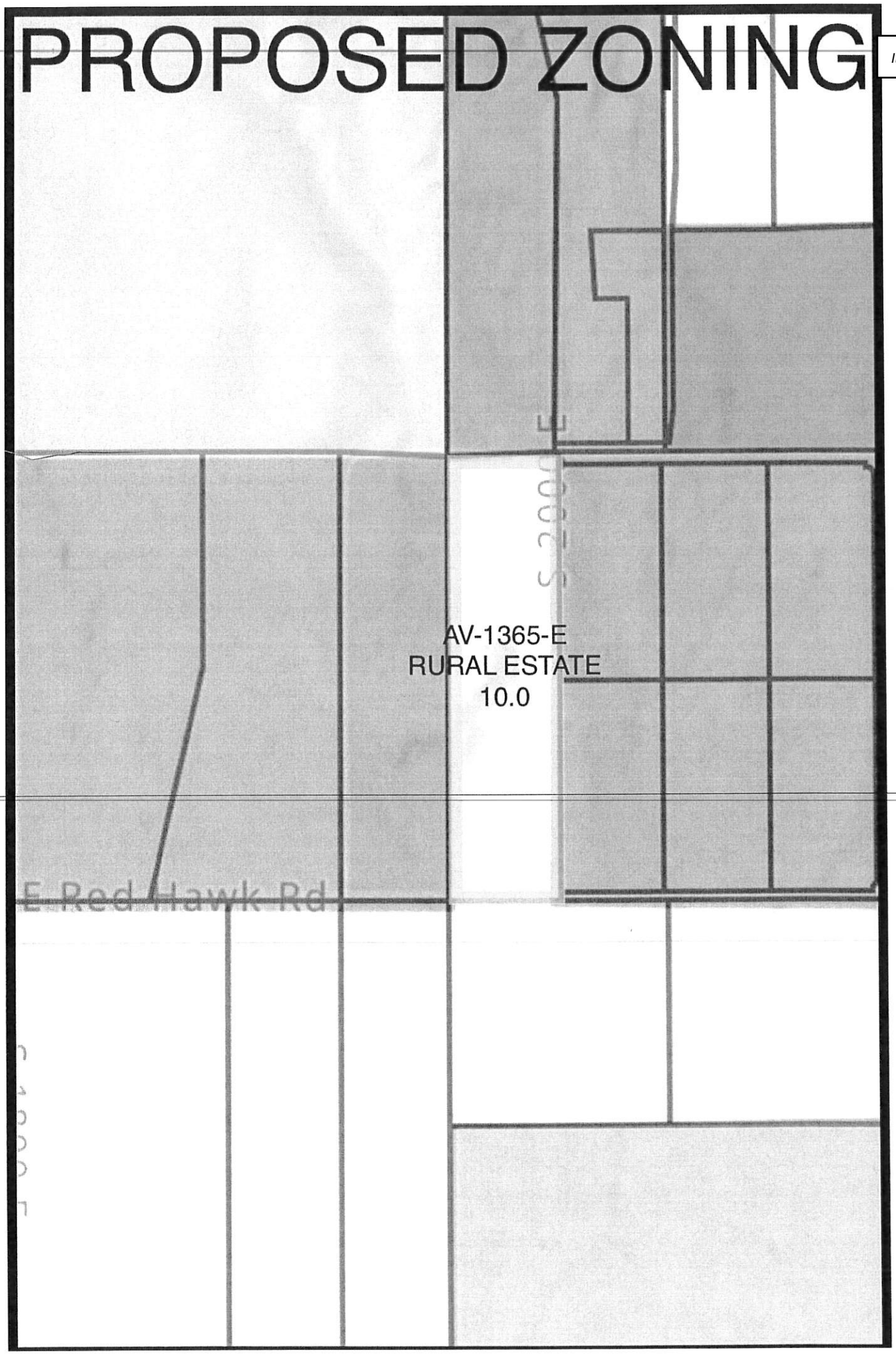
My Commission Expires: 10-27-24


NEVADA & UTAH
HOLDING CO. INC.
AV -1365-M-1
RE-1.0
NEVADA & UTAH
HOLDING CO. INC.
AV -1365-M-1
RE-1.0
GEMSTONE
PROPERTIES INC.
AV-1365-U
RE-1.0
RICHARD M. &
DEBORAH A. KOPP
TRS.
AV-1365-K
RE-5.0
PIERRE CHATELAIN
AV-1365-B
RE-10.0
DENNIS B. CLARK JR. TR.
AV-1365-P
RE-10.0
DESERT STAR FINANCIAL LLC
AV-1365-G
RE-
AV-1365-G-2
AV-1365-G-1
AV-1365-G-3
DENNIS B. CLARK JR. TR.
AV-1365-E
OST
AV-1365-G-5
JOSEPH R. &
KELLY A. VITORINO TRS.
AV-1365-F-1
RE-1.0
AV-1365-G-6
AV-1365-G-4
E Red Hawk Rd
TODD CHAMBERLIN
AV-1365-N
OST
ERWIN FISCHER
AV-1364-A-1
OST
NUANCE MGMT. LLC
AV-1364-A-2
OST
JONATHON GEORGE
AV-1365-O
OST

EXISTING ZONING



PROPOSED ZONING



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

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

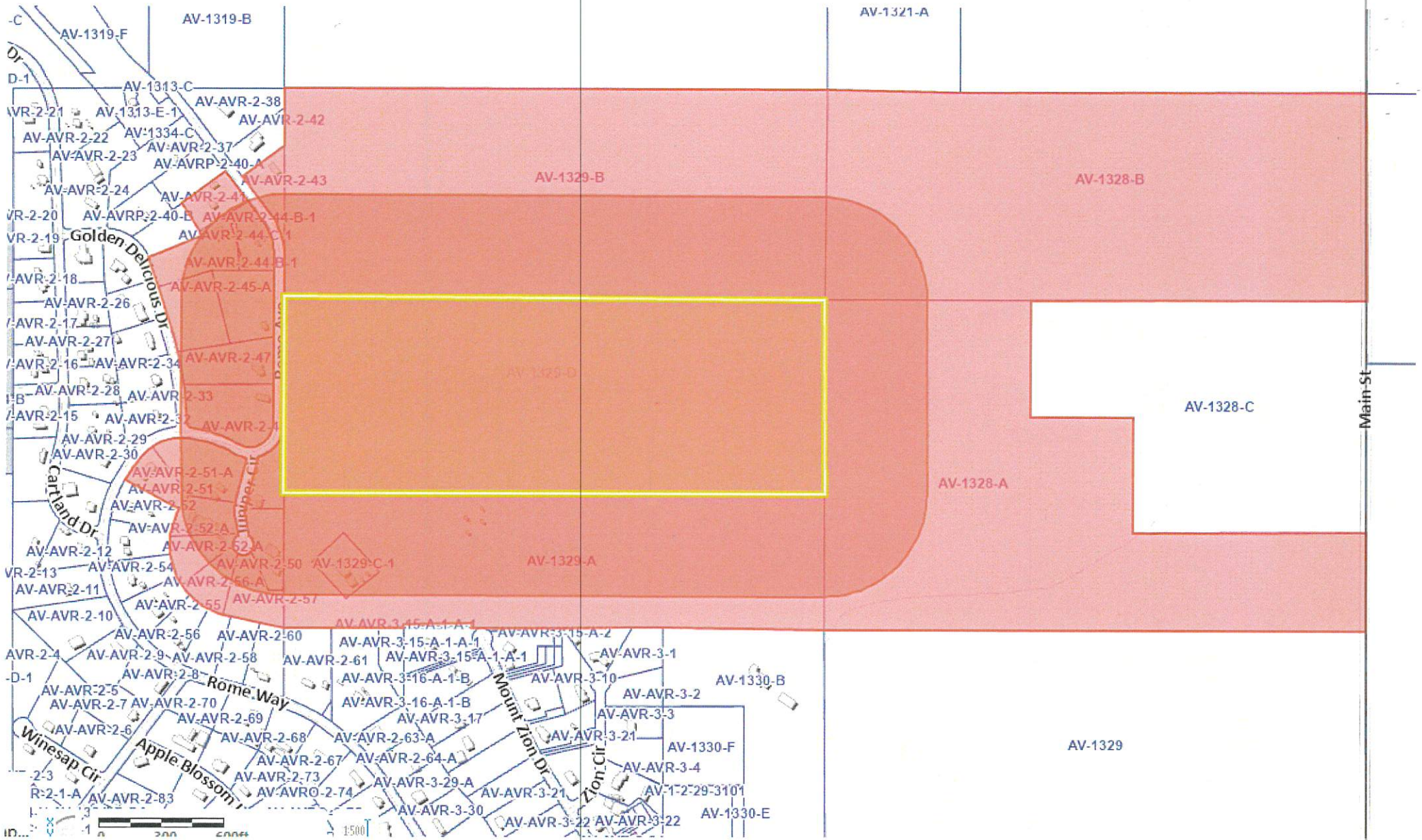
Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting		
Name: LADD MACDONALD		Phone: 925-407-5073
Address: [redacted]		Email: LADDMAC.@GMAIL.COM
City: Provo	State: UT	Zip: 84604
Agent: (If Applicable) Paul Johnson		Phone: (801) 377-3100
Address/Location of Property: BETWEEN ROME AVE & MAIN ST.	Parcel ID: AV 1329-B	
Existing Zone: OST		Proposed Zone: SF 1.0
Reason for the request: SINGLE FAMILY HOMES WITHOUT FARM ANIMALS, WITHOUT INDUSTRIAL LOOKING BUILDINGS		

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

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

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

Official Use Only	Paid fee 10/12/21	
Date Received:	10/6/21	By: JW
Date Application Deemed Complete:	10/12/21	By: JW



PROPERTIES WITHIN 500'

The Planning Commission makes a recommendation to the Town Council, so there is no appeal. The Town Council's action on a preliminary plat is final unless appealed to the appropriate court.

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
:ss
COUNTY OF)

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

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 24 day of Sept 2021

(Notary Public)

MATTHEW JENKINS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719596
COMM. EXP. 08-03-2025

Residing in: Utah County, Utah

My Commission Expires: 08/03/2025

AGENT AUTHORIZATION

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

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 24 day of Sept 2021

(Notary Public)

Residing in: Utah County Utah

My Commission Expires: 08/03/2025

MATTHEW JENKINS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719596
COMM. EXP. 08-03-2025

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:
DRL Investments
985 North Shadow Ridge Avenue
Eagle, Idaho 83616

DOC # 20060058754
Warranty Deed Page 1 of 2
Russell Shirts Washington County Recorder
12/19/2006 02:36:54 PM Fee $ 13.00 By SOUTHERN UTAH TITLE CO

Order No. 136491
Tax I.D. No. AV-1329-B

WARRANTY DEED

MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company, grantor(s), of St. George, County of Washington, State of Utah, hereby

CONVEY and WARRANT to

DRL INVESTMENTS, LLC, an Idaho Limited Liability Company, grantee(s) of Eagle, County of Ada, State of Idaho, for the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land in WASHINGTON County, State of UTAH:

SEE ATTACHED EXHIBIT "A" - LEGAL DESCRIPTION

TOGETHER WITH all improvements and appurtenances thereunto belonging.
LESS AND EXCEPTING any and all water rights.
SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 15 day of December, A. D. 2006.

MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company

JANA LYN MUSGRAVE, Member/Manager

MATTHEW C. MUSGRAVE, Member/Manager

NOTARY

STATE OF UTAH)
) ss
County of Washington)

On the 15 day of December, A. D. 2006, personally appeared before me Matthew C. Musgrave and Jana Lyn Musgrave, Managing Members of MCM LAND AND DEVELOPMENT,LLC,a Utah Limited Liability Company and known to me to be members or designated agents of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the Limited Liability Company.

NOTARY PUBLIC
STEPHANIE L HUTCHINGS
40 SOUTH 100 EAST
ST. GEORGE, UT 84770
MY COMM EXP 09-01-08
STATE OF UTAH

Notary Public

Notary Public residing at:
My Commission Expires:

Unofficial Copy

This Legal description is attached to that Warranty Deed, between DRL Investments, LLC, grantee(s), and MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company,as to an undivided 50% interest, Grantor(s).

EXHIBIT "A"

AN UNDIVIDED 50% INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTIES:

PARCEL 1:

Beginning at the Northwest Corner of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'52" East, along the Section line 2639.81 feet to the North Quarter Corner of said Section 29; thence South 0°05'25" East, along the Quarter Section line, 1019.60 feet; thence North 89°57'52" West 2639.41 feet to a point on the Section line; thence North 0°06'46" West, along the Section line, 1019.60 feet to the point of beginning.

PARCEL 2:

Easement for ingress and egress, as created by Warranty Deed, recorded August 9, 2006, as Doc. No. 20060035761, Official Washington County Records, across the North 50.00 feet of the following described parcel:

Beginning at the Northeast Corner of Section 29 Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 0°05'43" East along the Section line 1019.21 feet; thence South 89°57'16" West 2642.00 feet to a point on the Quarter Section line; thence North 0°04'45" West along the Quarter Section line, 1019.21 feet to the North Quarter Corner of said Section 29; thence North 89°57'16" East, along the Section line, 2641.71 feet to the point of beginning.

Initials _____ / _____

Unofficial Copy

PRELIMINARY PLAT APPLICATION

Town of Apple Valley
1777 North Meadowlark Dr.
Apple Valley, Utah 84737
(435)877-1190
Fax (435)877-1192

Fee: $1,500, Lot Split $250

For Office Use Only:
File No. AV-1329-B
Receipt No. 10783701

Name: SMITHSONIAN ESTATES for DRL Inv LLC **Telephone:** 801-404-8437

Address: [redacted] **Fax No.** _____

Email: laddmac@gmail.com

Agent (If Applicable): Paul Johnson **Telephone:** 801-377-3100

Address/Location of Subject Property: AV-1329-B, Northwest Corner Section 29, Township 42 Range 11 West, Salt Lake Base and Meridian

Tax ID of Subject Property: AV-1329-B **Zone District:** SF1

Proposed Use: (Describe, use extra sheet if necessary) Residential

Submittal Requirements: The preliminary plat application shall provide the following:

X 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- X a. The proposed name of the subdivision.
- X b. The location of the subdivision, including the address and section, township and range.
- X c. The names and addresses of the owner or subdivider, if other than the owner.
- X d. Date of preparation, and north point.
- X e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.

X 2. Existing Conditions: The preliminary plat shall show:
- X a. The location of the nearest monument.
- X b. The boundary of the proposed subdivision and the acreage included.
- X c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
- X d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
- X e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
- X f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

__X__ g. Existing ditches, canals, natural drainage channels and open waterways and any proposed realignments.

__X__ h. Contours at vertical intervals not greater than five (5) feet.

__X__ i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.

__X__ j. Information on whether property is located in desert tortoise take area

(Preliminary Plat Application – Page 2)

__X__ 3. Proposed Plan: The subdivision plans shall show:

__X__ a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.

__X__ b. The layout, numbers and typical dimensions of lots.

__X__ c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.

__X__ d. Easements for water, sewers, drainage, utilities, lines and other purposes.

__X__ e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)

__X__ f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.

__X__ g. Approximate radius of all center line curves on highways or streets.

__X__ h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)

__X__ i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.

__X__ j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.

__X__ k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.

__X__ l. Will this subdivision be phased? If yes show possible phasing lines.

__X__ m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

__X__ 4. Required copies of plans:

__X__ a. Three copies of all full scale drawings

__X__ b. One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).

__X__ **5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property**

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.

****

(Office Use Only)

Date Received: 10/6/21 Application Complete: YES ☑ NO ☐

Date application deemed to be complete: 10/12/21 Completion determination made by: JW

PRELIMINARY PLAT APPLICATION page 3 (General Information)

PURPOSE

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to insure that all proposed divisions of land conform to the Town General Plan and to adopted development standards of the Land Use Ordinance.

WHEN REQUIRED

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discussed the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. (see submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled Town Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear Town Council comments, answer questions, and receive Town Council decision Town Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to the Town standards. Construction drawings must be approved by the Planning and Zoning department, Town Engineer, Rocky Mountain Power, Southwest Public Health Department and Big Plains Water and Sewer Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the Town Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one year time limit is reached. The Planning Commission will review and make recommendation to the Town Council on the final plat when submitted. The Town Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

APPEALS

The Planning Commission makes a recommendation to the Town Council, so there is no appeal. The Town Council's action on a preliminary plat is final unless appealed to the appropriate court.

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH)
:ss
COUNTY OF)

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

(Property Owner)

(Property Owner)

MATTHEW JENKINS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719596
COMM. EXP. 08-03-2025

Subscribed and sworn to me this 24 day of Sept 2021

(Notary Public)

Residing in: Utah County, Utah

My Commission Expires: 08/03/2025

AGENT AUTHORIZATION

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

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 24 day of Sept 2021

(Notary Public)

Residing in: Utah County Utah

My Commission Expires: 08/03/2025

MATTHEW JENKINS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719596
COMM. EXP. 08-03-2025

PRELIMINARY PLAT
SMITHSONIAN ESTATES
SUBDIVISON



VICINITY MAP
N.T.S.

OWNER

DRL INVESTMENTS, LLC

LADD MACDONALD OWNER
LADDMAC@GMAIL.COM
(927)407-3073

TRAFFIC, ROADWAYS

52-FOOT WIDE ROADWAYS ARE PROVIDED THROUGHOUT THE SUBDIVISION.

WE REALIZE IT IS PREFERRED BY THE CITY TO CONNECT TO GUBLER WAY RATHER THAN ROME AVE.

MONUMENT

THE NEAREST MONUMENT IS A GLO BRASS CAP, THE NORTH ¼ CORNER OF SECTION 29 IS LOCATED AT THE NORTHEAST CORNER OF THE PROPERTY

GEOLOGICAL HAZARDS

NO GEOLOGICAL HAZARDS ARE EXPECTED ON THE SITE. A GEOTECHNICAL REPORT ADDRESSING THESE POTENTIAL HAZARDS WILL BE PROVIDED PRIOR TO ANY CONSTRUCTION

GENERAL NOTES:

* SET BACKS ARE: 25' FRONT, 10' SIDE, & 10' BACK
* A 10' UTILITY EASEMENT IS HEREBY GRANTED ADJACENT TO ROAD WAYS

LEGEND

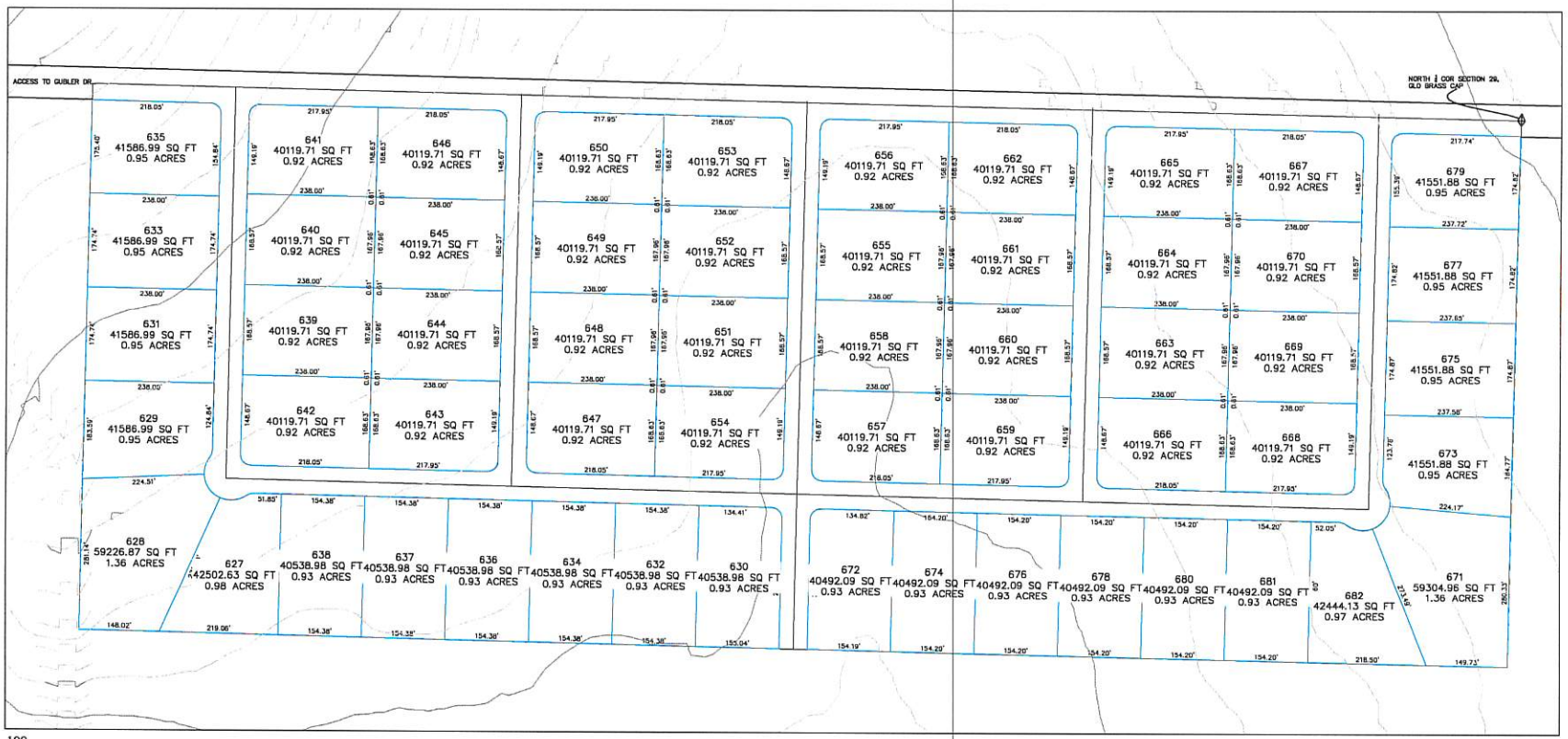
DRAINAGE FLOWS TO THE SOUTH AND EXITS THE PROPERTY NEAR THE CENTER OF THE PROPERTY. DETENTION WILL BE SIZED TO MITIGATE ALL INCREASES IN VOLUME PRIOR TO EXITING THE PROPERTY

NOTE

ROADWAYS WITH SLOPE GREATER THAN 5% NOT EXPECTED. BUT WILL BE LOCALIZED IF REQUIRED

EXISTING UTILITIES INCLUDING WATER IS LOCATED IN ROME WAY. WATER SERVICE WILL BE EXTENDED TO ADJACENT PROPERTIES.

SEWER SERVICE WILL BE BY INDIVIDUAL WASTEWATER SYSTEMS AND WILL REQUIRE LEVEL 3 APPROVAL BY THE STATE OF UTAH. A TYPICAL SYSTEM WILL BE PROVIDED BY ORENCO OR AIRH, OR OTHERS.



100 0 100
SCALE IN FEET

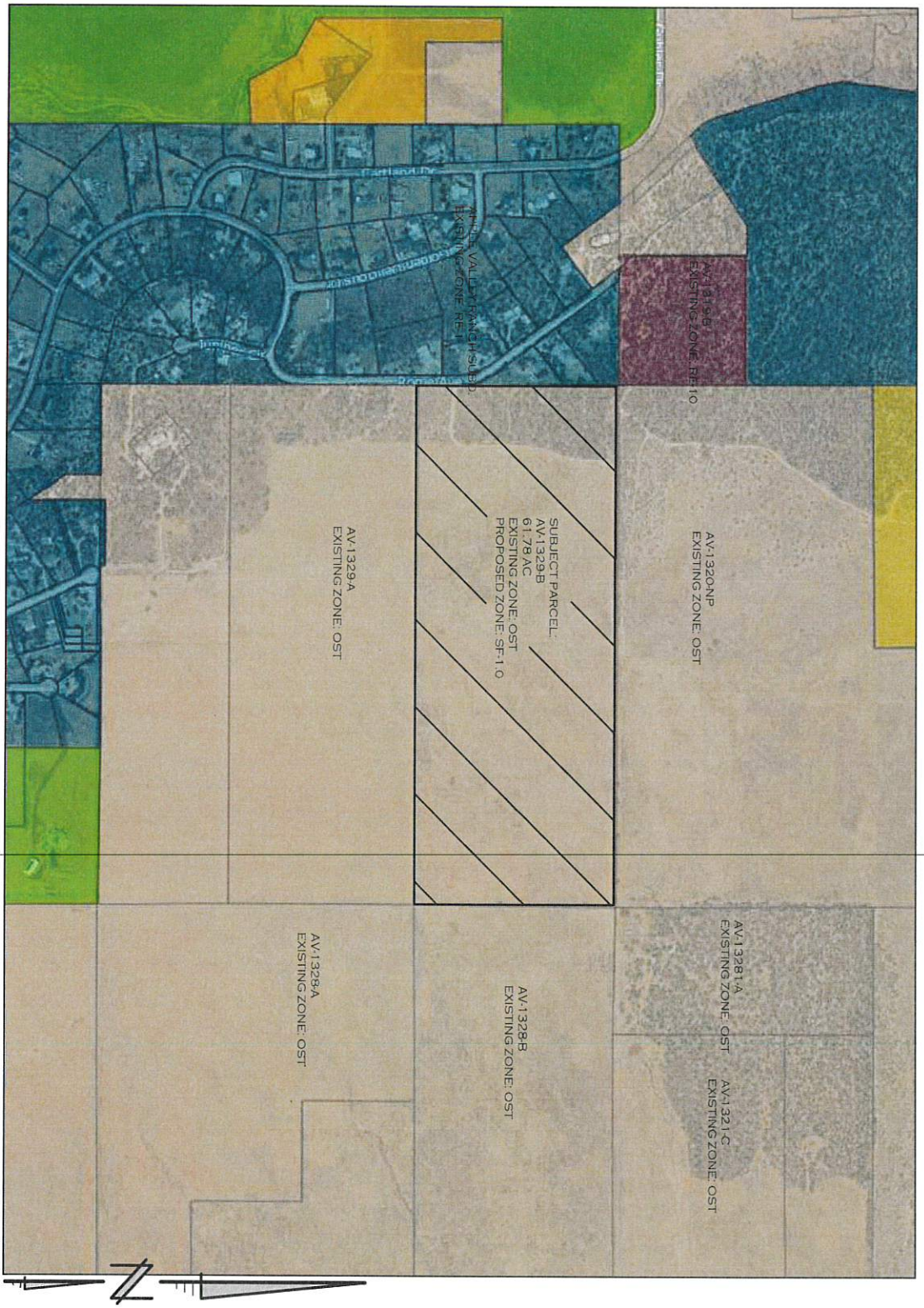
REVISIONS

NO.	DATE	APPROVED
1		

PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST SUITE 31 HURRICANE UTAH 84737
FAX: (435) 635-5769 TEL: (435) 635-2329

PRELIMINARY PLAT
SMITHSONIAN ESTATES SUBD.
FOR
LADD MACDONALD
APPLE VALLEY, UTAH
SECTION 29, T42S, R 11W, SLB&M

FILE NAME	MCDONALD
DATE	OCT 2021
CHECKED	
SCALE	SHOWN
SHEET	1 OF 1



ZONE MAP EXHIBIT
SMITHSONIAN ESTATES
FOR
LADD MACDONALD

SECTION 29, APPLE VALLEY, UT

PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 3 - HURRICANE, UTAH 84737
FAX: (435) 635-5765 TEL: (435) 635-2329

REVISIONS			
NO.	DATE	AP. BY	REMARKS

FILE: LADD MACDONALD
DATE: OCT 2021

SHEET 1 OF 1

terra title

Terra Title Company
265 West Tabernacle #100
St. George, UT 84770

Thank you!

Ladd MacDonald

PROPERTY ADDRESS (TAX ID): (Not Addressed), Apple Valley, Utah 84737 (AV-1329-B)

FILE NUMBER: 36091

The attached Owner's Policy of Title Insurance and recorded Trust Deed(s) *are provided electronically as a courtesy*.

terra title

SCHEDULE A

STANDARD GUARANTEE

File No.	**36091**	Liability	**$1,000.00**
Fee	**$350.00**	Guarantee No.	**SG-08015336**

1. Name of Insured: Ladd MacDonald and David Fitzgerald
2. Date of Guarantee: September 24, 2021 at 7:00AM

The assurances referred to on the face page hereof are:

That, according to the Company's property records relative to the following described land:
Parcel 1:
Beginning at the Northwest Corner of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89º57'52" East, along the Section line 2639.81 feet to the North Quarter Corner of said Section 29; thence South 0º05'25" East, along the Quarter Section line, 1019.60 feet; thence North 89º57'52" West 2639.41 feet to a point on the Section line; thence North 0º06'46" West, along the Section line, 1019.60 feet to the point of beginning.

Parcel 2:
Easement for ingress and egress, as created by Warranty Deed, recorded August 9, 2006, as Doc. No.20060035761 , Official Washington County Records, across the North 50.00 feet of the following described parcel:

Beginning at the Northeast Corner of Section 29 Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 0°05'43" East along the Section line 1019.21 feet; thence South 89°57'16" West 2642.00 feet to a point on the Quarter Section line; thence North 0°04'45" West along the Quarter Section line, 1019.21 feet to the North Quarter Corner of said Section 29; thence North 89°57'16" East, along the Section line, 2641.71 feet to the point of beginning.

A. The record owner is: DRL Investments, LLC, an Idaho Limited Liability Company
B. Subject to those exceptions shown on Schedule "B"
C. That, according to the public records of Washington County, Utah, and the Utah Secretary of State for a period of 10 years immediately prior to the date hereof, there are no Federal Tax Liens, Abstracts of Judgement, or Certificates of State Tax Liens filed or recorded against the herein named parties, other than those for which a release appears and other than those shown on Schedule "B"

No guarantee is made regarding (a) matters affecting the beneficial interest of any mortgage or deed of trust which may be shown herein as an exception, or (b) other matters which may affect any such mortgage or deed of trust.

No guarantee is made regarding any liens, claims of liens, defects or encumbrances other than those specifically provided for above, and, if information was requested by reference to a street address, no guarantee is made that said land is the same as said address.

SCHEDULE B
Exceptions

The following is a list of exceptions that effect title to the herein described property:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be by an inspection of the land or which may be asserted by persons in possession, or claiming be in possession, thereof.

2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.

3. 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 that is not shown by the Public Records.

4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is 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) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.

6. Taxes or assessments which are not now payable or 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.

7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.

8. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.

9. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.

10. Taxes for the current year 2021, which are liens, but not yet due or payable in the estimated amount of $6.35, under Tax Serial No. AV-1329-B, Account No. 0690399. (For the amount due contact the Washington County Treasurer's Office at #435-634-5711)

    (Note: It appears that a partial payment or a credit in the amount of $9.45 has been applied towards the 2021 taxes. For a current payoff contact the Washington County Treasurer's Office.)

11. Liability to Assessments levied by Washington County for the Southeastern Special Service District for fire protection facilities and services, as disclosed by Resolution No. 668, dated November 10, 1997, recorded November 12, 1997, as Entry No. 582401 , in Book 1149, at Pages 208-212, Official Washington County Records. (Affects this and other property)

12. Any Afterassessment and/or Rollback of Taxes which may become a lien on said Land by reason of an Annual Application for Assessment and Taxation of Agricultural Lands 1969 Farmland Assessment Act, executed by DRL INV LLC, recorded May 2, 2007, as Doc. No. 20070022387 , Official Washington County Records.

SCHEDULE B - CONTINUED

13. Subject to a 50 foot Right of Way easement, created by Warranty Deed, recorded June 1, 2005, as Entry No. 948543 , in Book 1750, at Pages 1086-1087, Official Washington County Records, described as follows: (Affects the North 50 feet and the West 50 feet and other property)

    A non-exclusive 50 foot Right-of-Way easement for ingress and egress and public utilities, over the following described property:

    Beginning at a point lying South 89°57'16" West, along the Section line, 1981.74 feet from the Southeast Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'16" West, along the section line, 609.97 feet; thence South 0°04'45" East 50.00 feet; thence South 89°58'39" West 2639.81 feet; thence South 0°04'26" East 822.39 feet; thence South 89°55'34" West 50.00 feet to a point on the West boundary line of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and a point on the East right-of-way line of a public street referred to as Rome Way; thence North 0°04'26" West along said Section line 872.43 feet to the Southwest Corner of said Section 20; thence North 89°58'39" East along the Section line, 2639.81 feet to the South Quarter corner of said Section 20; thence North 0°03'18" West, along the Quarter Section line, 50.00 feet; thence North 89°57'16" East 659.97 feet to a point on the West line Parcel 1 described above; thence South 0°03'18" East, along said West line, 50.00 feet to the point of beginning.

14. Subject to the terms and provisions as set forth in Easement, executed by and between DRL INVESTMENTS, LLC, AN IDAHO LIMITED LIABILITY COMPANY, as Grantor and PAUL E. JOHNSON, an individual, as Grantee, and rights incidental thereto, recorded April 22, 2010, as Doc. No. 20100013048 , Official Washington County Records. (Affects the North 50.0 feet and the West 50.0 feet of the North 872.43 feet)

15. Resolution No. 2011-25, dated September 1, 2011, creating the Big Plains Water and Sewer Special Service District, to provide water and sewerage services within said boundaries of the municipality of Apple Valley Town, as recorded October 18, 2011, as Doc. No. 20110031703 , Official Washington County Records. (Affects this and other property)

    Town of Apple Valley, Utah Resolution No. 2019-01, A Resolution Modifying, Limiting, and Revoking the Delegation of Authority to The Big Plains Water and Sewer Special Services District, recorded January 9, 2019, as Doc. No. 20190000956 , Official Washington County Records.

***

GUARANTEE

Policy Number **SG-08015336**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, AND SUBJECT TO THE FURTHER EXCLUSION AND LIMITATION THAT NO GUARANTEE IS GIVEN NOR LIABLILITY ASSUMED WITH RESPECT TO THE IDENTITY OF ANY PARTY NAMED OR REFERRED TO IN SCHEDULE A OR WITH RESPECT TO THE VALIDITY, LEGAL EFFECT OR PRIORITY OF ANY MATTER SHOWN THEREIN. OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Florida corporation, herein called the Company GUARANTEES the Assured named in Schedule A, against actual monetary loss or damge not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A

IN WITNESS WHEREOF, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Guarantee to become valid when countersigned on Schedule A by an authorized officer or agent of the Company.

Issued through the Office of:

Terra Title Company
(435) 628-7054
265 West Tabernacle #100
St. George, UT 84770

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By C Monroe *President*

Attest David Wold *Secretary*

Terra Title Company

By: _____
Authorized Signatory

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:
DRL Investments
985 North Shadow Ridge Avenue
Eagle, Idaho 83616

DOC # 20060058754
Warranty Deed Page 1 of 2
Russell Shirts Washington County Recorder
12/19/2006 02:36:54 PM Fee $ 13.00 By SOUTHERN UTAH TITLE CO

Order No. 136491
Tax I.D. No. AV-1329-B

WARRANTY DEED

MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company, grantor(s), of St. George, County of Washington, State of Utah, hereby

CONVEY and WARRANT to

DRL INVESTMENTS, LLC, an Idaho Limited Liability Company, grantee(s) of Eagle, County of Ada, State of Idaho, for the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land in WASHINGTON County, State of UTAH:

SEE ATTACHED EXHIBIT "A"- LEGAL DESCRIPTION

TOGETHER WITH all improvements and appurtenances thereunto belonging.
LESS AND EXCEPTING any and all water rights.
SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 15 day of December, A. D. 2006.

MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company

JANA LYN MUSGRAVE, Member/Manager

MATTHEW C. MUSGRAVE, Member/Manager

NOTARY

STATE OF UTAH)
) ss
County of Washington)

On the 15 day of December, A. D. 2006, personally appeared before me Matthew C. Musgrave and Jana Lyn Musgrave, Managing Members of MCM LAND AND DEVELOPMENT,LLC,a Utah Limited Liability Company and known to me to be members or designated agents of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the Limited Liability Company.

NOTARY PUBLIC
STEPHANIE L HUTCHINGS
40 SOUTH 100 EAST
ST. GEORGE, UT 84770
MY COMM EXP 09-01-08
STATE OF UTAH

Notary Public

Notary Public residing at:
My Commission Expires:

This Legal description is attached to that Warranty Deed, between DRL Investments, LLC, grantee(s), and MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company,as to an undivided 50% interest, Grantor(s).

EXHIBIT "A"

AN UNDIVIDED 50% INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTIES:

PARCEL 1:

Beginning at the Northwest Corner of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'52" East, along the Section line 2639.81 feet to the North Quarter Corner of said Section 29; thence South 0°05'25" East, along the Quarter Section line, 1019.60 feet; thence North 89°57'52" West 2639.41 feet to a point on the Section line; thence North 0°06'46" West, along the Section line, 1019.60 feet to the point of beginning.

PARCEL 2:

Easement for ingress and egress, as created by Warranty Deed, recorded August 9, 2006, as Doc. No. 20060035761, Official Washington County Records, across the North 50.00 feet of the following described parcel:

Beginning at the Northeast Corner of Section 29 Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 0°05'43" East along the Section line 1019.21 feet; thence South 89°57'16" West 2642.00 feet to a point on the Quarter Section line; thence North 0°04'45" West along the Quarter Section line, 1019.21 feet to the North Quarter Corner of said Section 29; thence North 89°57'16" East, along the Section line, 2641.71 feet to the point of beginning.

Initials _____ / _____

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:
DRL Investments
985 North Shadow Ridge Avenue
Eagle, Idaho 83616

DOC # 20060058753
Warranty Deed Page 1 of 2
Russell Shirts Washington County Recorder
12/19/2006 02:36:54 PM Fee $ 13.00 By SOUTHERN UTAH TITLE CO

Order No. 136491
Tax I.D. No. AV-1329-B

WARRANTY DEED

KB WILLEY HOLDINGS, LC, a Utah Limited Liability Company,, grantor(s), of St. George, County of Washington, State of Utah, hereby

CONVEY and WARRANT to

DRL INVESTMENTS, LLC, an Idaho Limited Liability Company, grantee(s) of Eagle, County of Ada, State of Idaho, for the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land in WASHINGTON County, State of UTAH:

SEE ATTACHED EXHIBIT "A"- LEGAL DESCRIPTION

TOGETHER WITH all improvements and appurtenances thereunto belonging.
LESS AND EXCEPTING any and all water rights.
SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 15 day of December, A. D. 2006.

KB WILLEY HOLDING COMPANY, LC, a Utah Limited Liability Company

12/15/06
Kirk B. Willey, Member/Manager

NOTARY

STATE OF UTAH)
) ss
County of Salt Lake)

On the 15 day of December, A. D. 2006, personally appeared before me Kirk B. Willey, Member/Manager of KB Willey Holdings, LC, a Utah Limited Liability Company and known to me to be members or designated agents of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the Limited Liability Company.

SUNIL K SINGH
Notary Public
State of Utah
My Comm. Expires Jan 13, 2009
2243 E 2100 S SLC UT 84109

Notary Public

This Legal description is attached to that Warranty Deed, between DRL Investments, LLC, grantee(s), and KB WILLEY HOLDINGS, LC, a Utah Limited Liability Company, as to an undivided 50% interest, Grantor(s).

EXHIBIT "A"

AN UNDIVIDED 50% INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTIES:

PARCEL 1:

Beginning at the Northwest Corner of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'52" East, along the Section line 2639.81 feet to the North Quarter Corner of said Section 29; thence South 0°05'25" East, along the Quarter Section line, 1019.60 feet; thence North 89°57'52" West 2639.41 feet to a point on the Section line; thence North 0°06'46" West, along the Section line, 1019.60 feet to the point of beginning.

PARCEL 2:

Easement for ingress and egress, as created by Warranty Deed, recorded August 9, 2006, as Doc. No. 20060035761, Official Washington County Records, across the North 50.00 feet of the following described parcel:

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Initials ZW / _____

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:

DRL Investments, LLC
99 East State Street, Suite No. 200
Eagle, Idaho 83616

DOC # 20070020582
Water Right DeedPage 1 of 1
Russell Shirts Washington County Recorder
04/23/2007 02:48:25 PMFee $ 10.00By SOUTHERN UTAH TITLE CO

Order No.
Water Right No. 81-4516

QUIT-CLAIM DEED FOR WATER RIGHT

Paul E. Johnson and , grantor(s), of Provo, County of Utah, State of Utah, hereby

CONVEY and QUIT-CLAIMS to

DRL Investments, LLC, an Idaho Limited Liability Company, grantee(s) of Eagle, County of Ada, State of Idaho, for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the following Water Rights located in Washington County, State of Utah:

1.00 acre foot of underground water rights, as evidenced by Water User's Claim No. 81-4516, Change application a28620, as filed in the Office of the Engineer of the State of Utah, Division of Water Rights.

The Beneficial use is as follows:

	From water right no.: 81-4516 Sole Supply Limit		From pending Change Application: a28620 Sole Supply Limit	
Irrigation	0.20	(ac)	0.02	(ac)
Stockwatering		(ELUs)		(ELUs)
Domestic		(families)	2	(families)
Mumicipal		(ac ft)		(ac ft)
Industrial		(ac ft)		(ac ft)
Other		(ac ft)		(ac ft)

WITNESS the hand(s) of said grantor(s), this 22 of March, A. D. 2007.

Paul E. Johnson

NOTARY

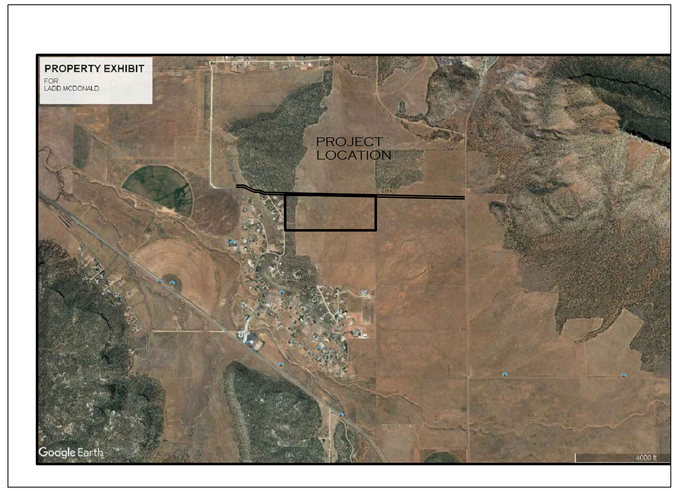
STATE OF ~~UTAH~~ IDAHO)
) ss
County of ADA)

On the 22 day of March, A. D. 2007 personally appeared before me, Paul E. Johnson, the signer of the within instrument, who duly acknowledge to me that he executed the same.

DEBORAH B ANDERSON
NOTARY PUBLIC
STATE OF IDAHO

Deborah B Anderson
Notary Public
COMMISSION EXP: 3/2/2011

PRELIMINARY PLAT
SMITHSONIAN ESTATES
SUBDIVISON



VICINITY MAP
N.T.S.

OWNER

DRL INVESTMENTS, LLC

LADD MACDONALD OWNER
LADDMAC@GMAIL.COM
(927)407-5073

TRAFFIC, ROADWAYS

52-FOOT WIDE ROADWAYS ARE PROVIDED THROUGHOUT THE SUBDIVISION.

WE REALIZE IT IS PREFERRED BY THE CITY TO CONNECT TO GUBLER WAY RATHER THAN ROME AVE.

MONUMENT

THE NEAREST MONUMENT IS A GLO BRASS CAP, THE NORTH ¼ CORNER OF SECTION 29 IS LOCATED AT THE NORTHEAST CORNER OF THE PROPERTY

GEOLOGICAL HAZARDS

NO GEOLOGICAL HAZARDS ARE EXPECTED ON THE SITE. A GEOTECHNICAL REPORT ADDRESSING THESE POTENTIAL HAZARDS WILL BE PROVIDED PRIOR TO ANY CONSTRUCTION

GENERAL NOTES:

* SET BACKS ARE: 25' FRONT, 10' SIDE, & 10' BACK

* A 10' UTILITY EASEMENT IS HEREBY GRANTED ADJACENT TO ROAD WAYS

DRAINAGE NOTE

DRAINAGE FLOWS TO THE SOUTH AND EXITS THE PROPERTY NEAR THE CENTER OF THE PROPERTY. DETENTION WILL BE SIZED TO MITIGATE ALL INCREASES IN VOLUME PRIOR TO EXITING THE PROPERTY

NOTE

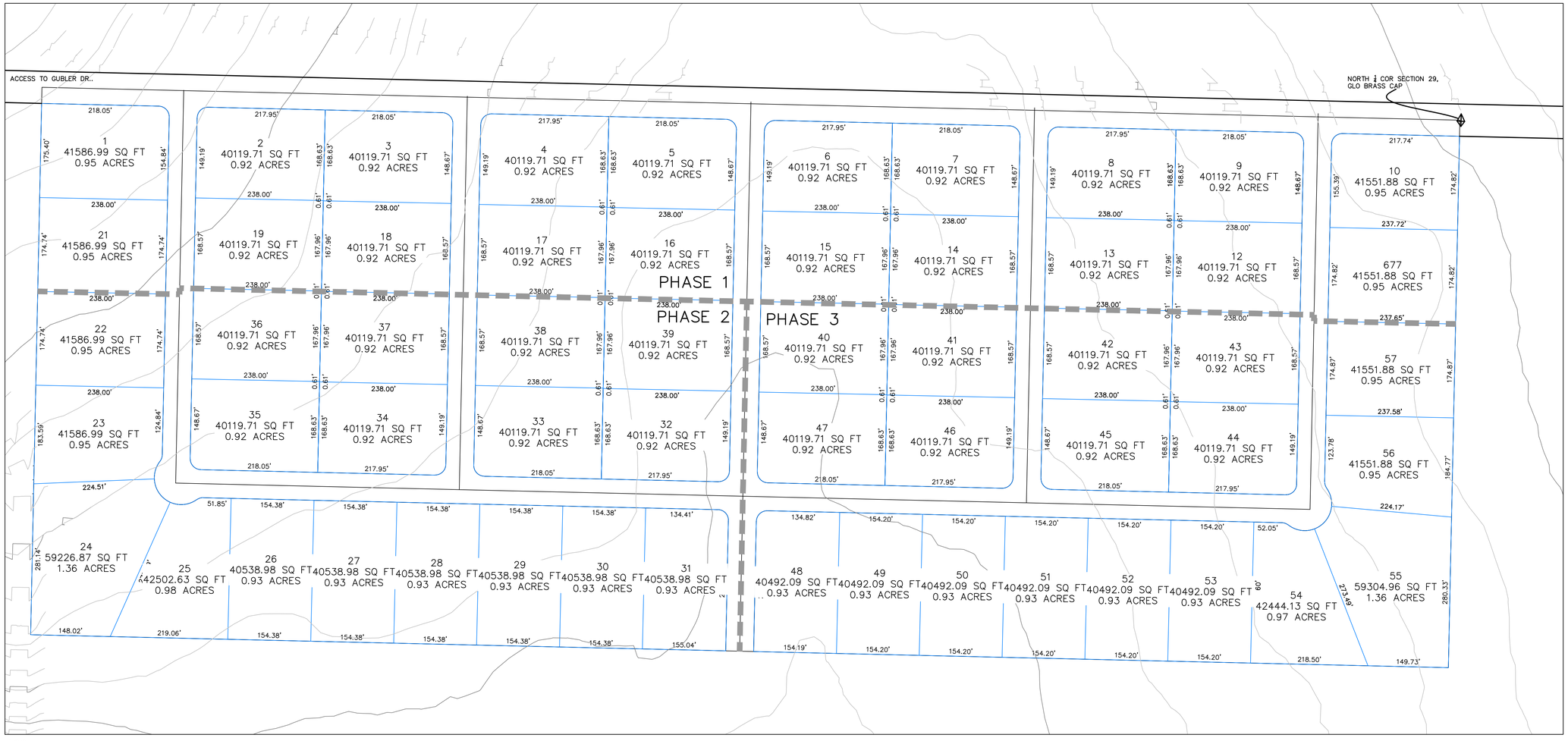
ROADWAYS WITH SLOPE GREATER THAN 5% NOT EXPECTED. BUT WILL BE LOCALIZED IF REQUIRED

EXISTING UTILITIES INCLUDING WATER IS LOCATED IN ROME WAY. WATER SERVICE WILL BE EXTENDED TO ADJACENT PROPERTIES.

SEWER SERVICE WILL BE BY INDIVIDUAL WASTEWATER SYSTEMS AND WILL REQUIRE LEVEL 3 APPROVAL BY THE STATE OF UTAH. A TYPICAL SYSTEM WILL BE PROVIDED BY ORENCO OR AIRR, OR OTHERS.

LEGEND:

PHASE LINE



100 0 100
SCALE IN FEET

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 3 - HURRICANE, UTAH 84737
FAX: (435) 635-5765 TEL: (435) 635-2329

PRELIMINARY PLAT
SMITHSONIAN ESTATES SUBD.
FOR
LADD MACDONALD
APPLEVALLEY, UTAH
SECTION 29, T42S, R11W, SLB&M

FILE NAME: MCDONALD
DATE: OCT 2021
CHECKED:
SCALE: SHOWN
SHEET 1 OF 1

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

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

Zone Change Application

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

Name: NORTHERN ENGINEERING		Phone: 801-802-8992	
Address: [redacted]		Email: bkuttleengi@utah.com	
City: OREM	State: UTAH	Zip: 84097	
Agent: (If Applicable) BRANDT TUTTLE		Phone: 801-380-2114	
Address/Location of Property: Chaparral Dr./ Joshua St. - SR 59		Parcel ID: AV-1366-D-1	
Existing Zone: OPEN SPACE TRANSITION		Proposed Zone: SF-.25	

Reason for the request
Create patio homes on north side of SR-59 and west of Cedar Point intersection, Create 21 patio home lots on 9.26 acres

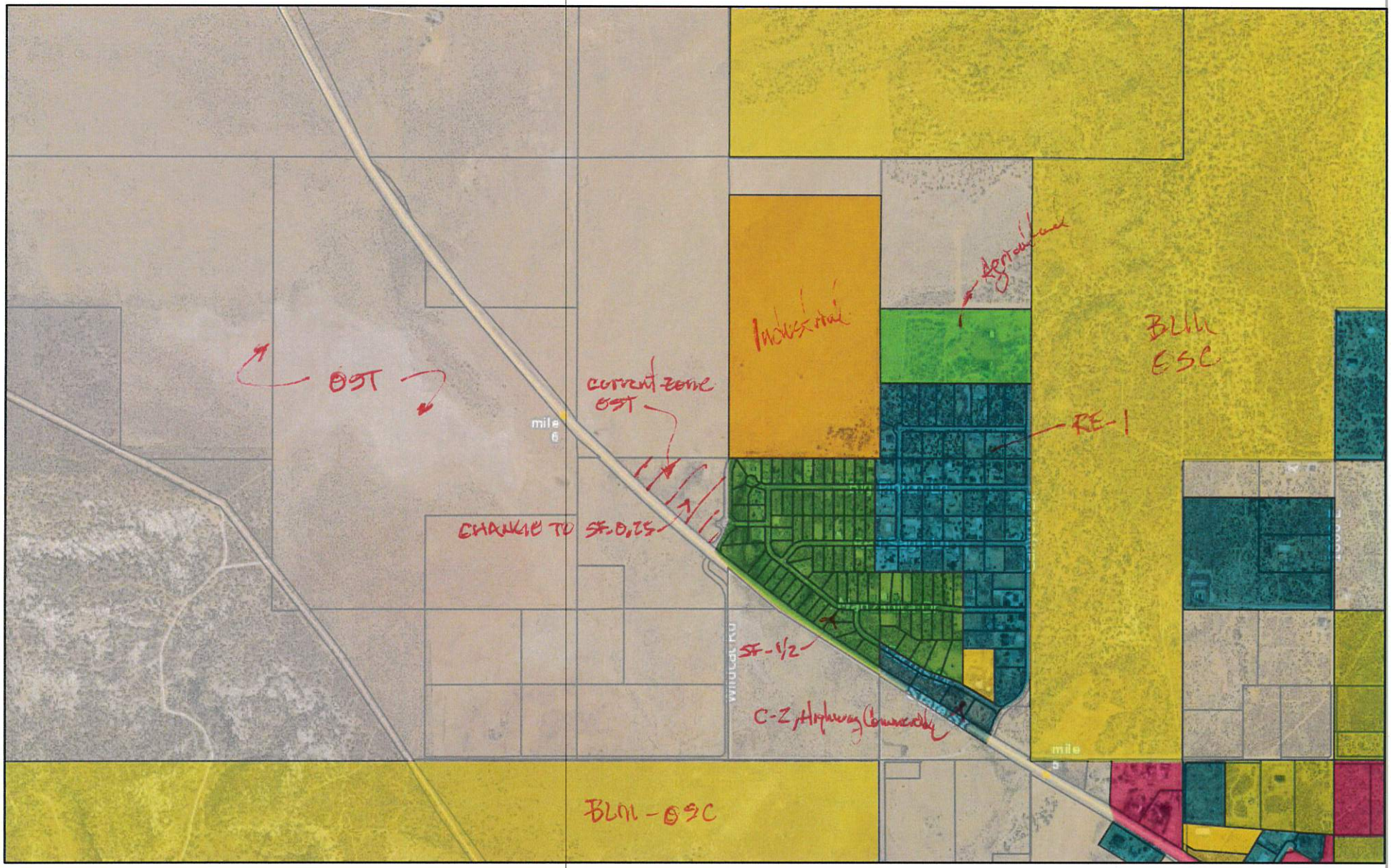
Submittal Requirements: The zone change application shall provide the following:

- ☑ A. The name and address of every person or company the applicant represents
  MATT JESSOP, Manager, Vistas @ Cedar Point, LLC; 2024 So. Building Staff Lane, Apple Valley, email: rmjessop2@yahoo
- ☑ B. An accurate property map showing the existing and proposed zoning classifications
- ☑ C. All abutting properties showing present zoning classifications
- ☑ D. An accurate legal description of the property to be rezoned
- ☑ E. Stamped envelopes with the names and address's of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☑ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

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

Official Use Only	10/4/21 paid fee V# 12264		
Date Received:	10/4/21	By:	JW
Date Application Deemed Complete:	10/7/21	By:	JW

Apple Valley Zoning Districts



9/9/2021, 10:45:51 AM

1:18,056

0 0.13 0.25 0.5 mi

0 0.17 0.35 0.7 km

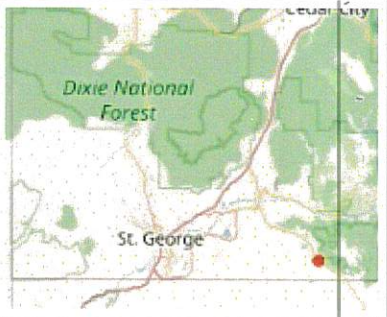
Zoning Districts

- A – Agricultural
- C-1 – Convenience Commercial
- C-2 – Highway Commercial
- C-3 – General Commercial
- I-1 – Industrial
- OSC – Open Space Conservation
- OST – Open Space Transition
- PD – Planned Development

Town of Apple Va

Sunrise Cloud SMART GIS®

Vistas at Cedar Point





Legend

- Parcels
- Ownership
  - U.S. Forest Service
  - U.S. Forest Service Wilderness
  - Bureau of Land Management
  - Bureau of Land Management Wilde
  - National Park Service
  - Shivwits Reservation
  - Utah Division of Wildlife Resources
  - Utah Division of Transportation
  - State Park
  - State of Utah
  - Washington County
  - Municipally Owned
  - School District
  - Privately Owned
  - Water
  - Water Conservancy District
  - State Assessed Oil and Gas
  - Mining Claim

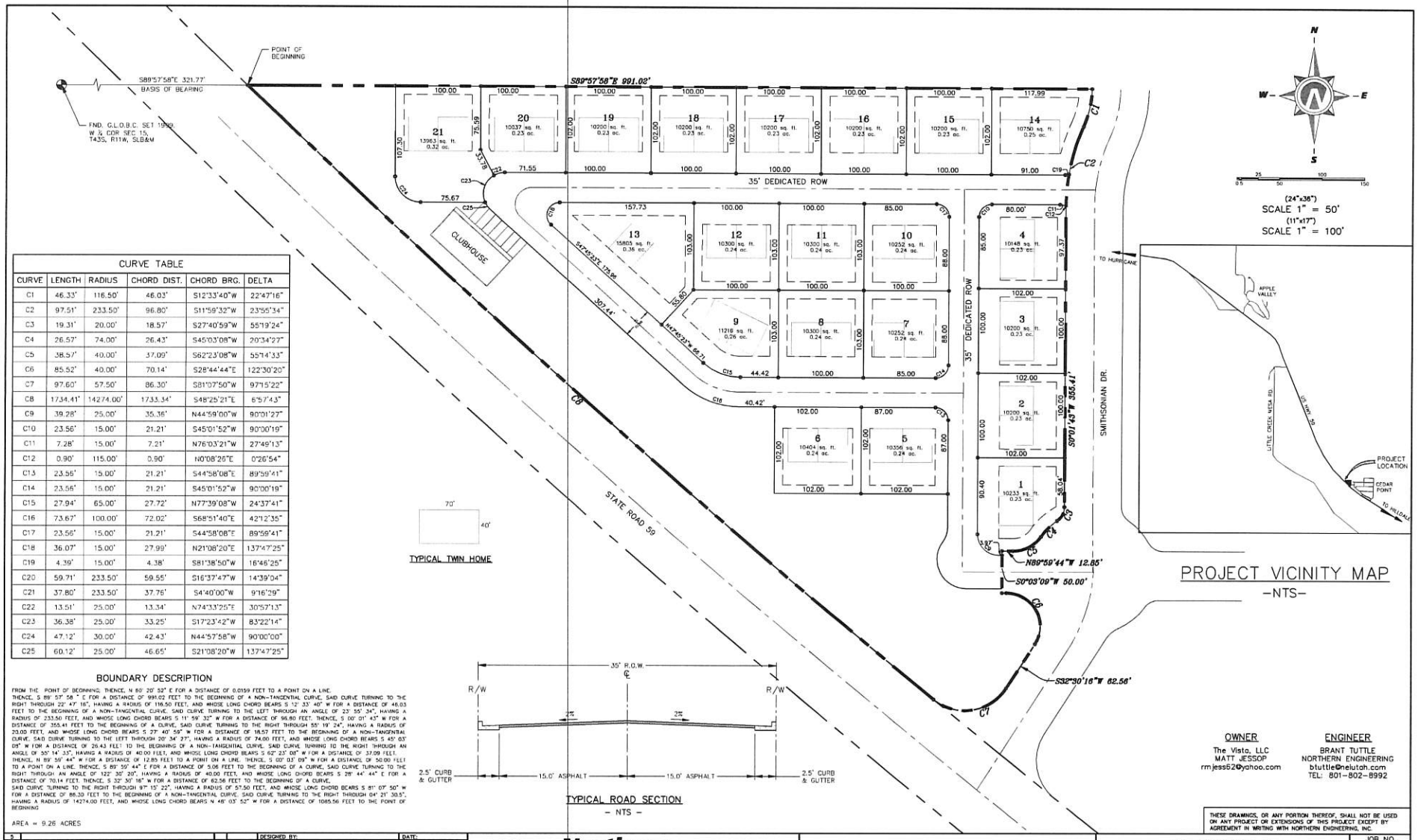
Notes

Adjoining Parcels

752.3 0 376.17 752.3 Feet

1984_Web_Mercator_Auxiliary_Sphere

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



CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	46.33'	116.50'	46.03'	S12°33'40"W	22°47'16"
C2	97.51'	233.50'	96.80'	S11°59'32"W	23°55'34"
C3	19.31'	20.00'	18.57'	S27°40'59"W	55°19'24"
C4	26.57'	74.00'	26.43'	S45°03'08"W	20°34'27"
C5	38.57'	40.00'	37.09'	S62°23'08"W	55°14'33"
C6	85.52'	40.00'	70.14'	S28°44'44"E	122°30'20"
C7	97.60'	57.50'	86.30'	S81°07'50"W	97°15'22"
C8	1734.41'	14274.00'	1733.34'	S48°25'21"E	6°57'43"
C9	39.28'	25.00'	35.36'	N44°59'00"W	90°01'27"
C10	23.56'	15.00'	21.21'	S45°01'52"W	90°00'19"
C11	7.28'	15.00'	7.21'	N76°03'21"W	27°49'13"
C12	0.90'	115.00'	0.90'	N0°08'26"E	0°26'54"
C13	23.56'	15.00'	21.21'	S44°58'08"E	89°59'41"
C14	23.56'	15.00'	21.21'	S45°01'52"W	90°00'19"
C15	27.94'	65.00'	27.72'	N77°39'08"W	24°37'41"
C16	73.67'	100.00'	72.02'	S68°51'40"E	42°12'35"
C17	23.56'	15.00'	21.21'	S44°58'08"E	89°59'41"
C18	36.07'	15.00'	27.99'	N21°08'20"E	137°47'25"
C19	4.39'	15.00'	4.38'	S81°38'50"W	16°46'25"
C20	59.71'	233.50'	59.55'	S16°37'47"W	14°39'04"
C21	37.80'	233.50'	37.76'	S4°40'00"W	9°16'29"
C22	13.51'	25.00'	13.34'	N74°33'25"E	30°57'13"
C23	36.38'	25.00'	33.25'	S17°23'42"W	83°22'14"
C24	47.12'	30.00'	42.43'	N44°57'58"W	90°00'00"
C25	60.12'	25.00'	46.65'	S21°08'20"W	137°47'25"

BOUNDARY DESCRIPTION

FROM THE POINT OF BEGINNING; THENCE, N 89° 20' 52" E FOR A DISTANCE OF 0.0159 FEET TO A POINT ON A LINE. THENCE, S 89° 57' 58 " E FOR A DISTANCE OF 991.02 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 22° 47' 16", HAVING A RADIUS OF 116.50 FEET, AND WHOSE LONG CHORD BEARS S 12° 33' 40" W FOR A DISTANCE OF 46.03 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 23° 55' 34", HAVING A RADIUS OF 233.50 FEET, AND WHOSE LONG CHORD BEARS S 11° 59' 32" W FOR A DISTANCE OF 96.80 FEET; THENCE, S 00° 01' 43" W FOR A DISTANCE OF 355.41 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 55° 19' 24", HAVING A RADIUS OF 20.00 FEET, AND WHOSE LONG CHORD BEARS S 27° 40' 59" W FOR A DISTANCE OF 18.57 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE LEFT THROUGH 20° 34' 27", HAVING A RADIUS OF 74.00 FEET, AND WHOSE LONG CHORD BEARS S 45° 03' 08" W FOR A DISTANCE OF 26.43 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 55° 14' 33", HAVING A RADIUS OF 40.00 FEET, AND WHOSE LONG CHORD BEARS S 62° 23' 08" W FOR A DISTANCE OF 37.09 FEET; THENCE, N 89° 59' 44" W FOR A DISTANCE OF 12.85 FEET TO A POINT ON A LINE; THENCE, S 00° 03' 09" W FOR A DISTANCE OF 50.00 FEET TO A POINT ON A LINE, THENCE, S 89° 59' 44" E FOR A DISTANCE OF 5.06 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 122° 30' 20", HAVING A RADIUS OF 40.00 FEET, AND WHOSE LONG CHORD BEARS S 28° 44' 44" E FOR A DISTANCE OF 70.14 FEET; THENCE, S 32° 30' 16" W FOR A DISTANCE OF 62.56 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 97° 15' 22", HAVING A RADIUS OF 57.50 FEET, AND WHOSE LONG CHORD BEARS S 81° 07' 50" W FOR A DISTANCE OF 86.30 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 04° 21' 30.5", HAVING A RADIUS OF 14274.00 FEET, AND WHOSE LONG CHORD BEARS N 48° 03' 52" W FOR A DISTANCE OF 1085.56 FEET TO THE POINT OF BEGINNING

AREA = 9.26 ACRES

OWNER
The Vista, LLC
MATT JESSOP
rmjess62@yahoo.com

ENGINEER
BRANT TUTTLE
NORTHERN ENGINEERING
btuttle@nelutah.com
TEL: 801-802-8992

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

NO.	REVISIONS	BY	DATE
5			
4			
3			
2			
1			

DESIGNED BY: DATE:
DRAWN BY: DATE:
CHECKED BY: DATE:
APPROVED: DATE:
COGO FILE: DATE:
REV. COGO FILE: DATE:

Northern ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT
1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

VISTAS AT CEDAR POINT

PRELIMINARY PLAT
APPLE VALLEY, UTAH

JOB NO. 03-18-012
SHEET NO. PL-01

Information for Reference Purposes:
File No.: W20681
Tax Parcel No(s).: AV-1366-D-1
Property Address(es):
VACANT LAND, ,

EXHIBIT "A"
Legal Description

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°57'58" EAST, ALONG THE EAST-WEST CENTER SECTION LINE, 1312.79 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 89°57'58" EAST ALONG SAID CENTER SECTION LINE, 290.41 FEET TO THE NORTHWEST CORNER OF CEDAR POINT PHASE 1 SUBDIVISION; THENCE DEPARTING SAID CENTER SECTION LINE AND RUNNING ALONG THE SUBDIVISION BOUNDARY OF SAID CEDAR POINT PHASE 1 THE FOLLOWING SEVEN (7) COURSES: SOUTH 00°00'30" WEST, 213.66 FEET; THENCE SOUTH 64°58'16" WEST, 81.70 FEET; THENCE SOUTH 24°37'20" WEST, 83.97 FEET; THENCE SOUTH 00°00'30" WEST, 272.62 FEET; THENCE SOUTH 89°59'44" EAST, 194.15 FEET; THENCE NORTH 00°00'30" EAST, 101.55 FEET; THENCE SOUTH 89°59'21" EAST 909.70 FEET TO A POINT LOCATED ON THE WEST LINE OF SOUTH ZION ESTATES PHASE 2 SUBDIVISION; THENCE SOUTH 00°00'16" WEST, ALONG SAID LINE, 494.62 FEET TO THE SOUTHWEST CORNER OF SAID SOUTH ZION ESTATES PHASE 2; THENCE SOUTH 89°59'21" EAST, ALONG THE SOUTH LINE OF SAID PHASE 2, 42.51 FEET TO THE NORTHWEST CORNER OF CEDAR POINT PHASE 2 SUBDIVISION; THENCE DEPARTING SAID LINE AND RUNNING SOUTH 00°00'30" WEST, ALONG THE WEST LINE OF SAID CEDAR POINT PHASE 2 AND THE WEST LINE OF CEDAR POINT PHASE 3 SUBDIVISION, 832.29 FEET TO THE SOUTHWEST CORNER OF SAID CEDAR POINT PHASE 3. SAID POINT ALSO BEING LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID UTAH STATE HIGHWAY-59. SAID POINT ALSO BEING ON A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 14,274.00 FEET, AND A CENTRAL ANGLE OF 07°30'10"; (RADIUS POINT BEARS NORTH 32°15'13" EAST); THENCE DEPARTING SAID PHASE 3 SUBDIVISION AND RUNNING NORTHWESTERLY ALONG SAID HIGHWAY LINE AND SAID CURVE, 1869.17 FEET TO A POINT OF CUSP CURVE TO THE LEFT, HAVING A RADIUS OF 57.50 FEET, AND A CENTRAL ANGLE OF 97°15'07; (RADIUS POINT BEARS NORTH 39°42'23" EAST); THENCE DEPARTING SAID HIGHWAY LINE AND RUNNING EASTERLY ALONG SAID CURVE, 97.60 FEET; THENCE NORTH 32°30'16" EAST, 62.56 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, AND A CENTRAL ANGLE OF 122°30'00"; THENCE NORTHWESTERLY ALONG SAID CURVE 85.52 FEET; THENCE NORTH 89°59'44" WEST 5.06 FEET; THENCE NORTH 00°03'09" EAST, 50.00 FEET; THENCE SOUTH 89°59'44" EAST, 12.85 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, AND A CENTRAL ANGLE OF 55°14'15"; THENCE NORTHEASTERLY ALONG SAID CURVE, 38.56 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 74.00 FEET AND A CENTRAL ANGLE OF 20°34'15"; THENCE NORTHEASTERLY ALONG SAID CURVE, 26.57 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 55°18'33"; THENCE NORTHEASTERLY ALONG SAID CURVE, 19.31 FEET; THENCE NORTH 00°01'43" EAST, 355.41 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 233.50 FEET, AND A CENTRAL ANGLE OF 23°55'38"; THENCE NORTHERLY ALONG SAID CURVE, 97.51 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 116.50 FEET AND A CENTRAL ANGLE OF 22°47'22"; THENCE NORTHERLY ALONG SAID CURVE, 46.34 FEET TO THE POINT OF BEGINNING.

BEING THE PROPOSED PLAT OF CEDAR POINT-PHASE 4

Warranty Deed Page 1 of 3
Gary Christensen Washington County Recorder
09/30/2021 12:32:16 PM Fee $40.00 By GT TITLE SERVICES

MAIL TAX NOTICES TO GRANTEE(S) AT:
683 SOUTH 990 WEST
HURRICANE, UTAH 84737
,

GT TITLE
File No. W20681

Property Reference Information:
Tax Parcel No(s).: **AV-1366-D-1**
Property Address(es) (if any):
VACANT LAND, ,

WARRANTY DEED

ZION TINY HOME VACATIONS LLC, a UTAH limited liability company ("Grantor"),

in exchange for good and valuable consideration, hereby conveys and warrants to

THE VISTAS AT CEDAR POINT LLC ("Grantee(s)")

in fee simple the following described real property located in County, Utah, together with all the appurtenances, rights, and privileges belonging thereto, to wit (the "Property"):

See Attached Exhibit "A"

With all the covenants and warranties of title from Grantor(s) in favor of Grantee(s) as are generally included with a conveyance of real property by warranty deed under Utah law, except for, however, the Property is subject to: (a) leases, rights of way, easements, reservations, plat maps, covenants, conditions, and restrictions appearing of record and enforceable in law; (b) zoning and other regulatory laws and ordinances affecting the Property; and (c) real property taxes and assessments for the year **2021** and thereafter.

[Remainder of page intentionally left blank. Signatures appear on the following page.]

Information for reference purposes:
GT Title File No.: **W20681**
Tax Parcel No(s).: **AV-1366-D-1**
Property Address(es) (if any):
VACANT LAND, ,

-Signature Page to Warranty Deed-

The undersigned person who signs this deed hereby represents and certifies that the conveyance of the Property hereby has been duly approved by Grantor and that he/she has executed and delivered this deed in his/her authorized capacity on behalf of Grantor.

Witness the hand of Grantor this 29 day of **SEPTEMBER, 2021**.

ZION TINY HOME VACATIONS LLC

By: _____
JERRY EVES
Its: MANAGER

STATE OF UTAH)
) ss.
COUNTY OF _____)

On this 29 day of **September, 2021**, personally appeared before me **JERRY EVES,** who stated that he/she is the **MANAGER of ZION TINY HOME VACATIONS LLC**, the named Grantor of the within instrument, proved on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to this instrument, and duly acknowledged that he/she/they executed this instrument in his/her authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

_____
NOTARY PUBLIC

JUSTIN GEE
NOTARY PUBLIC - STATE OF UTAH
COMMISSION# 706861
COMM. EXP. 06-18-2023

Information for Reference Purposes:
File No.: **W20681**
Tax Parcel No(s).: **AV-1366-D-1**
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BEING THE PROPOSED PLAT OF CEDAR POINT-PHASE 4

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

I (We) The Vistas, LLC, being duly sworn, deposed and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application. Parcel AV-1366-D-1

Property Owner

Property Owner

Subscribed and sworn to me this 30 day of September, 2021.

AUSTIN STEWART
Notary Public - State of Utah
Comm. No. 712302
My Commission Expires on
May 28, 2024

Notary Public

Residing in: Hurricane UT

My Commission Expires: May 28 2024

AGENT AUTHORIZATION

I (We), The Vistas, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Brant Tuttle, Northern Engineering to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application. Parcel AV-1366-D-1

Property Owner

Property Owner

Subscribed and sworn to me this 30 day of September, 2021.

AUSTIN STEWART
Notary Public - State of Utah
Comm. No. 712302
My Commission Expires on
May 28, 2024

Notary Public

Residing in: Hurricane UT

My Commission Expires: May 28 2024

PRELIMINARY PLAT APPLICATION

Town of Apple Valley
1777 North Meadowlark Dr.
Apple Valley, Utah 84737
(435)877-1190
Fax (435)877-1192

Fee: $1,500, Lot Split $250

For Office Use Only:
File No. AV-1366-D-1
Receipt No. V#12284 10/4/21

Name: NORTHERN ENGINEERING **Telephone:** 801-802-8992

Address: [redacted] **Fax No.** 801-802-8993

Email: bfuttle@neiutah.com

Agent (If Applicable): Brant Tuttle **Telephone:** 801-380-2164

Address/Location of Subject Property: CHAPARRAL DRIVE & JOSHUA ST. - SR59

Tax ID of Subject Property: AV-1366-D-1 **Zone District:** OST TO SF.25

Proposed Use: (Describe, use extra sheet if necessary) Patio Homes, 21 patio home lots on 9.26 acres

Submittal Requirements: The preliminary plat application shall provide the following:

_____1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- ___a. The proposed name of the subdivision.
- ___b. The location of the subdivision, including the address and section, township and range.
- ___c. The names and addresses of the owner or subdivider, if other than the owner.
- ___d. Date of preparation, and north point.
- ___e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.

_____2. Existing Conditions: The preliminary plat shall show:
- ___a. The location of the nearest monument.
- ___b. The boundary of the proposed subdivision and the acreage included.
- ___c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
- ___d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
- ___e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
- ___f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

_____g. Existing ditches, canals, natural drainage channels and open waterways and any proposed realignments.

_____h. Contours at vertical intervals not greater than five (5) feet.

_____i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.

_____j. Information on whether property is located in desert tortoise take area

(Preliminary Plat Application – Page 2)

_____3. Proposed Plan: The subdivision plans shall show:

_____a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.

_____b. The layout, numbers and typical dimensions of lots.

_____c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.

_____d. Easements for water, sewers, drainage, utilities, lines and other purposes.

_____e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)

_____f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.

_____g. Approximate radius of all center line curves on highways or streets.

_____h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)

_____i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.

_____j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.

_____k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.

_____l. Will this subdivision be phased? If yes show possible phasing lines.

_____m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

_____4. Required copies of plans:

_____a. Three copies of all full scale drawings

_____b. One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).

5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.

****

(Office Use Only)

Date Received: 10/4/21 Application Complete: YES ☑ NO ☐

Date application deemed to be complete: 10/7/21 Completion determination made by: MB

PRELIMINARY PLAT APPLICATION page 3 (General Information)

PURPOSE

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to insure that all proposed divisions of land conform to the Town General Plan and to adopted development standards of the Land Use Ordinance.

WHEN REQUIRED

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discussed the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. (see submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled Town Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear Town Council comments, answer questions, and receive Town Council decision Town Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to the Town standards. Construction drawings must be approved by the Planning and Zoning department, Town Engineer, Rocky Mountain Power, Southwest Public Health Department and Big Plains Water and Sewer Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the Town Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one year time limit is reached. The Planning Commission will review and make recommendation to the Town Council on the final plat when submitted. The Town Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

APPEALS

DOC ID 20210004192

Warranty Deed Page 1 of 3
Gary Christensen Washington County Recorder
09/30/2021 12:32:16 PM Fee $40.00 By GT TITLE SERVICES

MAIL TAX NOTICES TO GRANTEE(S) AT:
683 SOUTH 990 WEST
HURRICANE, UTAH 84737
,

GT TITLE
File No. W20681

Property Reference Information:
Tax Parcel No(s).: **AV-1366-D-1**
Property Address(es) (if any):
VACANT LAND, ,

WARRANTY DEED

ZION TINY HOME VACATIONS LLC, a UTAH limited liability company ("Grantor"),

in exchange for good and valuable consideration, hereby conveys and warrants to

THE VISTAS AT CEDAR POINT LLC ("Grantee(s)")

in fee simple the following described real property located in County, Utah, together with all the appurtenances, rights, and privileges belonging thereto, to wit (the "Property"):

See Attached Exhibit "A"

With all the covenants and warranties of title from Grantor(s) in favor of Grantee(s) as are generally included with a conveyance of real property by warranty deed under Utah law, except for, however, the Property is subject to: (a) leases, rights of way, easements, reservations, plat maps, covenants, conditions, and restrictions appearing of record and enforceable in law; (b) zoning and other regulatory laws and ordinances affecting the Property; and (c) real property taxes and assessments for the year 2021 and thereafter.

[Remainder of page intentionally left blank. Signatures appear on the following page.]

Information for reference purposes:
GT Title File No.: W20681
Tax Parcel No(s).: AV-1366-D-1
Property Address(es) (if any):
VACANT LAND, ,

-Signature Page to Warranty Deed-

The undersigned person who signs this deed hereby represents and certifies that the conveyance of the Property hereby has been duly approved by Grantor and that he/she has executed and delivered this deed in his/her authorized capacity on behalf of Grantor.

Witness the hand of Grantor this 25 day of **SEPTEMBER, 2021.**

ZION TINY HOME VACATIONS LLC

By: _____
JERRY EVES
Its: MANAGER

STATE OF UTAH)
) ss.
COUNTY OF _____)

On this 25 day of **September, 2021**, personally appeared before me **JERRY EVES,** who stated that he/she is the **MANAGER of ZION TINY HOME VACATIONS LLC**, the named Grantor of the within instrument, proved on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to this instrument, and duly acknowledged that he/she/they executed this instrument in his/her authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

_____
NOTARY PUBLIC

JUSTIN GEE
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 706861
COMM. EXP. 06-18-2023

Information for Reference Purposes:
File No.: W20681
Tax Parcel No(s).: AV-1366-D-1
Property Address(es):
VACANT LAND, ,

EXHIBIT "A"
Legal Description

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°57'58" EAST, ALONG THE EAST-WEST CENTER SECTION LINE, 1312.79 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 89°57'58" EAST ALONG SAID CENTER SECTION LINE, 290.41 FEET TO THE NORTHWEST CORNER OF CEDAR POINT PHASE 1 SUBDIVISION; THENCE DEPARTING SAID CENTER SECTION LINE AND RUNNING ALONG THE SUBDIVISION BOUNDARY OF SAID CEDAR POINT PHASE 1 THE FOLLOWING SEVEN (7) COURSES: SOUTH 00°00'30" WEST, 213.66 FEET; THENCE SOUTH 64°58'16" WEST, 81.70 FEET; THENCE SOUTH 24°37'20" WEST, 83.97 FEET; THENCE SOUTH 00°00'30" WEST, 272.62 FEET; THENCE SOUTH 89°59'44" EAST, 194.15 FEET; THENCE NORTH 00°00'30" EAST, 101.55 FEET; THENCE SOUTH 89°59'21" EAST 909.70 FEET TO A POINT LOCATED ON THE WEST LINE OF SOUTH ZION ESTATES PHASE 2 SUBDIVISION; THENCE SOUTH 00°00'16" WEST, ALONG SAID LINE, 494.62 FEET TO THE SOUTHWEST CORNER OF SAID SOUTH ZION ESTATES PHASE 2; THENCE SOUTH 89°59'21" EAST, ALONG THE SOUTH LINE OF SAID PHASE 2, 42.51 FEET TO THE NORTHWEST CORNER OF CEDAR POINT PHASE 2 SUBDIVISION; THENCE DEPARTING SAID LINE AND RUNNING SOUTH 00°00'30" WEST, ALONG THE WEST LINE OF SAID CEDAR POINT PHASE 2 AND THE WEST LINE OF CEDAR POINT PHASE 3 SUBDIVISION, 832.29 FEET TO THE SOUTHWEST CORNER OF SAID CEDAR POINT PHASE 3. SAID POINT ALSO BEING LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID UTAH STATE HIGHWAY-59. SAID POINT ALSO BEING ON A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 14,274.00 FEET, AND A CENTRAL ANGLE OF 07°30'10"; (RADIUS POINT BEARS NORTH 32°15'13" EAST); THENCE DEPARTING SAID PHASE 3 SUBDIVISION AND RUNNING NORTHWESTERLY ALONG SAID HIGHWAY LINE AND SAID CURVE, 1869.17 FEET TO A POINT OF CUSP CURVE TO THE LEFT, HAVING A RADIUS OF 57.50 FEET, AND A CENTRAL ANGLE OF 97°15'07; (RADIUS POINT BEARS NORTH 39°42'23" EAST); THENCE DEPARTING SAID HIGHWAY LINE AND RUNNING EASTERLY ALONG SAID CURVE, 97.60 FEET; THENCE NORTH 32°30'16" EAST, 62.56 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, AND A CENTRAL ANGLE OF 122°30'00"; THENCE NORTHWESTERLY ALONG SAID CURVE 85.52 FEET; THENCE NORTH 89°59'44" WEST 5.06 FEET; THENCE NORTH 00°03'09" EAST, 50.00 FEET; THENCE SOUTH 89°59'44" EAST, 12.85 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, AND A CENTRAL ANGLE OF 55°14'15"; THENCE NORTHEASTERLY ALONG SAID CURVE, 38.56 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 74.00 FEET AND A CENTRAL ANGLE OF 20°34'15"; THENCE NORTHEASTERLY ALONG SAID CURVE, 26.57 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 55°18'33"; THENCE NORTHEASTERLY ALONG SAID CURVE, 19.31 FEET; THENCE NORTH 00°01'43" EAST, 355.41 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 233.50 FEET, AND A CENTRAL ANGLE OF 23°55'38"; THENCE NORTHERLY ALONG SAID CURVE, 97.51 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 116.50 FEET AND A CENTRAL ANGLE OF 22°47'22"; THENCE NORTHERLY ALONG SAID CURVE, 46.34 FEET TO THE POINT OF BEGINNING.

BEING THE PROPOSED PLAT OF CEDAR POINT-PHASE 4

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

I (We) The Vistas, LLC, being duly sworn, deposed and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application. Parcel AV-1366-D-1

Property Owner

Property Owner

Subscribed and sworn to me this 30 day of September, 2021.

AUSTIN STEWART
Notary Public - State of Utah
Comm. No. 712302
My Commission Expires on
May 28, 2024

Notary Public

Residing in: Hurricane UT

My Commission Expires: May 28 2024

AGENT AUTHORIZATION

I (We), The Vistas, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Brant Tuttle, Northern Engineering to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application. Parcel AV-1366-D-1

Property Owner

Property Owner

Subscribed and sworn to me this 30 day of September, 2021.

AUSTIN STEWART
Notary Public - State of Utah
Comm. No. 712302
My Commission Expires on
May 28, 2024

Notary Public

Residing in: Hurricane UT

My Commission Expires: May 28 2024

VISTAS AT CEDAR POINT

PRELIMINARY PLAT

APPLE VALLEY, UTAH

NOVEMBER 2021



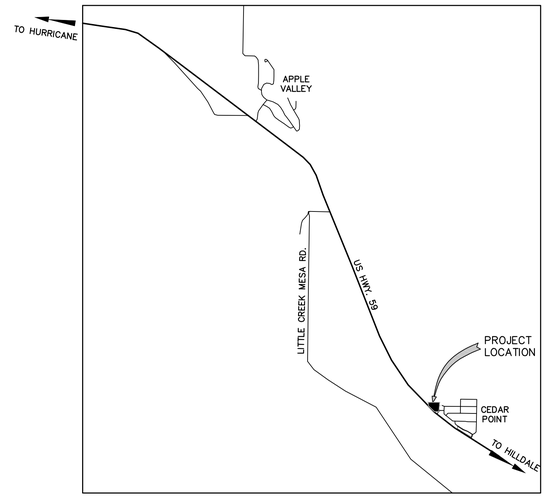
–INDEX OF SHEETS–

SHEET	DESCRIPTION
1	COVER SHEET
2	PRELIMINARY PLAT
3	UTILITY PLAN
4	GRADING PLAN



PROJECT SITE MAP

–NTS–



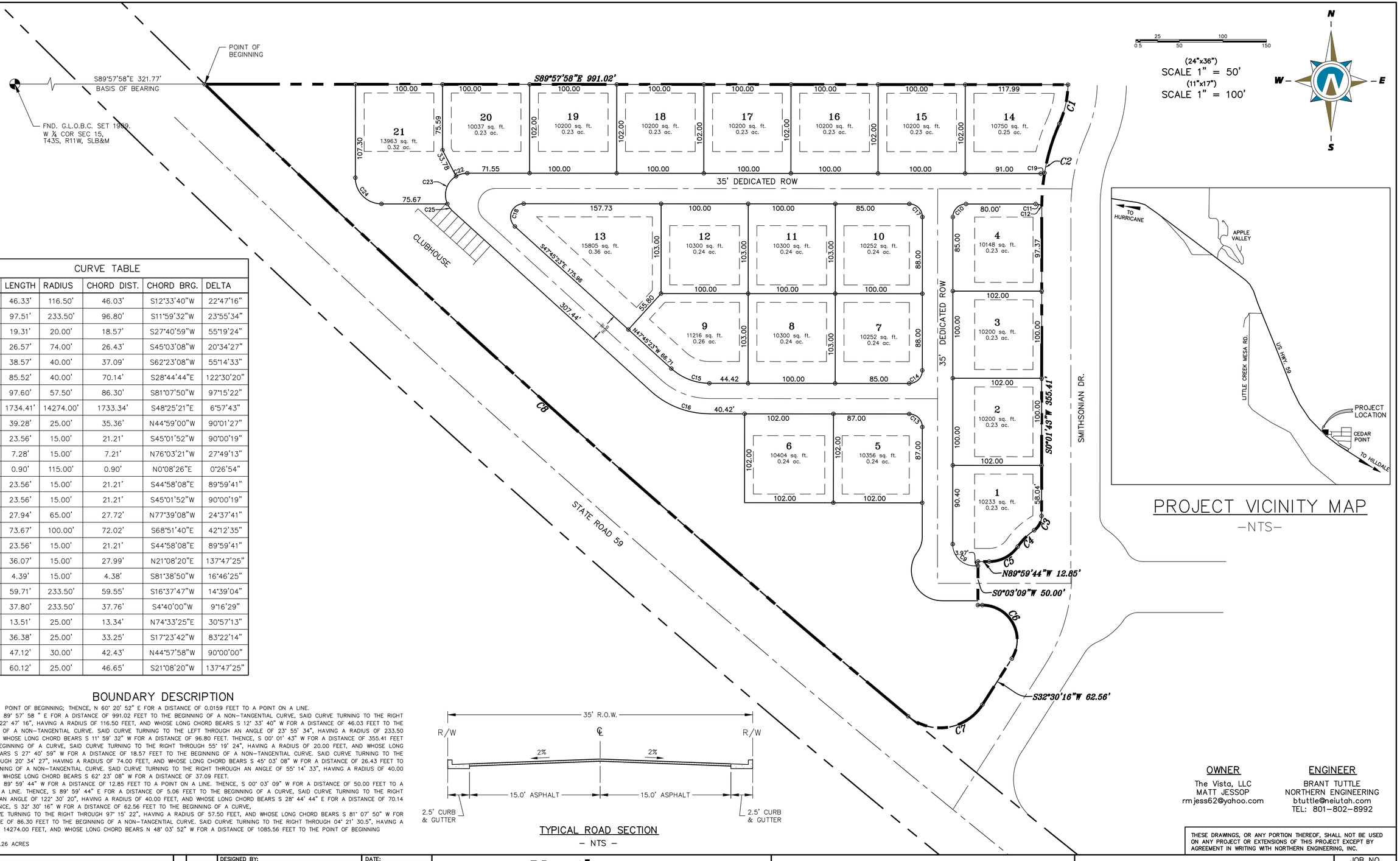
PROJECT VICINITY MAP

–NTS–



Northern ENGINEERING INC ENGINEERING–LAND PLANNING CONSTRUCTION MANAGEMENT	1040 E. 800 N. OREM, UTAH 84097 (801) 802–8992	JOB NO. 3–18–012 SHEET NO. 1

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PROJECT VICINITY MAP

-NTS-

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	46.33'	116.50'	46.03'	S12°33'40"W	22°47'16"
C2	97.51'	233.50'	96.80'	S11°59'32"W	23°55'34"
C3	19.31'	20.00'	18.57'	S27°40'59"W	55°19'24"
C4	26.57'	74.00'	26.43'	S45°03'08"W	20°34'27"
C5	38.57'	40.00'	37.09'	S62°23'08"W	55°14'33"
C6	85.52'	40.00'	70.14'	S28°44'44"E	122°30'20"
C7	97.60'	57.50'	86.30'	S81°07'50"W	97°15'22"
C8	1734.41'	14274.00'	1733.34'	S48°25'21"E	6°57'43"
C9	39.28'	25.00'	35.36'	N44°59'00"W	90°01'27"
C10	23.56'	15.00'	21.21'	S45°01'52"W	90°00'19"
C11	7.28'	15.00'	7.21'	N76°03'21"W	27°49'13"
C12	0.90'	115.00'	0.90'	N0°08'26"E	0°26'54"
C13	23.56'	15.00'	21.21'	S44°58'08"E	89°59'41"
C14	23.56'	15.00'	21.21'	S45°01'52"W	90°00'19"
C15	27.94'	65.00'	27.72'	N77°39'08"W	24°37'41"
C16	73.67'	100.00'	72.02'	S68°51'40"E	42°12'35"
C17	23.56'	15.00'	21.21'	S44°58'08"E	89°59'41"
C18	36.07'	15.00'	27.99'	N21°08'20"E	137°47'25"
C19	4.39'	15.00'	4.38'	S81°38'50"W	16°46'25"
C20	59.71'	233.50'	59.55'	S16°37'47"W	14°39'04"
C21	37.80'	233.50'	37.76'	S4°40'00"W	9°16'29"
C22	13.51'	25.00'	13.34'	N74°33'25"E	30°57'13"
C23	36.38'	25.00'	33.25'	S17°23'42"W	83°22'14"
C24	47.12'	30.00'	42.43'	N44°57'58"W	90°00'00"
C25	60.12'	25.00'	46.65'	S21°08'20"W	137°47'25"

BOUNDARY DESCRIPTION

FROM THE POINT OF BEGINNING; THENCE, N 60° 20' 52" E FOR A DISTANCE OF 0.0159 FEET TO A POINT ON A LINE.
THENCE, S 89° 57' 58 " E FOR A DISTANCE OF 991.02 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 22° 47' 16", HAVING A RADIUS OF 116.50 FEET, AND WHOSE LONG CHORD BEARS S 12° 33' 40" W FOR A DISTANCE OF 46.03 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 23° 55' 34", HAVING A RADIUS OF 233.50 FEET, AND WHOSE LONG CHORD BEARS S 11° 59' 32" W FOR A DISTANCE OF 96.80 FEET. THENCE, S 00° 01' 43" W FOR A DISTANCE OF 355.41 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 55° 19' 24", HAVING A RADIUS OF 20.00 FEET, AND WHOSE LONG CHORD BEARS S 27° 40' 59" W FOR A DISTANCE OF 18.57 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE LEFT THROUGH 20° 34' 27", HAVING A RADIUS OF 74.00 FEET, AND WHOSE LONG CHORD BEARS S 45° 03' 08" W FOR A DISTANCE OF 26.43 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 55° 14' 33", HAVING A RADIUS OF 40.00 FEET, AND WHOSE LONG CHORD BEARS S 62° 23' 08" W FOR A DISTANCE OF 37.09 FEET.
THENCE, N 89° 59' 44" W FOR A DISTANCE OF 12.85 FEET TO A POINT ON A LINE. THENCE, S 00° 03' 09" W FOR A DISTANCE OF 50.00 FEET TO A POINT ON A LINE. THENCE, S 89° 59' 44" E FOR A DISTANCE OF 5.06 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 122° 30' 20", HAVING A RADIUS OF 40.00 FEET, AND WHOSE LONG CHORD BEARS S 28° 44' 44" E FOR A DISTANCE OF 70.14 FEET. THENCE, S 32° 30' 16" W FOR A DISTANCE OF 62.56 FEET TO THE BEGINNING OF A CURVE,
SAID CURVE TURNING TO THE RIGHT THROUGH 97° 15' 22", HAVING A RADIUS OF 57.50 FEET, AND WHOSE LONG CHORD BEARS S 81° 07' 50" W FOR A DISTANCE OF 86.30 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE. SAID CURVE TURNING TO THE RIGHT THROUGH 04° 21' 30.5", HAVING A RADIUS OF 14274.00 FEET, AND WHOSE LONG CHORD BEARS N 48° 03' 52" W FOR A DISTANCE OF 1085.56 FEET TO THE POINT OF BEGINNING

AREA = 9.26 ACRES

TYPICAL ROAD SECTION

- NTS -

OWNER
The Vista, LLC
MATT JESSOP
rmjess62@yahoo.com

ENGINEER
BRANT TUTTLE
NORTHERN ENGINEERING
btuttle@neiutah.com
TEL: 801-802-8992

THESE DRAWNGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

NO.	REVISIONS	BY	DATE
5			
4			
3			
2			
1			

DESIGNED BY: DATE:
DRAWN BY: DATE:
CHECKED BY: DATE:
APPROVED: DATE:
COGO FILE: DATE:
REV. COGO FILE: DATE:

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Northern ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

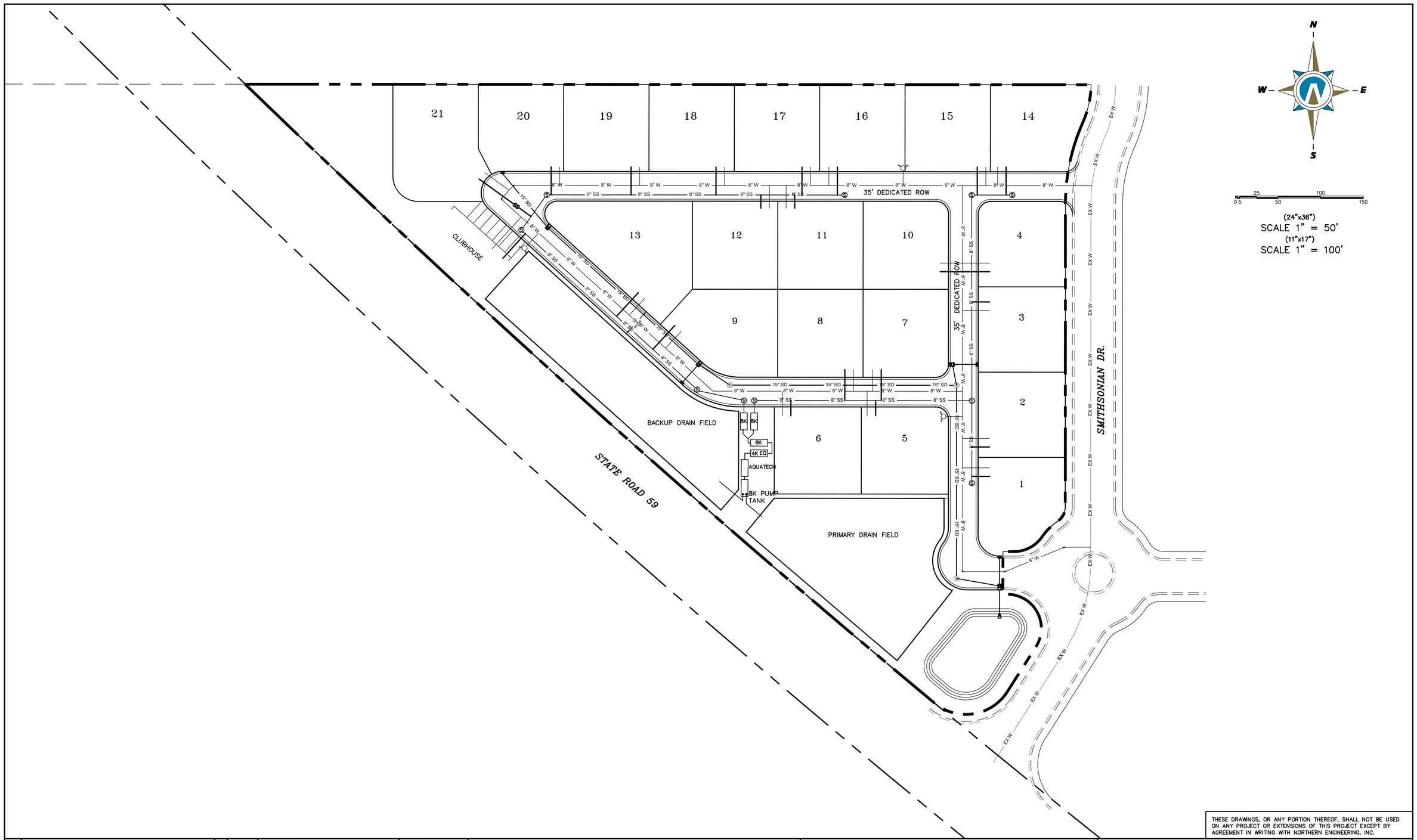
VISTAS AT CEDAR POINT

PRELIMINARY PLAT

APPLE VALLEY, UTAH

JOB NO. 03-18-012

SHEET NO. PL-01



(24"x36")
SCALE 1" = 50'
(11"x17")
SCALE 1" = 100'

THESE DRAWNGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

NO.	REVISIONS	BY	DATE
5			
4			
3			
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DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:
APPROVED:	DATE:
COGO FILE:	DATE:
REV. COGO FILE:	DATE:

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Northern ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

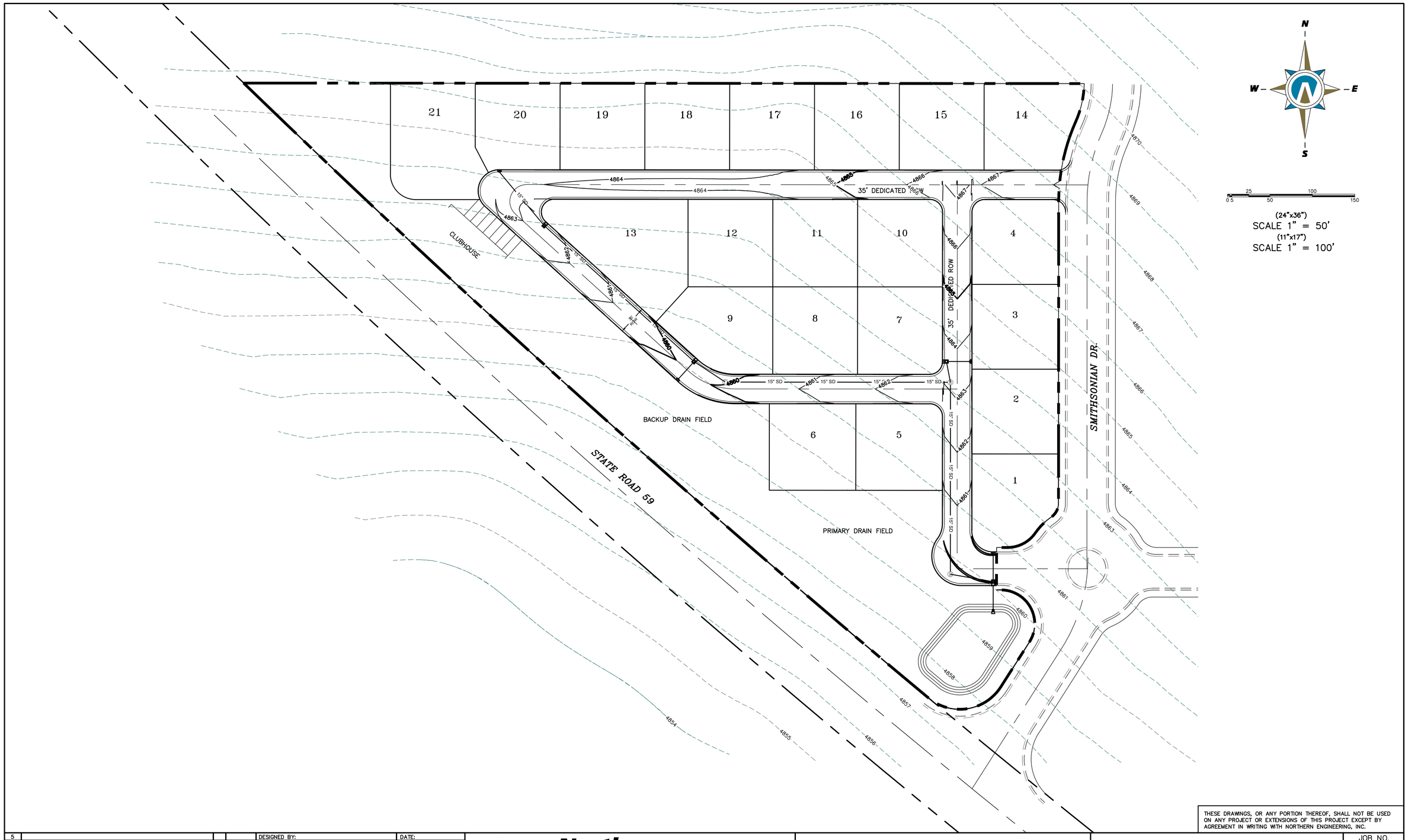
VISTAS AT CEDAR POINT

UTILITY PLAN

APPLE VALLEY, UTAH

JOB NO. 03-18-012

SHEET NO. UT-01



(24"x36")
SCALE 1" = 50'
(11"x17")
SCALE 1" = 100'

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

NO.	REVISIONS	BY	DATE
5			
4			
3			
2			
1			

DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:
APPROVED:	DATE:
COGO FILE:	DATE:
REV. COGO FILE:	DATE:

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Northern ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

VISTAS AT CEDAR POINT

GRADING PLAN

APPLE VALLEY, UTAH

JOB NO. 03-18-012

SHEET NO. GR-01

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

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

Zone Change Application

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

Name: Standard Development		Phone: 702-701-1443	
Address: [redacted]		Email: holmbrand@gmail.com	
City: Holm	State: UT	Zip: 84718	
Agent: (If Applicable) Travis Holm		Phone: 424-425-5405	
Address/Location of Property:	Parcel ID: AV-2184, AV-2165		
Existing Zone: OST		Proposed Zone: CABIN/TH, PD, RE-1	
Reason for the request For Development			

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

- ☑ A. The name and address of every person or company the applicant represents
- ☑ B. An accurate property map showing the existing and proposed zoning classifications
- ☑ C. All abutting properties showing present zoning classifications BLM, Open Space, Ag.
- ☑ D. An accurate legal description of the property to be rezoned
- ☑ E. Stamped envelopes with the names and address's of all property owners within 500' of the ~~NA-11~~ boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☑ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

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

Official Use Only	
Date Received: 10/21/21	By:
Date Application Deemed Complete: 10/21/21	By:

Apple Valley Zoning Districts



10/26/2021, 12:10:44 PM

Zoning Districts

- A – Agricultural
- C-2 – Highway Commercial
- C-3 – General Commercial
- CABIN/TH – Cabin/Tourist Homes
- OSC – Open Space Conservation
- OST – Open Space Transition
- PD – Planned Development
- RE-1 – Residential Estate 1
- RE-10 – Residential Estate 10
- SF-1-10 – Single-Family Residential 1-10
- SF-1/2 – Single-Family Residential ½

1:36,112

0 0.35 0.7 1.4 mi

0 0.5 1 2 km

Town of Apple Valley
Sunrise Cloud SMART GIS®

Gary Christensen Washington County Recorder
10/15/2021 01:45:37 PM Fee $40.00 By
SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:
Ciel Holdings, L.L.C., a Utah limited liability company
809 Edgehill RD
Salt Lake City, UT 84103

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

Order No. 221449 - EFP
Tax I.D. No. AV-2184, AV-2182, AV-2165, and [redacted]

Space Above This Line for Recorder's Use

WARRANTY DEED

K & D Family, L.L.C., a Utah limited liability company , grantor(s), of Enterprise, County of Washington, State of Utah, hereby **CONVEY and WARRANT to**

Ciel Holdings, L.L.C., a Utah limited liability company, as to an undivided 50% interest and Colony Partners, L.L.C., a Utah limited liability company, as to an undivided 50% interest, grantee(s) of Salt Lake City, County of Salt Lake, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

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

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

WITNESS the hand(s) of said grantor(s), this 14th day of October, 2021.

K & D Family, L.L.C., a Utah limited liability company

By: Kerry Holt
Kerry Holt, Manager

STATE OF Utah)
:ss.
COUNTY OF Washington)

On the 14 day of October, 2021, personally appeared before me, Kerry Holt, who being by me duly sworn, did say that he/she is the Manager of K & D Family, L.L.C., a Utah limited liability company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Kerry Holt acknowledged to me that said limited liability company executed the same.

NOTARY PUBLIC

NOTARY PUBLIC
JUSTIN SEEGMILLER
Commission No. 702807
Commission Expires
OCTOBER 17, 2022
STATE OF UTAH

My Commission Expires: 10/17/22

Attachment to that certain Warranty Deed executed by K & D Family, L.L.C., a Utah limited liability company grantor(s), to Ciel Holdings, L.L.C., a Utah limited liability company, as to an undivided 50% interest and Colony Partners, L.L.C., a Utah limited liability company, as to an undivided 50% interest grantee(s).

Order No. 221449
Tax I.D. No. AV-2184, AV-2182, AV-2165, and [redacted]

EXHIBIT "A"

Parcel 1:
The Southwest Quarter of the Northeast Quarter (SW¼NE¼); the Southeast Quarter of the Northwest Quarter (SE¼NW¼); and the Southeast Quarter (SE¼) of Section 13, Township 42 South, Range 12 West, Salt Lake Base and Meridian.

Parcel 2:
Beginning at a point 720.00 feet South of the Northwest Corner of Section 13, Township 42 South, Range 12 West, Salt Lake Base and Meridian, and running 600.00 feet South; thence 5280.00 feet East; thence 200.00 feet North; thence 1320.00 feet West; thence 200.00 feet North; thence 2640.00 feet West; thence 200.00 feet North; thence 1320.00 feet West to the point of beginning.

Parcel 3:
The Southeast Quarter of the Northeast Quarter (SE¼NE¼) and the East One-Half of the Southwest Quarter (E½SW¼) of Section 13, Township 42 South, Range 12 West, Salt Lake Base and Meridian.

Parcel 4:
The North One-Half (N½) of Section 24, Township 42 South, Range 12 West, Salt Lake Base and Meridian.

Parcel 5:
Beginning at the Northeast Corner of the Northwest Quarter of the Southwest Quarter (NW¼SW¼) of Section 24, Township 42 South, Range 12 West, Salt Lake Base and Meridian, and running thence South 300.30 feet; thence Southwesterly to a point 419.76 feet from the West Quarter Corner of said Section 24; thence North 419.76 feet; thence East 1320.00 feet to the point of beginning.

***

Initials KH

GOOSEBERRY SPRINGS RANCH



Area Tabulation

Parcel No.	Land Use	Acres	No. of Lots	Density	Minimum Lot Size
1	Residential	12.3	45	3.9	60X100
2	Residential	40.7	132	3.2	60X125
3	Residential	29.5	37	1.3	125x175
4	Residential	17.9	84	4.7	50x100
5	Residential	26.5	132	5.0	50x100
6	Residential	21.7	84	3.9	60X125
7	Residential	21.4	78	3.6	60X125
8	Residential	31.4	28	0.9	1/2 Acre
9	Residential	27.9	14	0.5	1 Acre
10	Residential	105.1	77	0.7	1/2 Acre
11	Residential	48.0	96	2.0	1/2 Acre
12	Residential	32.5	27	0.8	1/2 Acre
13	Residential	18.2	27	1.5	125x175
14	Residential	5.4	5	0.9	2/3 Acre
15	Residential	19.0	71	3.7	60X125
16	Residential	24.0	85	3.5	60X125
17	Residential	24.2	109	4.5	60x100
18	Residential	42.0	134	3.2	60X125
19	Residential	82.6	274	3.3	70x100
20	Residential	102.3	179	1.7	1/2 Acre
	Subtotal	728.7	1,714	2.3	

Parcel No.	Land Use	Acres
21	Golf Course	294.6
22	Clubhouse	8.0
23	Tennis club	4.8
	Subtotal	307.4
24	Inn site	8.3
25	Inn site	10.4
26	Information center	4.5
27	Entertainment complex	30.8
	Subtotal	54.0
28	Commercial	23.5
29	Commercial	7.2
30	Commercial	7.8
31	Commercial	17.4
32	Commercial	1.4
33	Professional	12.0
	Subtotal	69.3
	Circulation	
	Main road (100')	8.3
	Secondary roads (80')	12.0
	Interior roads (60')	21.3
	Subtotal	41.6
	Gross project area	1292.0
	Gross project density	1.4

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

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

Zone Change Application

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

Name: TLW Investments LLC		Phone: 208-681-5407	
Address: [redacted]		Email: libbywells@inforest.com	
City: Apple Valley	State: Utah	Zip: 84737	
Agent: (If Applicable) Trans or Libby Wells		Phone: 208-589-5407	
Address/Location of Property:	Parcel ID: AV-1343-A-1		
Existing Zone: Open Space		Proposed Zone: RE-1	
Reason for the request: develop subdivision			

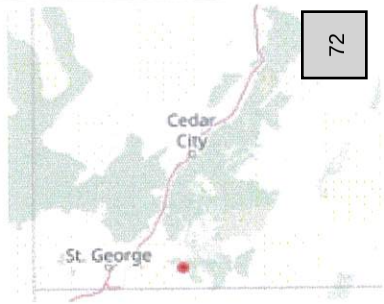
Submittal Requirements: The zone change application shall provide the following:

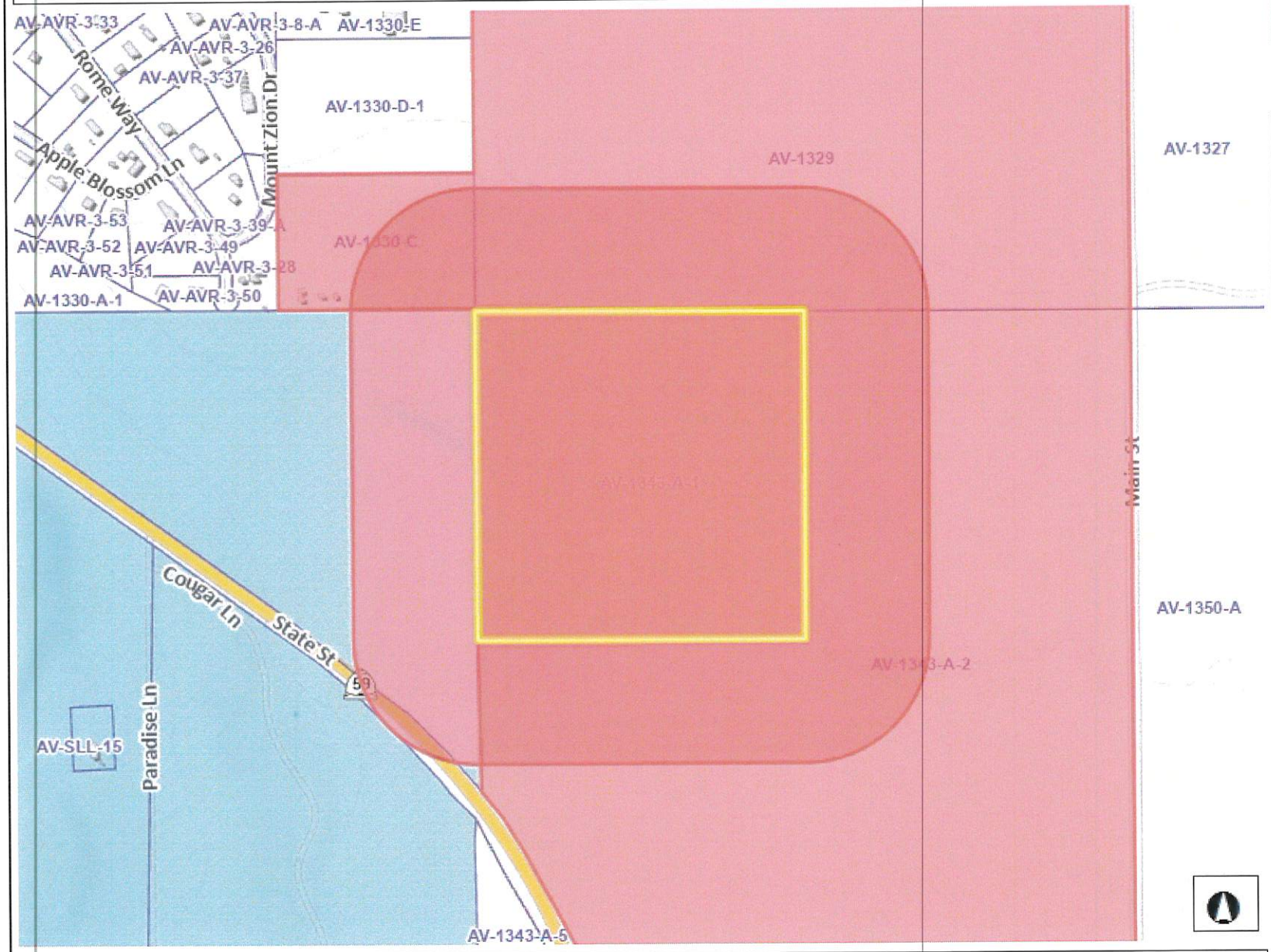
- ☑ A. The name and address of every person or company the applicant represents
- ☑ B. An accurate property map showing the existing and proposed zoning classifications
- ☑ C. All abutting properties showing present zoning classifications
- ☑ D. An accurate legal description of the property to be rezoned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

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

Official Use Only			
Date Received:	10/21/21	By:	
Date Application Deemed Complete:	10/21/21	By:	

Title





Legend

- Parcels
- Ownership
  - U.S. Forest Service
  - U.S. Forest Service Wilderness
  - Bureau of Land Management
  - Bureau of Land Management Wilde
  - National Park Service
  - Shivwits Reservation
  - Utah Division of Wildlife Resources
  - Utah Division of Transportation
  - State Park
  - State of Utah
  - Washington County
  - Municipally Owned
  - School District
  - Privately Owned
  - Water
  - Water Conservancy District
  - State Assessed Oil and Gas
  - Mining Claim

Notes

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

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

Property Owner

Property Owner

Subscribed and sworn to me this 21 day of October, 2021.

CRAIG A COATS
Notary Public
State Of Utah
My Commission Expires July 5, 2024
COMMISSION NUMBER 712254

Notary Public

Residing in: Wash. Co.

My Commission Expires: July 5, 2024

AGENT AUTHORIZATION

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

Property Owner

Property Owner

Subscribed and sworn to me this 21 day of October, 2021.

CRAIG A COATS
Notary Public
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My Commission Expires July 5, 2024
COMMISSION NUMBER 712254

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Residing in: Wash. Co.

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ALLIANCE CONSULTING
A Planning and Engineering Firm

Apple Valley AV-1343-A-1

The Northwest Quarter, of the Northeast quarter of Section 32, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

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

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

Zone Change Application

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

Name: 3W Investments LLC		Phone: 208-681-5407	
Address: [redacted]		Email: libbywells@infowest.com	
City: Apple Valley	State: Utah	Zip: 84737	
Agent: (If Applicable) Travis or Libby Wells		Phone: 208-589-5407	
Address/Location of Property:		Parcel ID: AV-1329	
Existing Zone: Open Space		Proposed Zone: RE-1 and SF 1/2	
Reason for the request: develop subdivision			

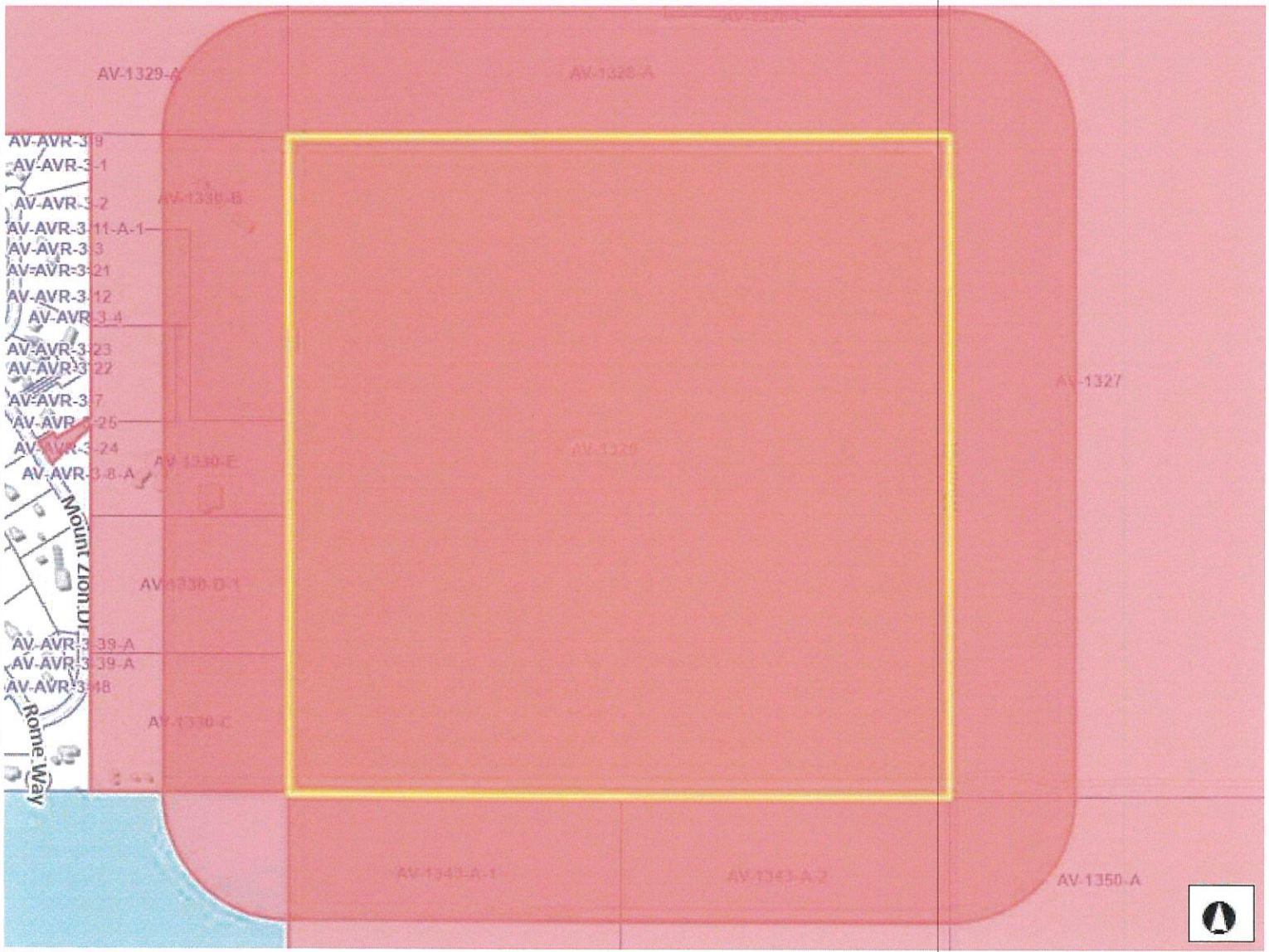
Submittal Requirements: The zone change application shall provide the following:

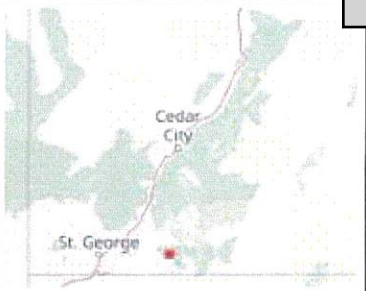
- [x] A. The name and address of every person or company the applicant represents
- [x] B. An accurate property map showing the existing and proposed zoning classifications
- [x] C. All abutting properties showing present zoning classifications
- [x] D. An accurate legal description of the property to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

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

Official Use Only	
Date Received: 10/21/21	By:
Date Application Deemed Complete: 10/21/21	By:

Title





Legend

- Parcels

Ownership

- U.S. Forest Service
- U.S. Forest Service Wilderness
- Bureau of Land Management
- Bureau of Land Management Wilde
- National Park Service
- Shivwits Reservation
- Utah Division of Wildlife Resources
- Utah Division of Transportation
- State Park
- State of Utah
- Washington County
- Municipally Owned
- School District
- Privately Owned
- Water
- Water Conservancy District
- State Assessed Oil and Gas
- Mining Claim

Notes

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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

AFFIDAVIT
PROPERTY OWNER

STATE OF ~~UTAH~~ Idaho)
)§
COUNTY OF ~~WASHINGTON~~ Jefferson)

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

Property Owner

Property Owner

Subscribed and sworn to me this 20th day of October, 2021.

JULIA G. LEWIS Exp. 11/09/2026 NOTARY PUBLIC Comm. No. 64422 STATE OF IDAHO

Notary Public

Residing in: Lewiston, ID 83431

My Commission Expires: November 9, 2026

AGENT AUTHORIZATION

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

Property Owner

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JULIA G. LEWIS Exp. 11/09/2026 NOTARY PUBLIC Comm. No. 64422 STATE OF IDAHO

Notary Public

Residing in: Lewiston, ID 83431

My Commission Expires: November 9, 2026

ALLIANCE CONSULTING
A Planning and Engineering Firm

Apple Valley AV-1329

The Southeast Quarter of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PRELIMINARY PLAT APPLICATION

Town of Apple Valley
1777 North Meadowlark Dr.
Apple Valley, Utah 84737
(435)877-1190
Fax (435)877-1192

Fee: $1,500, Lot Split $250

For Office Use Only:
File No. _____
Receipt No. _____

Name: Alfred Heber R **Telephone:** _____

Address: [redacted] **Fax No.** _____

Email: Karl@pv-eng.com

Agent (If Applicable): Karl Rasmussen **Telephone:** 435-668-8307

Address/Location of Subject Property: Approx. 300 S. between Coyote Rd & Main St.

Tax ID of Subject Property: AV-1-3-5-211 **Zone District:** OST

Proposed Use: (Describe, use extra sheet if necessary) Residential ½ acre & tourist commercial.

Submittal Requirements: The preliminary plat application shall provide the following:

✓ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- ✓ a. The proposed name of the subdivision.
- ✓ b. The location of the subdivision, including the address and section, township and range.
- ✓ c. The names and addresses of the owner or subdivider, if other than the owner.
- ✓ d. Date of preparation, and north point.
- ✓ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.

✓ 2. Existing Conditions: The preliminary plat shall show:
- ✓ a. The location of the nearest monument.
- ✓ b. The boundary of the proposed subdivision and the acreage included.
- ✓ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
- ✓ d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
- ✓ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
- ✓ f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

___g. Existing ditches, canals, natural drainage channels and open waterways and any proposed realignments.
___h. Contours at vertical intervals not greater than five (5) feet.
___i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.
___j. Information on whether property is located in desert tortoise take area

(Preliminary Plat Application – Page 2)

___3. Proposed Plan: The subdivision plans shall show:
___a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.
___b. The layout, numbers and typical dimensions of lots.
___c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
___d. Easements for water, sewers, drainage, utilities, lines and other purposes.
___e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
___f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
___g. Approximate radius of all center line curves on highways or streets.
___h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)
___i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
___j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
___k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
___l. Will this subdivision be phased? If yes show possible phasing lines.
___m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

___4. Required copies of plans:
___a. Three copies of all full scale drawings
___b. One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).

5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.

****

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

Date application deemed to be complete:_____ Completion determination made by: _____

PRELIMINARY PLAT APPLICATION page 3 (General Information)

PURPOSE

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to insure that all proposed divisions of land conform to the Town General Plan and to adopted development standards of the Land Use Ordinance.

WHEN REQUIRED

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discussed the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. (see submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled Town Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear Town Council comments, answer questions, and receive Town Council decision Town Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

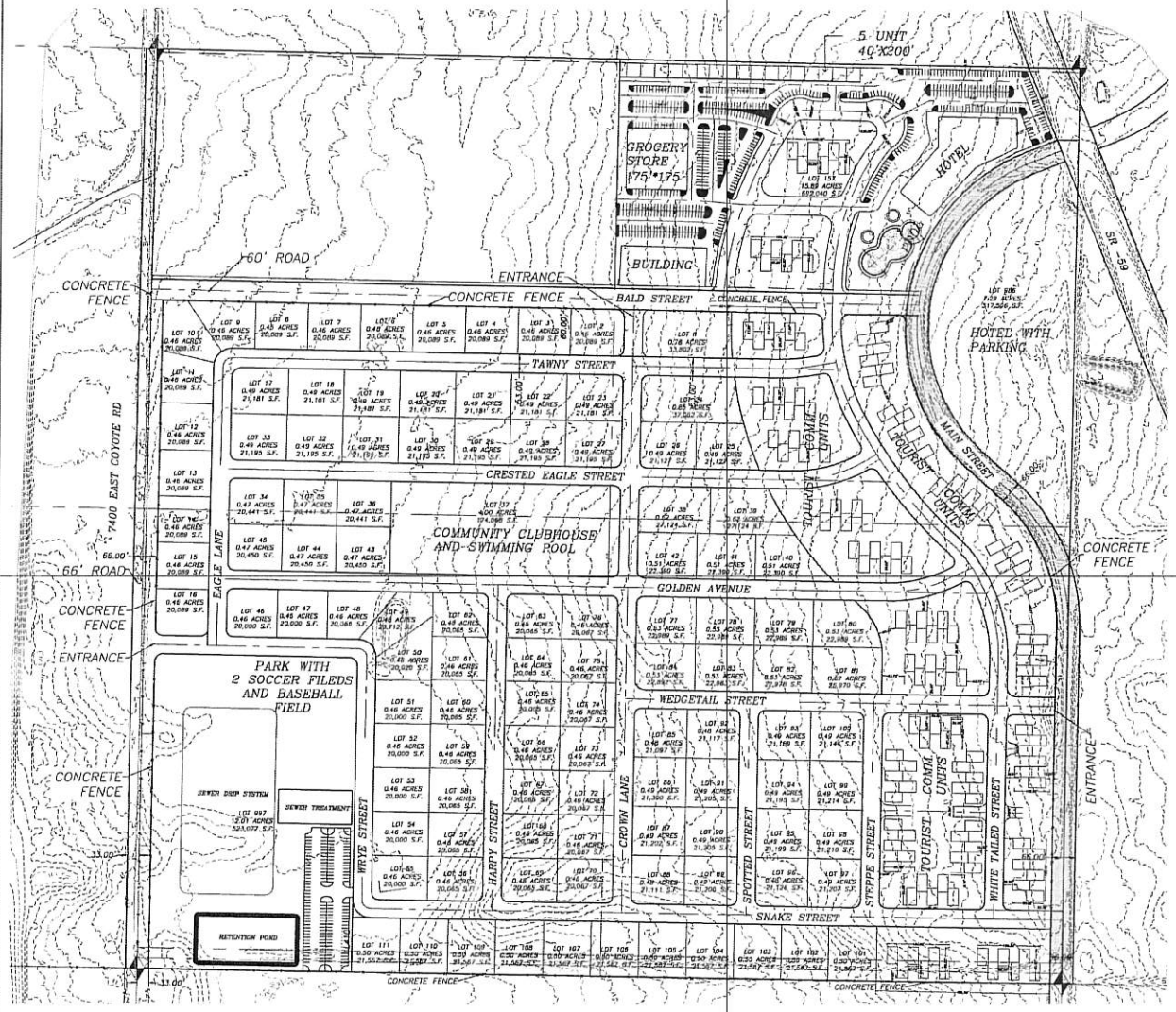
If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to the Town standards. Construction drawings must be approved by the Planning and Zoning department, Town Engineer, Rocky Mountain Power, Southwest Public Health Department and Big Plains Water and Sewer Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the Town Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one year time limit is reached. The Planning Commission will review and make recommendation to the Town Council on the final plat when submitted. The Town Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

APPEALS

PRELIMINARY PLAT FOR:
GATEWAY PRESERVE NORTH

LOCATED IN SECTION 5, T43S, R11W, S.L.B.&M.
WASHINGTON COUNTY, UTAH





LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- X EXISTING FENCE
- SECTION LINE
- SECTION CORNER AS DESCRIBED

LEGAL DESCRIPTION

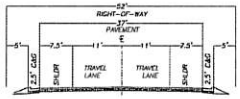
SECTION 5 T. 43S R. 11W, ALL OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST OF THE SALT LAKE BASE AND MERIDIAN.

LESS- THAT PORTION OF LAND LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE OF UTAH STATE ROUTE-59 (SR-59), SAID PARCEL BEING MORE COMPLETELY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE NORTH 01 DEG. 12' 03" EAST ALONG THE NORTH-SOUTH CENTER SECTION LINE, 2,642.84 FEET TO THE CENTER QUARTER CORNER; THENCE SOUTH 88 DEG. 42' 08" EAST ALONG THE EAST-WEST CENTER SECTION LINE, 2,500.81 FEET TO A POINT LOCATED ON THE WESTERLY RIGHT OF WAY LINE OF UTAH STATE ROUTE-59 (SR-59); THENCE DEPARTING SAID SECTION LINE AND RUNNING SOUTH 21 DEG. 17' 44" EAST ALONG SAID HIGHWAY LINE, 383.06 FEET TO A POINT LOCATED ON THE EAST LINE OF SAID SECTION 5; THENCE UPWITHING SAID HIGHWAY LINE AND RUNNING SOUTH 01 DEG. 19' 35" WEST ALONG SAID SECTION LINE 2,268.71 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 88 DEG. 42' 43" WEST ALONG THE SOUTH LINE OF SAID SECTION 5, 2,644.76 FEET TO THE POINT OF BEGINNING.

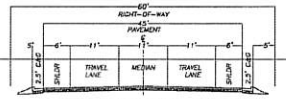
LESS- THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N01°15'03"E ALONG THE SOUTH-NORTH CENTER SECTION LINE, 1982.13 FEET TO THE POINT OF BEGINNING; RUNNING THENCE N11°13'03"E 680.71 FEET; THENCE S88°42'08"E 1324.13 FEET; THENCE S1°17'21"W 680.37 FEET; THENCE N88°43'01"W 1323.68 FEET TO THE POINT OF BEGINNING.

LESS- THAT PORTION DEEDED FOR THE NEW MAIN STREET.

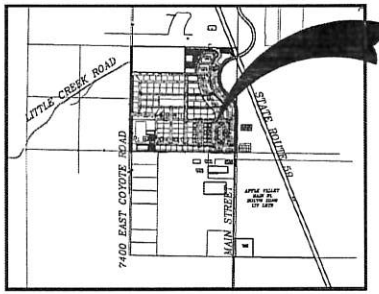
CONTAINS: 137.13 ACRES.



52' ROAD TYPICAL SECTIONS



60' ROAD TYPICAL SECTIONS



Know what's below. Call 811 before you dig.

811 BLUE STAKES OF UTAH

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND PRESERVATION OF ALL UTILITY AND DRAINAGE FACILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

NO	REVISIONS DESCRIPTION	DATE	BY

PROVALLEE ENGINEERING, INC.
Engineers • Surveyors • Land Planners
22 South 2nd East, Suite 1
Hurricane City, Utah 84737
Phone (435) 668-0061

PRELIMINARY PLAT FOR:
GATEWAY PRESERVE NORTH
LOCATED IN SECTION 5, T43S, R11W, S.L.B.&M.
WASHINGTON COUNTY, UTAH

DATE: 08/25/2021
SCALE: 1"=50'
JOB NO.
601-003
SHEET NO.
1

PRELIMINARY PLAT