

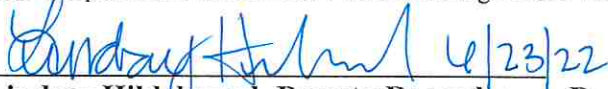
ENOCH CITY PLANNING COMMISSION
NOTICE AND AGENDA
June 29, 2022 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road
<https://us02web.zoom.us/j/88601906994>
Meeting ID: 886 0190 6994
Dial by your location
+1 253 215 8782 US (Tacoma)

1. **CALL TO ORDER OF REGULAR MEETING**
 - a. **Pledge of Allegiance –**
 - b. **Invocation (2 min.) –Audience invited to participate.**
 - c. **Inspirational thought-**
 - d. **Approval of agenda for June 29, 2022**
 - e. **Approval of minutes for June 14, 2022**
 - f. **Conflict of Interest Declaration-**
2. **CONSIDER MINOR SUBDIVISION FOR RANGE 16, LLC – PARCEL #A-0963-0009-0000 AND MAKE A RECOMMENDATION TO CITY COUNCIL - Steve Woolsey**
3. **CONSIDER MINOR SUBDIVISION FOR RANGE 16, LLC – PARCEL #A-0962-0008-0000 AND MAKE A RECOMMENDATION TO THE CITY COUNCIL - Steve Woolsey**
4. **CONSIDER ORDINANCE NO. 2022-07-06 WATER ACQUISITION, CONSERVATION TIER STRUCTURE, AND WATER UNITS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL-Final revised draft**
5. **DISCUSS SECTIONS 1 AND 2 OF THE GENERAL PLAN**
6. **PUBLIC COMMENTS**
7. **COMMISSION/STAFF REPORTS**
8. **ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call the City Offices at 586-1119, giving at least 48 hours advance notice. Meetings of the Enoch City Planning Commission may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to the Enoch City Code of Revised Ordinances, Chapter 3-500, regarding meeting procedures including electronic meetings.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the Planning Commission, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door and published on the Utah Public Meeting Notice website on June 23, 2022.


Lindsay Hildebrand, Deputy Recorder Date Meeting ID: 841 2805 3204

**ENOCH CITY PLANNING COMMISSION
MINUTES**

**June 14, 2022 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road**

MEMBERS PRESENT:

Commissioner Leonard Correa
Commissioner Andy Losee
Commissioner Andrew Meacham-excused
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Council Member Ross
Julie Watson, City Recorder-Zoom
Lindsay Hildebrand-Dep. Rec.
Hayden White-Pub. Works Dir.

PUBLIC PRESENT: Megan Stead, Alan Wade, Barry Johnson, Kerry Carpenter, Tracy & Jana Hassett, Robert & Haven Hafen, Jorden Barber, Franklin & Joy Grimshaw, Richard Stuart and Worth Grimshaw. John Staples was on Zoom

1. CALL TO ORDER OF REGULAR MEETING-By Chairman Tingey at 5:30 pm.

- a. **Pledge of Allegiance** –Led by Commissioner Correa
- b. **Invocation (2 min.)** –Audience invited to participate. Given by Haven Hafen
- c. **Inspirational thought**–Given by Commissioner Correa
- d. **Approval of agenda for June 14, 2022-Commissioner Ley made a motion to approve the agenda. Motion was seconded by Commissioner Correa and all voted in favor.**
- e. **Approval of minutes for May 24, 2022-Commissioner Ley made a motion to approve the minutes. Motion was seconded by Commissioner Correa and all voted in favor.**
- f. **Conflict of Interest Declaration**–none stated

2. SET THE NEXT PLANNING COMMISSION MEETING FOR 6-28-22 TO 6-29-22 DUE TO VOTING DAY ON 6-28-22

Chairman Tingey noted that because of Election Day falling on our regular Tuesday meeting day we are rescheduling the Planning Commission meeting for the following night, Wednesday June 29, 2022 and need a motion to do so.

Commissioner Correa made a motion to change the next Planning Commission meeting from Tuesday 6-28-22 to Wednesday 6-29-22 to accommodate Election Day. The motion was seconded by Commissioner Ley and all voted in favor.

3. CONSIDER THE FINAL PLAT OF PINEVIEW ESTATES, PHASE 2 AND MAKE A RECOMMENDATION TO CITY COUNCIL

Chairman Tingey recognized John Staples on Zoom to represent Pine View Estates, Phase 2. John said there is nothing new to add but he will be glad to answer questions. Chairman Tingey asked City Manager Dotson if they needed to know anything new. He said this subdivision final plat meets all requirements of Code so it is good to go and needs a recommendation to the City Council.

Commissioner Correa made a motion to send a favorable recommendation to the City Council on the Final Plat of Pine View Estates, Phase 2. The motion was seconded by Commissioner Losee and all voted in favor.

4. PUBLIC HEARING FOR ZONE CHANGE OF LOTS 3A, 3B, & 3C, AMENDED PLAT OF LOT 3, BLK 2, VILLAGE GREEN FARMS FROM R-1-1-18 TO R-1-11

Commissioner Correa made a motion to close the regular meeting and go into the public hearing for the zone change application for Lots 3A, 3B & 3C Amended Plat of Lot 3, Blk. 2 of Village Green Farms from Single Family Residential R-1-18 to Single Family Residential R-1-11. The motion was seconded by Commissioner Ley and all voted in favor.

Chairman Tingey invited public comments asking the audience members to come to the podium and state name and address for the record.

There were no public comments.

Commissioner Correa made a motion to close the public hearing and go back to the regular meeting. The motion was seconded by Commissioner Ley and all voted in favor

5. CONSIDER ZONE CHANGE OF LOTS 3A, 3B, & 3C, AMENDED PLAT OF LOT 3, BLK 2, VILLAGE GREEN FARMS FROM R-1-1-18 TO R-1-11 AND MAKE A RECOMMENDATION TO CITY COUNCIL

Chairman Tingey said this action is to change the zoning from Single Family Residential R-1-18 to Single Family Residential R-1-11. He added we have discussed this in a prior meeting. There was no further discussion.

Commissioner Ley made a motion to send a favorable recommendation to the City Council for the zone change application for Lots 3A, 3B & 3C Amended Plat of Lot 3, Blk. 2 of Village Green Farms from Single Family Residential R-1-18 to Single Family Residential R-1-11. The motion was seconded by Commissioner Correa and all voted in favor.

6. PUBLIC HEARING FOR ZONE CHANGE OF PARCELS A-0916-0002 003A & A-0916-0002-003B FROM R-1-11 TO RECREATIONAL VEHICLE PARK (RVP) CONTINGENT UPON BOUNDARY LINE ADJUSTMENT OF VACATED PARCELS TO CREATE 1.06 ACRES

Commissioner Correa made a motion to close the regular meeting and go to the public hearing for a zone change application to go from Single Family Residential R-1-18 to Single Family Residential R-1-11 and Recreational Vehicle Park-RVP. The motion was seconded by Commissioner Ley and all voted in favor.

Chairman Tingey invited public comments asking the audience members to come to the podium and state name and address for the record.

Alan Wade said he does not see how this fits and will bring lots of dust, dirt, and traffic on Green Acres Circle where Enoch does not maintain the road and he doesn't like it. His second concern is the water rights and what do they need there? He said he doesn't like park models being allowed in there. Then it is not an RV park but permanent living. It says 120 days and that is a long time. He looked at other cities' requirements and who is going to enforce all that? The ordinance does not address any landscaping. He said the Ordinance is really vague. They can do anything they want and he doesn't like it. He went on about water and that the ordinance should be changed because it is too vague. He said he is worried and irritated and is stating the views of others who agree with him. He cited other points like fencing and asked if the 11,000 SF lot is enough to build a home on. He said it doesn't fit with the other homes in the neighborhood the City needs to address his issues. The ordinance has too many holes and too much room to go bad. He went on with requirements he'd like to see regarding water, sewer, landscaping, park models,

excess traffic, and nuisance ATV use by those staying in the RVP. He said he would like this addressed before approving this.

Megan Stead, property owner, came up to address concerns. She said this will be an RV resort for RV's only. A six month stay is allowed but no permanent situation will be allowed, such as park models, installing decks or anything of a permanent nature. This is for nightly stays for travelers. She said the entrance will be addressed in the design process and there will be 17 sites. They could exit out onto the unpaved road if they have to. The State Engineer made the water right requirements and they are following that for the required water to be deeded. The site is sufficient for the restrooms and there will be little water use compared to regular homes. They will make it nice for the entrance because that is in the best interests of doing business. It will be fenced. Every little thing is not detailed within the ordinance and doesn't need to be. As part of their property rights as owners they have the right to make decisions about how their property will look as long as it meets City requirements for this use. This is a vacation place so it will be nice and quiet and will not be trashy. They will be living onsite to maintain it and make sure of that. If it does not look good no one would come to stay there.

Commissioner Ley made a motion to close the public hearing and return to the regular meeting. The motion was seconded by Commissioner Correa and all voted in favor.

7. CONSIDER ZONE CHANGE OF PARCELS A-0916-0002-003A & A-0916-0002-003B FROM R-1-11 TO RVP (RECREATIONAL VEHICLE PARK) CONTINGENT UPON BOUNDARY LINE ADJUSTMENT OF VACATED PARCELS TO CREATE 1.06 ACRES AND MAKE A RECOMMENDATION TO CITY COUNCIL

Chairman Tingey asked for comments from the Commissioners. Commissioner Correa said the acreage was clarified. They calculated the space needed and he trusts that was done right. Commissioner Ley said Highway 91 is designated for commercial uses and this meets the General Plan goals. The zone is right for Highway 91 and is appropriate in this location. Two entrances are able to be made but based on the ordinance it is not required here. Chairman Tingey said he would prefer them pulling out the other way and not onto Highway 91. Things have to be wide enough to allow for maneuvering and a second ingress/egress could be an option in this location although that decision comes at the time of the design work phase.

Chairman Tingey asked City Manager Dotson to explain the water rights required and he did so. Standards are set by the State of Utah and our Code for this. He explained the calculations by the engineers noting two AF is appearing to be adequate. There was brief discussion of the length of stay and noted it is partly due to snowbirds and accommodating them. Commissioner Correa asked about park models. Megan said they are like a tiny home and are not allowed. They have to be set up and this is for pull-thru only RV's. City Manager Dotson said a park model is different and has a foundation and skirting. You don't take those out on vacation. They are permanent dwellings and not allowed here. City Manager Dotson said to move along, the applicant has asked for a zone change and not to change the ordinance on the books. That is not the issue. This applicant meets the requirements of this code and is applying for a zone change only. They do not have to give other details of their proposed development in this application. People's property rights are also in play here as long as they meet the requirements. Chairman Tingey said regarding zone changes they consider the good of the community and requirements of the General Plan and the zone in their recommendation to the City Council.

Commissioner Ley made a motion to send a favorable recommendation to the City Council for the zone change from Single Family Residential R-1-18 to Single Family Residential R-1-11 and Recreational Vehicle Park-RVP, contingent upon the boundary line adjustments. The motion was seconded by Commissioner Correa and a roll call vote was held with all voting yes.

8. PUBLIC HEARING FOR NEW WATER ORDINANCE, WATER ACQUISITION, CONSERVATION TIER STRUCTURE, AND WATER UNITS

Commissioner Correa made a motion to close the regular meeting and go into the public hearing on the water ordinance, water acquisition, conservation tier structure and water units. The motion was seconded by Commissioner Losee and all voted in favor.

Chairman Tingey invited public comments.

Alan Wade said he didn't see this and asked what it was. Chairman Tingey said this is posted on the website. He asked some questions and commented about the cost of an AF of water these days.

Barry Johnson said he has lived here for many years and has fully developed his property and irrigates it all. He would pay a little more to keep his yard nice but if rates are not hiked up so much that he can't keep his yard as it is he would not be happy. A large rate hike is not fair to residents. He has lived here 43 years and developed his property with grass and trees. He objects to the changes.

Chairman Tingey said point is the Planning Commission recommends to the City Council and is not approving this. They are holding the public hearing because it is a land use issue and the City Council asked them to consider it and recommend it to them. Any changes to Code will come from the City Council.

City Manager Dotson reviewed the new ordinance for the audience. He explained the current requirements and the new changes. New homes bring one AF of water in order to build. We do need more wells but new homes are not taken from others for their use. He explained the pending curtailment of younger rights in the Groundwater Management Plan (GMP). He said in the proposed new ordinance, younger rights could be given with a fee in lieu of the 1934 water right. He explained the fee plus the younger right. He covered more details of the changes such as BLM land, the graduated tier system, conservation tier schedule, etc. Any money paid to the City will be used to acquire water. That is the basis of it, City Manager Dotson said.

Kerry Carpenter talked about the GMP and said it is often misunderstood. He talked about surface rights and Coal Creek water explaining how irrigation works and what the GMP will do. He said the rule is "first in time, first in right" on the water use. This valley can't support all the rights allocated out to people. Water rights are real property just like land is. They are bought and sold on the open market and supply and demand is in place for the prices. He clarified what all this means and gave details of reactivating water rights that are not in use. They can be put into use and proved up to make them valid again through a process. It was noted only a judge in a court of law can "take" away water rights. He gave more details of past Utah history and droughts and how the water rights in wells came about with supplemental rights and shares etc.

Worth Grimshaw said his question is for original residents who put in the infrastructure and gave the water. What happens to them with large lots? The thought back in the day was to have what they needed for irrigating large lots and he gave the history of the 1 AF of water required per lot. His thought is the City should reimburse those who put the water in originally or keep the rate down for them. He added Enoch did not have a water volume problem until Cedar was allowed to go upstream and put in a big well that pumps our water to Cedar. His theory is they overallocated that water and they should be forced to pay Enoch for it. The springs are dried up now because it is over-pumped from Cedar's well. He talked about his property and gave more details. This area was settled here due to the large meadows and streams being here. He gave a great amount of detail. Worth asked if there will be a public hearing on the final ordinance and was told there will be one because it is required for a rate change to take place.

Commissioner Ley made a Motion to close the public hearing and return to the regular meeting. The motion was seconded by Commissioner Losee and all voted in favor.

9. CONSIDER NEW WATER ORDINANCE, WATER ACQUISITION, CONSERVATION TIER STRUCTURE, AND WATER UNITS AND MAKE A RECOMMENDATION TO CITY COUNCIL

Chairman Tingey asked for thoughts from the Commissioners. Commissioner Ley asked about the State Engineer and the GMP. It was stated the plan has declared the aquifer is over-pumped at 28,000 AF because the safe yield is only 21,000 AF and we are in trouble. Chairman Tingey confirmed we knew about this for a while and we are now reclaiming water and other measures to recharge the aquifer and mediate the overuse of water. Kerry Carpenter, who is retired from the Division of Water Rights, added that is why the GMP came to be in order to balance the aquifer. Chairman Tingey said conservation of water will come with higher costs. Commissioner Ley expressed why she moved here saying they had the water to do their landscaping and should not be charged more. If we are already in the hole, why do we allow more homes? Commissioner Correa said we can't not allow property rights in the form of new homes if they meet our requirements to develop and they bring the water rights. That is in State law. Chairman Tingey said we can't assume anything on the rates. This discussion is not about that issue tonight. This is complex and it will be refined with another public hearing held before rates are changed. Worth added at this point the first thing to consider is to bring the water back that is reclaimed from the sewer plant for use in this valley and pipe it back to here. Water flows from south to north. It goes north of the sewer plant now. Council Member Ross said Cedar owns the sewer plant and we have been putting pressure on them in discussions to get this reclaimed water. There was more discussion of that issue. Cedar should have to make us whole, Worth said, for taking our water. We need to address that issue with our State representatives. There was more discussion of history and details of water in this valley. Chairman Tingey said we need to make a recommendation to the City Council tonight. He added he is not feeling good about making one right now. Commissioner Ley said on page 2 of item #3-a, in the new ordinance emailed yesterday, she does not like the language that says "prudent by city staff" adding that is vague language and not good. Chairman Tingey said he thinks the same thing. It makes no sense.

Council Member Ross said that came up because if there is a sudden spike in water costs the Council needs to be able to move and the current wording has us stuck waiting for a year to reevaluate which does not work in an emergency. Chairman Tingey said he would prefer an annual evaluation or if the City Council deems an emergency they act accordingly. There was more discussion of possible language. Staff determines if this needs to be done and recommends it to the City Council. Commissioner Ley said she does not like the word "prudent". "As deemed necessary" is better and at least annually. Commissioner Ley said she also doesn't like the parks portion on page 4 #b-1-exemptions to give water. There was discussion of undeveloped open space and that regular parks within subdivisions should bring the water rights to irrigate the grass. She said she is not happy with small parks in subdivisions because the City has to maintain them and water them. We need larger areas and not little dinky parks in subdivisions. The developer should have to bring water for their irrigation. Neighborhoods should take care of their own areas. It is too late on that for what we have now but it could be changed for the future. Commissioner Correa defended Iron Mtn. Park and explained it is for the use of several subdivisions in the area. Worth Grimshaw explained how the small parks came about originally in Garden Park and Spanish Trails. Their old water tanks were on the sites of the parks existing now. Enoch had to annex those areas due to bad high-nitrate water. That stopped the use of the old bad wells that are now on the secondary system water. Those subdivisions went onto good culinary water for the good of all concerned. Chairman Tingey said he wants to think about this more and asked if we all agree to postpone a recommendation on this. Commissioner Ley expressed concerns about page 5 regarding conservation tiers and multi-family development. She said she wants some changes before a recommendation is made. This is better but is not there yet. Chairman Tingey

said we need to modernize but this has issues. Council Member Ross said this came up from the Water Board and the tiers are complicated. Most people use less than allocated. Chairman Tingey said let's think about this for two more weeks before a recommendation is made. Council Member Ross said sooner rather than later is needed on this and concerns can be brought to the City Council tomorrow night.

Commissioner Correa made a motion to table this item and bring it back on 6-29-22. The motion was seconded by Commissioner Ley and all voted in favor.

10. DISCUSS SECTIONS 1 AND 2 OF THE GENERAL PLAN

Council Member Ross said she asked the City Council if they had a time frame on completion of the task and they said January 2023 is fine for this to come to them. Chairman Tingey said we were going to look at Sections 1 and 2 of the General Plan (GP) for tonight. He said the word that comes to mind for him is too "wordy". We need to simplify it. He asked if the 2020 census numbers are available for us to use in working on this plan. He suggested we table this to get the census information. He also noted we are still looking for a new member to replace Andrew Meacham. It was suggested any names be given to Mayor Chesnut and Council Member Ross for the appointment of a new member to the Planning Commission. No further discussion was held.

11. PUBLIC COMMENTS- none

12. COMMISSION/STAFF REPORTS

Hayden White reported regarding water and wells saying when the City obtains an irrigation well, the water is cut by 40%. That is typically called the "haircut". They give the full number of acre feet of water but we only get 60% in actuality. There was a brief discussion of this concept.

Council Member Ross reported she inquired about the time frame on the GP. She said the Council is talking about water and going through the questions as the Water Board and Planning Commission did already. She asked if we really need another meeting to keep talking about this because the Council may act tonight. The Planning Commission expressed concerns of the different points of view being so varied and because this is so complex. They maintained they did not want to make a recommendation tonight.

Commissioner Correa commented on the "xeriscape" concept. He accessed some information on Facebook for Southern Utah gardeners. He gave more details saying green spaces are actually noticeably cooler and help to retain water in the ground. If lawns are left taller then there are less weeds and the lawn roots don't die when watered less. Greenspaces produce the coolness that generates into the environment. He said he can feel that coolness coming off of the field by his home. He questioned whether xeriscaping is the way to go. Maybe a prairie type landscape with grasses instead would be good for the environment. Hardscape makes it hotter. Phoenix with all the cement is an example and was 125 degrees the other day. Maybe we are shooting ourselves in the foot with taking out grass. Maybe a certain amount of grass would be of more benefit.

13. ADJOURN-Motion to adjourn by Commissioner Ley. Motion seconded by Commissioner Correa and all voted in favor. The meeting ended at 7:55 pm.

Julie Watson, City Recorder

Date

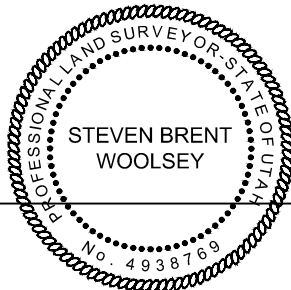
MINOR SUBDIVISION/RECORD OF SURVEY FOR: RANGE 16, LLC

LOCATED IN THE SW & NW 1/4'S OF SECTION 1, T35S, R11W, S.L.B.&M.
ENOCH CITY, IRON COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, STEVEN BRENT WOOLSEY, PROFESSIONAL UTAH LAND SURVEYOR NUMBER 4938769, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. HEREBY CERTIFY THAT THIS MAP REPRESENTS A MINOR SUBDIVISION/RECORD OF SURVEY MADE UNDER MY DIRECTION OF TWO (2) PARCELS OF LAND, LOCATED IN ENOCH CITY, IRON COUNTY, UTAH, IN ACCORDANCE WITH SECTION 17-23-17. MONUMENTS WILL BE PLACED AS REPRESENTED ON THIS PLAT. THE LEGAL DESCRIPTIONS AND PLAT ARE TRUE AND CORRECT.

STEVEN BRENT WOOLSEY, PLS #4938769



DATE

SURVEYOR'S NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF RANGE 16, LLC TO PERFORM A MINOR SUBDIVISION/RECORD OF SURVEY OF IRON COUNTY TAX PARCELS A-0962-0008-0000 AND A-0963-0009-0000.

THE BASIS OF BEARINGS IS 500°46'44"W, 2684.53 FEET FROM THE WEST QUARTER CORNER TO THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN. THIS SURVEY IS BASED ON THE ENOCH CITY COORDINATE CONTROL NETWORK AS SHOWN ON THAT RECORD OF SURVEY BY GRIMSHAW SURVEYING FOR ENOCH CITY CORPORATION, FILE NO. 889, DATED 11-17-1988. THOSE COORDINATES THAT DIFFER FROM SAID NETWORK ARE TO THE PHYSICAL MONUMENT DUE TO THE SLIGHT DIFFERENCE BETWEEN THE RECORD AND THE MEASURED MONUMENT.

THIS SURVEY CREATES FOUR (4) PARCELS OF LAND, LOCATED ON IRON COUNTY TAX PARCEL A-0962-0008-0000, AND FOUR (4) PARCELS OF LAND, LOCATED ON IRON COUNTY TAX PARCEL A-0963-0009-0000, LOCATED WITHIN THE NW AND SW 1/4'S OF SECTION 1, T35S, R11W, S.L.B.&M.

REFERENCES: LOT LINE ADJUSTMENT SURVEY/RECORD OF SURVEY BY WOOLSEY LAND SURVEYING FOR GRIMSHAW DRILLING, FILE NO. 3200, DATED 6-29-2019, MINOR SUBDIVISION/RECORD OF SURVEY FOR GRIMSHAW DRILLING, BY WOOLSEY LAND SURVEYING, FILE NO. 3340, DATED 6-5-2020, MINOR SUBDIVISION/RECORD OF SURVEY FOR RED VELVET DEVELOPMENT, LLC, BY WOOLSEY LAND SURVEYING, FILE NO. 3379, DATED 10-30-2020, MINOR SUBDIVISION/RECORD OF SURVEY FOR TOO UNIQUE PROPERTIES, LLC, BY WOOLSEY LAND SURVEYING, FILE NO. 3438, DATED 4-18-2021, MINOR SUBDIVISION/RECORD OF SURVEY FOR TOO UNIQUE PROPERTIES, LLC, BY WOOLSEY LAND SURVEYING, FILE NO. 3620, DATED 2-18-2022, DEED OF DEDICATION OF 6000 NORTH STREET, RECORDED IN BOOK 611, AT PAGES 906-908, OFFICIAL IRON COUNTY RECORDS.

PARCEL 1 DESCRIPTION: A PART OF A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,250.25 FEET; THENCE S89°43'25"E, 34.94 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF 600 EAST STREET; THENCE N00°22'18"E, ALONG SAID LINE, 408.33 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°21'14"E, 635.81 FEET TO A POINT LOCATED ON THE WEST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE S00°38'46"W, ALONG SAID LINE, 402.24 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°43'25"W, 633.88 FEET TO THE POINT OF BEGINNING, CONTAINING 5.89 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET), AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO 600 EAST STREET.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 30.00 FOOT WIDE PUBLIC UTILITIES EASEMENT AS REFERENCED IN BOOK 1185, AT PAGE 1475.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 2 DESCRIPTION: A PART OF A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,250.25 FEET; THENCE S89°43'25"E, 34.94 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF 600 EAST STREET; THENCE N00°22'18"E, ALONG SAID LINE, 408.33 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°21'14"E, 635.81 FEET TO A POINT LOCATED ON THE WEST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE S00°38'46"W, ALONG SAID LINE, 402.24 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°43'25"W, 633.88 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SAID 600 EAST STREET; THENCE N00°22'18"E, ALONG SAID LINE, 688.99 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET), AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO 600 EAST STREET.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 3 DESCRIPTION: A PART OF A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,939.27 FEET; THENCE S89°43'25"E, 355.13 FEET TO THE POINT OF BEGINNING; THENCE S00°30'32"W, 692.24 FEET TO A POINT LOCATED ON THE NORTH RIGHT-OF-WAY LINE OF SAID 5600 NORTH STREET; THENCE N89°43'25"W, ALONG SAID LINE, 313.63 FEET TO THE INTERSECTION OF SAID 5600 NORTH STREET RIGHT-OF-WAY AND THE EAST RIGHT-OF-WAY LINE OF 600 EAST STREET; THENCE N00°22'18"E, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 600 EAST STREET, 692.23 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°43'25"E, 315.29 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE SOUTH PROPERTY LINE ADJACENT TO 5600 NORTH STREET, AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO 600 EAST STREET.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 4 DESCRIPTION: A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,939.27 FEET; THENCE S89°43'25"E, 355.13 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°43'25"E, 315.29 FEET TO A POINT LOCATED ON THE WEST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE S00°38'46"W, ALONG SAID LINE, 692.25 FEET TO THE INTERSECTION OF SAID BARK AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF SAID 5600 NORTH STREET; THENCE N89°43'25"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 5600 NORTH STREET, 313.63 FEET; THENCE N00°30'32"E, 692.24 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE SOUTH PROPERTY LINE ADJACENT TO 5600 NORTH STREET, AND A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET).

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 5 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 858.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE N00°38'42"E, ALONG SAID LINE, 318.05 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°51'21"E, 630.19 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 321.36 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°33'15"W, 630.91 FEET TO THE POINT OF BEGINNING, CONTAINING 4.63 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET), AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE.

PARCEL 6 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 858.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE CONTINUING S89°33'15"E, 630.91 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 345.00 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°33'15"W, 631.71 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SAID BARK AVENUE; THENCE N00°38'42"E, ALONG SAID LINE, 345.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET), AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE.

PARCEL 7 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 513.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°33'15"E, ALONG SAID LINE, 315.77 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 275.90 FEET TO THE NORTHEAST RIGHT-OF-WAY CORNER OF 6000 NORTH STREET; THENCE N89°33'15"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 6000 NORTH STREET, 315.77 FEET; THENCE DEPARTING SAID LINE AND RUNNING N00°30'43"E, 275.90 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET).

SUBJECT TO AND TOGETHER WITH THAT PORTION OF THOSE EXISTING PUBLIC UTILITIES EASEMENTS AS REFERENCED AND RECORDED IN BOOK 611, AT PAGES 906-908, OFFICIAL IRON COUNTY RECORDS.

PARCEL 8 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 513.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°33'15"E, ALONG SAID LINE, 315.77 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 275.90 FEET TO THE NORTHEAST RIGHT-OF-WAY CORNER OF 6000 NORTH STREET; THENCE N89°33'15"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 6000 NORTH STREET, 315.77 FEET; THENCE DEPARTING SAID LINE AND RUNNING N00°30'43"E, 275.90 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENT DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF THOSE EXISTING PUBLIC UTILITIES EASEMENTS AS REFERENCED AND RECORDED IN BOOK 611, AT PAGES 906-908, OFFICIAL IRON COUNTY RECORDS.

LINE TABLE

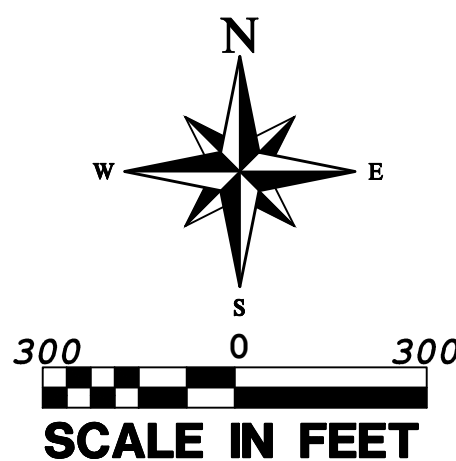
LINE	LENGTH	DIRECTION
L1	291.50'	N89°33'15"W
L2	315.77'	N89°33'15"W
L3	313.63'	N89°43'25"W
L4	313.63'	N89°43'25"W

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	39.36'	25.00'	35.42'	S44°27'17"E	90°11'57"

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- x-x- EXISTING FENCE
- SECTION LINE
- ◆ SECTION CORNER AS DESCRIBED
- SET WOOLSEY LAND SURVEYING REBAR & CAP AND/OR P.K. NAIL P.L.S. #4938769
- FOUND WOOLSEY LAND SURVEYING REBAR CAP MONUMENT OR AS DESCRIBED



PLAT NO. : _____

FILE DATE : _____

RECEIPT NO. : _____

WOOLSEY LAND SURVEYING, P.C.
Land Surveyors - Land Planners
50 WEST 3600 NORTH
ENOCH CITY, UTAH 84721
435-589-2315 CELL
steven@woolseyls.com

MINOR SUBDIVISION/RECORD OF SURVEY FOR:

RANGE 16, LLC

ENOCH CITY, IRON COUNTY, UTAH
LOCATED IN THE NW & SW 1/4'S OF SECTION 1, T35S, R11W, S.L.B.&M.

DATE: 6-3-2022
SCALE: 1"=300'

JOB NO.
1886

SHEET NO:

1 OF 1

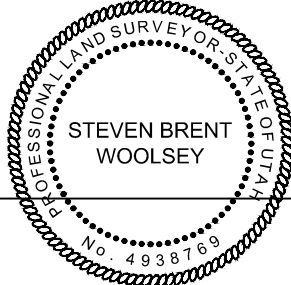
MINOR SUBDIVISION/RECORD OF SURVEY FOR: RANGE 16, LLC

LOCATED IN THE SW & NW 1/4'S OF SECTION 1, T35S, R11W, S.L.B.&M.
ENOCH CITY, IRON COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, STEVEN BRENT WOOLSEY, PROFESSIONAL UTAH LAND SURVEYOR NUMBER 4938769, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. HEREBY CERTIFY THAT THIS MAP REPRESENTS A MINOR SUBDIVISION/RECORD OF SURVEY MADE UNDER MY DIRECTION OF TWO (2) PARCELS OF LAND, LOCATED IN ENOCH CITY, IRON COUNTY, UTAH, IN ACCORDANCE WITH SECTION 17-23-17. MONUMENTS WILL BE PLACED AS REPRESENTED ON THIS PLAT. THE LEGAL DESCRIPTIONS AND PLAT ARE TRUE AND CORRECT.

STEVEN BRENT WOOLSEY, PLS #4938769



DATE

SURVEYOR'S NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF RANGE 16, LLC TO PERFORM A MINOR SUBDIVISION/RECORD OF SURVEY OF IRON COUNTY TAX PARCELS A-0962-0008-0000 AND A-0963-0009-0000.

THE BASIS OF BEARINGS IS 500°46'44"W, 2684.53 FEET FROM THE WEST QUARTER CORNER TO THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN. THIS SURVEY IS BASED ON THE ENOCH CITY COORDINATE CONTROL NETWORK AS SHOWN ON THAT RECORD OF SURVEY BY GRIMSHAW SURVEYING FOR ENOCH CITY CORPORATION, FILE NO. 889, DATED 11-11-1988. THOSE COORDINATES THAT DIFFER FROM SAID NETWORK ARE TO THE PHYSICAL MONUMENT DUE TO THE SLIGHT DIFFERENCE BETWEEN THE RECORD AND THE MEASURED MONUMENT.

THIS SURVEY CREATES FOUR (4) PARCELS OF LAND, LOCATED ON IRON COUNTY TAX PARCEL A-0962-0008-0000, AND FOUR (4) PARCELS OF LAND, LOCATED ON IRON COUNTY TAX PARCEL A-0963-0009-0000, LOCATED WITHIN THE NW AND SW 1/4'S OF SECTION 1, T35S, R11W, S.L.B.&M.

REFERENCES: LOT LINE ADJUSTMENT SURVEY/RECORD OF SURVEY BY WOOLSEY LAND SURVEYING FOR GRIMSHAW DRILLING, FILE NO. 3200, DATED 6-29-2019, MINOR SUBDIVISION/RECORD OF SURVEY FOR GRIMSHAW DRILLING, BY WOOLSEY LAND SURVEYING, FILE NO. 3340, DATED 6-5-2020, MINOR SUBDIVISION/RECORD OF SURVEY FOR RED VELVET DEVELOPMENT, LLC, BY WOOLSEY LAND SURVEYING, FILE NO. 3379, DATED 10-30-2020, MINOR SUBDIVISION/RECORD OF SURVEY FOR TOO UNIQUE PROPERTIES, LLC, BY WOOLSEY LAND SURVEYING, FILE NO. 3438, DATED 4-18-2021, MINOR SUBDIVISION/RECORD OF SURVEY FOR TOO UNIQUE PROPERTIES, LLC, BY WOOLSEY LAND SURVEYING, FILE NO. 3620, DATED 2-18-2022, DEED OF DEDICATION OF 6000 NORTH STREET, RECORDED IN BOOK 611, AT PAGES 906-908, OFFICIAL IRON COUNTY RECORDS.

PARCEL 1 DESCRIPTION: A PART OF A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,250.25 FEET; THENCE S89°43'25"E, 34.94 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF 600 EAST STREET; THENCE N00°22'18"E, ALONG SAID LINE, 408.33 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°21'14"E, 635.81 FEET TO A POINT LOCATED ON THE WEST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE S00°38'46"W, ALONG SAID LINE, 402.24 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°43'25"W, 633.88 FEET TO THE POINT OF BEGINNING, CONTAINING 5.89 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET), AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO 600 EAST STREET.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 30.00 FOOT WIDE PUBLIC UTILITIES EASEMENT AS REFERENCED IN BOOK 1185, AT PAGE 1475.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 2 DESCRIPTION: A PART OF A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,250.25 FEET; THENCE S89°43'25"E, 34.94 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF 600 EAST STREET; THENCE N00°22'18"E, ALONG SAID LINE, 408.33 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°21'14"E, 635.81 FEET TO A POINT LOCATED ON THE WEST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE S00°38'46"W, ALONG SAID LINE, 402.24 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°43'25"W, 633.88 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SAID 600 EAST STREET; THENCE N00°22'18"E, ALONG SAID LINE, 688.99 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

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SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 3 DESCRIPTION: A PART OF A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,939.27 FEET; THENCE S89°43'25"E, 355.13 FEET TO THE POINT OF BEGINNING; THENCE S00°30'32"W, 692.24 FEET TO A POINT LOCATED ON THE NORTH RIGHT-OF-WAY LINE OF SAID 5600 NORTH STREET; THENCE N89°43'25"W, ALONG SAID LINE, 313.63 FEET TO THE INTERSECTION OF SAID 5600 NORTH STREET RIGHT-OF-WAY AND THE EAST RIGHT-OF-WAY LINE OF 600 EAST STREET; THENCE N00°22'18"E, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 600 EAST STREET, 692.23 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°43'25"E, 315.29 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES.

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SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 4 DESCRIPTION: A-0962-0008-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°46'44"W, ALONG THE SECTION LINE, 1,939.27 FEET; THENCE S89°43'25"E, 355.13 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°43'25"E, 315.29 FEET TO A POINT LOCATED ON THE WEST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE S00°38'46"W, ALONG SAID LINE, 692.25 FEET TO THE INTERSECTION OF SAID BARK AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF SAID 5600 NORTH STREET; THENCE N89°43'25"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 5600 NORTH STREET, 313.63 FEET; THENCE N00°30'32"E, 692.24 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE SOUTH PROPERTY LINE ADJACENT TO 5600 NORTH STREET, AND A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET).

SUBJECT TO AND TOGETHER WITH THAT PORTION OF AN EXISTING 12.50 FOOT WIDE ROADWAY EASEMENT AS REFERENCED IN BOOK 1400, AT PAGE 1376.

PARCEL 5 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 858.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE N00°38'42"E, ALONG SAID LINE, 318.05 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°51'21"E, 630.19 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 321.36 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°33'15"W, 630.91 FEET TO THE POINT OF BEGINNING, CONTAINING 4.63 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET), AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE.

PARCEL 6 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 858.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF BARK AVENUE (700 EAST STREET); THENCE CONTINUING S89°33'15"E, 630.91 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 345.00 FEET; THENCE DEPARTING SAID LINE AND RUNNING N89°33'15"W, 631.71 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SAID BARK AVENUE; THENCE N00°38'42"E, ALONG SAID LINE, 345.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET), AND A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE.

PARCEL 7 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 513.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°33'15"E, ALONG SAID LINE, 315.77 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 275.90 FEET TO THE NORTHEAST RIGHT-OF-WAY CORNER OF 6000 NORTH STREET; THENCE N89°33'15"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 6000 NORTH STREET, 315.77 FEET; THENCE DEPARTING SAID LINE AND RUNNING N00°30'43"E, 275.90 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENTS DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 20.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE WEST PROPERTY LINE ADJACENT TO BARK AVENUE (700 EAST STREET).

SUBJECT TO AND TOGETHER WITH THAT PORTION OF THOSE EXISTING PUBLIC UTILITIES EASEMENTS AS REFERENCED AND RECORDED IN BOOK 611, AT PAGES 906-908, OFFICIAL IRON COUNTY RECORDS.

PARCEL 8 DESCRIPTION: A PART OF A-0963-0009-0000

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°46'43"E, ALONG THE SECTION LINE, 513.86 FEET; THENCE S89°33'15"E, 606.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°33'15"E, ALONG SAID LINE, 315.77 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S00°30'43"W, ALONG SAID LINE, 275.90 FEET TO THE NORTHEAST RIGHT-OF-WAY CORNER OF 6000 NORTH STREET; THENCE N89°33'15"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 6000 NORTH STREET, 315.77 FEET; THENCE DEPARTING SAID LINE AND RUNNING N00°30'43"E, 275.90 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES.

GRANTOR, DOES HEREBY DEDICATE A NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT, OVER, UNDER, AND ACROSS THE PROPERTY DESCRIBED HEREIN, FOR THE USE AND INSTALLATION OF PUBLIC UTILITY FACILITIES ACCORDING TO THE PROVISIONS OF UTAH STATE CODE SECTION: 54-3-27 WHICH DEFINES PUBLIC UTILITIES EASEMENTS AND THE RIGHTS TO WHICH PUBLIC UTILITIES EASEMENTS MAY BE PUT IN BY PUBLIC UTILITY SERVICES. GRANTOR RESERVES THE RIGHT TO USE THE PUBLIC UTILITIES EASEMENT AREA DESCRIBED HEREIN FOR ANY PURPOSE WHATSOEVER, PROVIDED GRANTOR'S USE DOES NOT UNREASONABLY INTERFERE WITH INSTALLATION OF PUBLIC UTILITY FACILITIES WITHIN THE EASEMENT.

THE PUBLIC UTILITIES EASEMENT DEDICATED HEREIN IS DESCRIBED AS FOLLOWS:

A 15.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE EAST PROPERTY LINE.

SUBJECT TO AND TOGETHER WITH THAT PORTION OF THOSE EXISTING PUBLIC UTILITIES EASEMENTS AS REFERENCED AND RECORDED IN BOOK 611, AT PAGES 906-908, OFFICIAL IRON COUNTY RECORDS.

LINE TABLE

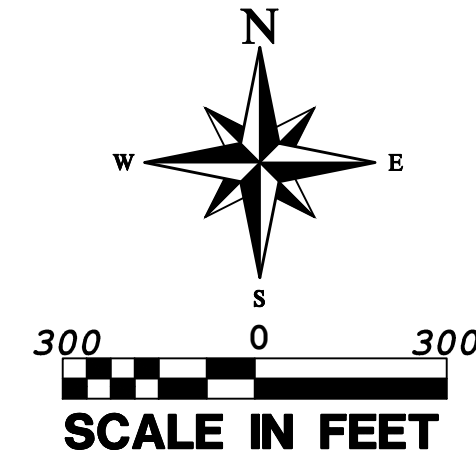
LINE	LENGTH	DIRECTION
L1	291.50'	N89°33'15"W
L2	315.77'	N89°33'15"W
L3	313.63'	N89°43'25"W
L4	313.63'	N89°43'25"W

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	39.36'	25.00'	35.42'	S44°27'17"E	90°11'57"

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- x-x- EXISTING FENCE
- SECTION LINE
- ◆ SECTION CORNER AS DESCRIBED
- SET WOOLSEY LAND SURVEYING REBAR & CAP AND/OR P.K. NAIL P.L.S. #4938769
- FOUND WOOLSEY LAND SURVEYING REBAR CAP MONUMENT OR AS DESCRIBED



PLAT NO. : _____

FILE DATE : _____

RECEIPT NO. : _____

WOOLSEY LAND SURVEYING, P.C.
Land Surveyors - Land Planners
50 WEST 3600 NORTH
ENOCH CITY, UTAH 84721
435-589-2315 CELL
steven@woolseyls.com

MINOR SUBDIVISION/RECORD OF SURVEY FOR:

RANGE 16, LLC

ENOCH CITY, IRON COUNTY, UTAH
LOCATED IN THE NW & SW 1/4'S OF SECTION 1, T35S, R11W, S.L.B.&M.

DATE: 6-3-2022
SCALE: 1"=300'

JOB NO.
1886

SHEET NO:

1 OF 1

ENOCH CITY CORPORATION
ORDINANCE NO. 2022-07-06
WATER ACQUISITION, CONSERVATION TIER STRUCTURE,
AND WATER UNITS

WHEREAS, Enoch City provides water for residential, commercial, and industrial uses consistent with City ordinances and other laws, including Utah State laws governing water rights, which are adopted by the Legislature and administered by the State Engineer;

WHEREAS, the State Engineer has determined, after extensive study and many public hearings, that the aquifers in the Cedar City Valley have been over-appropriated and over-drafted;

WHEREAS, the State Engineer has determined the estimated safe yield for the Cedar City Valley groundwater basin is 21,000 acre-feet per year and the estimated current average depletion from the groundwater basin is 28,000 acre-feet per year;

WHEREAS, consistent with statutory duty authority, the State Engineer has administratively closed the Cedar City Valley basin to further appropriation of consumptive water rights and instituted a Groundwater Management Plan that will eventually curtail the use of or suspend existing water rights with priority dates after July 25, 1934, if sufficient water is not first regulated, conserved, and replenished so as to stop the decline of groundwater levels in the Cedar City Valley Basin;

WHEREAS, an ordinance is needed to engage broad citizen participation to help conserve and otherwise assure the adequacy of future water supplies and associated water rights;

WHEREAS, the mission of the City is to manage limited water resources and to promote water conservation;

NOW THEREFORE BE IT RESOLVED that the City is considering the following ordinances to protect and preserve Enoch City's ability to continue to provide water at reasonable rates and without excessive costs.

A. Water Acquisition Fee. An Applicant seeking approval of a development application for single-family dwelling units, and to secure new privileges to use the Enoch City water system, must pay a Water Acquisition Fee, based upon the property acreage and expected water use. An Applicant may pay the Water Acquisition Fee in one of two ways:

1. By transferring a Priority Water Right as detailed herein, or;
2. Transfer of acceptable water rights as shown in the following chart labeled Water Rights Acquisition Fee Chart 2022 with the remaining value in cash. The Water Acquisition Fee does not fulfill the requirement nor obviate the need to otherwise pay water connection fees.

The Applicant shall submit a Subdivision Water Schedule, with each Subdivision Application, designating the selected Conservation Tier for each lot, which determines the Water Acquisition Fee and resulting water rates for each lot.

3. Cash. Applicants paying the Fee in cash will pay the amount corresponding to the desired water use as per the Acquisition Fee Schedule, which values the required water right based upon a percentage of the appraised value of a one (1) acre-foot Priority Water Right in the Cedar City Valley on the north side of Highway 56 with a water right prefix of 73, and a priority date no later than July 25, 1934 (“Priority Water Right”).

- a. As often as deemed prudent by Enoch City Council, but at least annually, and typically every six months, Enoch City will contract for and obtain an appraisal of the current fair market value of a Priority Water Right as described in this subsection. These appraisals assist the City in its own purchase of acceptable water rights and are the basis for the Water Acquisition Fees levied by the City.

4. Water Right Transfer. Applicants paying the Fee with the transfer of water rights shall do so with proof of recent beneficial use, proof of ownership through a chain of title, and will pay all costs incurred for deeding and transferring City Valley Drainage on the north side of Highway 56 with a water right prefix of 73. The water right must conform with one of the following:

- a. A priority date equal to or prior to July 25, 1934 (“Priority Water Right”); or
- b. A priority date after July 25, 1934, which at the time of transfer to Enoch City, must have at least 10 years before curtailment under the State Engineer’s Groundwater Management Plan for the Cedar City Valley.
- c. For purposes of payment of the Water Acquisition Fee, these post July 25, 1934, water rights are deemed to have a fair market value equal to 1% of a Priority Water Right (per subsection 2(a) above, for each full year remaining at the time of delivery to and acceptance by Enoch City before curtailment under the State Engineer’s Groundwater Management Plan for the Cedar City Valley. The following Water Right Valuation Schedule illustrates the value of each water right as of 2022, quantified as a percentage of a Priority Water Right.

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
Jan 10, 1966 - Dec 31, 1957	January 1, 2035	13%

Dec 30, 1957 - Dec 31, 1954	January 1, 2050	28%
Dec 30, 1954 - Dec 31, 1951	January 1, 2060	38%
Dec 30, 1951 - Dec 31, 1935	January 1, 2070	48%
Dec 30, 1935 - Jul 25, 1934	January 1, 2080	58%
July 25, 1934 - & Earlier	Not Suspended	100%

5. **Process to Transfer Water Rights.** The following process shall be followed for a person developing land within the City to transfer water rights to Enoch City:
- a. The Applicant proposing the transfer shall submit a title report showing the type of water right, ownership of the right, and any liens or encumbrances. The Applicant shall also provide a title insurance policy in a sum adequate to cover the appraised value of the water right(s) the policy is covering.
 - b. An acceptably complete Application for Permanent Change of Water (“change application”) shall be completed and properly filed with the Utah State Engineer at the expense of the Applicant. Information to be included in the change application will be provided by Enoch City including the new points of diversion to be proposed. The change application must be approved by the State Engineer and all statutory periods for reconsideration or court appeal passed prior to conveyance by duly-recorded Deed (and Deed Addendum) the said documentation enabling the State Engineer to amend the Division of Water Rights records to reflect the acquisition by the City. This transfer of ownership may also be conditioned on approval of the subdivision application pending before the City that caused the Applicant to propose the change application and conveyance of the water rights.
 - c. An acceptable Deed (and Deed Addendum) conveying ownership of the water rights to Enoch City shall be completed and held prior to the subdivision application approval. The deed conveying ownership may be held either by the City or in an escrow account paid for by the Applicant. Once the subdivision application has been approved and the change application receives approval as detailed above, the Deed (and Deed Addendum) will be recorded by the City.
 - d. If the Division of Water Rights has not made a final decision on the change application prior to the subdivision approval, then the Applicant shall post a cash bond with the City in the amount of the water acquisition fee.

- e. If at any point in this process, the change application is denied by the State Engineer, or approved with limiting conditions that are not acceptable to the City, the Applicant must forfeit the bond to Enoch City for the purpose of acquiring necessary water right(s) for Applicant's proposed development.
- f. If the water rights proposed to be transferred are supplemental, recharge/recovery, recovery or something other than from a conventional underground water well, prior to the City approving the subdivision application the Applicant shall be required to obtain an approved change application with an Order of the State Engineer clearly defining the sole supply and established diversion and depletion limitations of the water right.

B. Exemptions. The following are exempt from the Water Acquisition Fee.

- 1. Open space exemptions. If at the time of final plat approval, or pulling of a building permit, land is deeded to Enoch City as a dedicated street or for undeveloped open space, parks and recreation, or placed in a conservation easement that complies with the provisions of Title 57, Chapter 18, Sections 1 through 7, Utah Code Annotated, 1953 as amended, then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights or payment of fees. Additionally, if land in a subdivision is to be held as common area and is undeveloped and/or unirrigated, then that land is not subject to the requirements of this ordinance that mandate the payment of Water Acquisition Fees.
- 2. Public lands exemption. If at the time of annexation, the annexed property is owned by the Bureau of Land Management or the U.S. Forest Service then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights. This exception only applies to annexation and not when the property is platted as a residential subdivision or receives a building permit.
- 3. City Exemption. Enoch City is not required to deed water or pay a fee if the City develops land. A purchaser of property from the City will have to pay the Water Acquisition Fee to the City consistent with this ordinance.

C. Water Acquisition Fee Schedule and Tier System. An Applicant seeking approval of a single-family lot development must first designate a Conservation Tier and pay the corresponding Water Acquisition Fee with one (1) AF of water for each single family lot. The selected Conservation Tier will establish the lot owner's expected water use, and the corresponding Water Acquisition Fee, and the resulting water rates.

- 1. The Water Acquisition Fee Schedule indicates the Water Acquisition Fee for each

Conservation Tier that could be selected, as a percentage of a full, one-acre-foot, Priority Water Right, and the corresponding water use.

2. The Conservation Tier Schedule indicates the lot owner's expected water use and resulting water rate. Enoch City will, from time to time, change such water rates and penalties for each Tier.

- D. Properties with Both Culinary & Secondary Water.** Applicants seeking to approve properties with a single-family unit and with both Culinary and Secondary water meters are subject to the following. The Water Acquisition Fee for a new water connection on such properties shall be equal to the value of a full, one-acre, Priority Water Right. However, the Enoch City Water Rights assigned to such a property shall be as follows: .3 AF of Enoch City Water Right, corresponding to the culinary water, which are not transferable and shall remain with the property, and .7 AF of Enoch City Water Right, corresponding to the Secondary Water, which are not transferable and shall remain with the property. The Conservation Tier Schedule for such properties shall be permanently assigned as follows: The .3 AF of Culinary water shall be set at the Conservation Tier of "CUL," and subject to the corresponding "CUL" water rates. The Secondary water shall be set at the Conservation Tier of "SEC," and shall be subject to the corresponding SEC water rates. Properties in Enoch City with both a Culinary water meter and a Secondary water meter will receive an Enoch City water bill separately designating the rates for each water meter.
- E. Multi-Residential Developments.** Applicants seeking approval of a Multi-Residential Development must provide an engineered Annual Water Estimate, illustrating the total annual, acre-feet of water estimated to be used by the Development ("Annual Water Estimate"), to be reviewed and approved by Enoch City. The initial Water Acquisition Fee and Water Right and the subsequent water rate will be calculated based on this determination. For purposes of this Annual Water Estimate, the number of Multi-Residential Units should be multiplied by .3 acre-feet of water, and each sq/ft of proposed grass should be divided by 10,057, to derive the Development's Annual Water Estimate, in terms of Acre Feet (i.e.: a twenty-unit subdivision ($20 \text{ units} \times .3 = 6\text{AF}$) with 10,000 square feet of grass ($10,000 \text{ sq/ft grass} / 10,057 = .994\text{AF}$) would have a 6.994AF Annual Water Estimate). The Water Acquisition Fee and Water Right will be determined by multiplying the Annual Water Estimate by the priority Water Right Value (i.e.: a Development with a 6.994AF Annual Water Estimate will pay 6.995 multiplied by the Conservation MFD Tier, which is 100% of the appraisal Priority Water Right). The Development would subsequently pay for water at a rate of 6.994AF multiplied by the Tier 1 Rate (i.e. an MRD that is estimated to use 6.994AF of water annually will pay 6.994 times the Tier 1 Rate).

The Water Rights assigned to a Multi-Family Development will be assigned under the “MFD” Conservation Tier. These Water Rights are not transferable and must remain assigned to the Development.

If any Multi-Family Development is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee to address the extra water used.

F. Commercial, Industrial, and Manufacturing Developments. Applicants seeking approval for commercial, industrial, or manufacturing developments must provide an engineered Annual Water Estimate, illustrating the total, annual, acre-feet of water estimated to be used for each lot, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee with Water Right and the subsequent water rate will be calculated based on this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre-feet of water used for grass areas. The Water Acquisition Fee and Water Right will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate. The Water Rights assigned to a Commercial, Industrial, or Manufacturing lot will be assigned under the “Com” Conservation Tier. These Water Units are not transferable and must remain assigned to the property. If any Commercial, Industrial, or Manufacturing property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee with Water Right(s) to address the extra water used.

G. Institutional Properties. Applicants seeking approval of Institutional Developments, including schools, religious buildings, and other properties of nonprofit organizations, must present an engineered Annual Water Estimate, illustrating the total, annual acre-feet of water estimated to be used for such property, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee & Water Right and the subsequent water rate will be based upon this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre-feet of water used for grass areas. The Water Acquisition Fee & Water Right will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate. The Water Rights assigned to an Institutional property will be assigned under the “INS” Conservation Tier. These Water Rights are not transferable and must remain assigned to the property. If any Institutional property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee with Water Right(s) to address the extra water used.

14.100.113 APPLICATION FOR WATER CONNECTION

Any person other than a subdivider or developer seeking multiple connections, who desires or is required to secure a new connection to the municipal water system, shall file with the water department for each such connection a written and signed connection application provided by Enoch City staff.

A. Water Acquisition Fee. An Applicant seeking approval of a development application for single-family dwelling units, and to secure new privileges to use the Enoch City water system, must pay a Water Acquisition Fee, based upon the property acreage and expected water use. An Applicant may pay the Water Acquisition Fee in cash with the transfer of acceptable water rights as shown in the following chart labeled Water Rights Acquisition Fee Chart 2022, or by transferring a Priority Water Right as detailed herein. The Water Acquisition Fee does not fulfill the requirement nor obviate the need to otherwise pay water connection fees. The Applicant shall submit a Subdivision Water Schedule, with each Subdivision Application, designating the selected Conservation Tier for each lot, which determines the Water Acquisition Fee and resulting water rates for each lot.

1. Cash. Applicants paying the Fee in cash will pay the amount corresponding to the desired water use as per the Acquisition Fee Schedule, which values the water based upon a percentage of the appraised value of a one (1) acre-foot Priority Water Right in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73, and a priority date no younger than July 25, 1934 (“Priority Water Right”).

a. As often as deemed prudent by Enoch City Staff, but at least annually, and typically every six months, Enoch City will contract for and obtain an appraisal of the current fair market value of a Priority Water Right as described in this subsection. These appraisals assist the City in its own purchase of acceptable water rights and are the basis for the Water Acquisition Fees levied by the City.

2. Water Right Transfer. Applicants paying the Fee with the transfer of water rights shall pay all costs incurred for deeding and transferring the water. When deeding water rights to Enoch City, the water right must be in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73. The water right must conform with one of the following:

a. A priority date equal to or prior to July 25, 1934 (“Priority Water Right”); or

- b. A priority date after July 25, 1934, which at the time of transfer to Enoch City must have at least 10 years before curtailment under the State Engineer's Water Management Plan for the Cedar City Valley Aquifer.
- c. For purposes of payment of the Water Acquisition Fee, these post July 25, 1934 water rights are deemed to have a fair market value equal to 1% of a subsection 2(a) water right (priority before July 25, 1934) for each full year remaining at the time of delivery to and acceptance by Enoch City before extinguishment under the State Engineer's Water Management Plan for the Cedar City Valley Aquifer. The following Water Right Valuation Schedule illustrates the value of each water right as of 2022, quantified as a percentage of a Priority Water Right.

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
Jan 10, 1966 - Dec 31, 1957	January 1, 2035	13%
Dec 30, 1957 - Dec 31, 1954	January 1, 2050	28%
Dec 30, 1954 - Dec 31, 1951	January 1, 2060	38%
Dec 30, 1951 - Dec 31, 1935	January 1, 2070	48%
Dec 30, 1935 - Jul 25, 1934	January 1, 2080	58%
July 25, 1934 - & Earlier	Not Suspended	100%

3. Process to Transfer Water Rights. The following process shall be followed for a person developing land within the City to transfer water rights to Enoch City:

- a. The Applicant proposing the transfer shall submit a title report showing the type of water right, ownership of the right, and any liens or encumbrances. The Applicant shall also provide a title insurance policy in a sum adequate to cover the appraised value of the water rights the policy is covering.
- b. A deed transferring the water rights to Enoch City shall be completed and recorded prior to the building application approval.
- c. If the water rights proposed to be transferred are supplemental, recharge/recovery, recovery or something other than from a primary

underground source, then prior to completing the building application the Applicant shall obtain a change application with a complete determination through the State of Utah Division of Water Rights so that the scope and characteristics of the water right is determined.

C. Water Acquisition Fee Schedule and Tier System. An Applicant seeking approval of a single-family lot development must first designate a Conservation Tier and pay the corresponding Water Acquisition Fee with one (1) AF of water for each single-family lot. The selected Conservation Tier, will establish the lot owner's expected water use, and the corresponding Water Acquisition Fee, and the resulting water rates.

1. The Water Acquisition Fee Schedule indicates the Water Acquisition Fee for each Conservation Tier that could be selected, as a percentage of a full, one-acre-foot, Priority Water Right, and the corresponding water use.

2. The Conservation Tier Schedule indicates the lot owner's expected water use and resulting water rate. Enoch City will, from time to time, change such water rates and penalties for each Tier.

D. Properties with Both Culinary & Secondary Water. Applicants seeking to approve properties, with a single-family unit, and with both Culinary and Secondary water meters are subject to the following:

1. The Water Acquisition Fee & Water Right for a new water connection on such properties shall be equal to the value of a full, on such a property shall be as follows: .3 AF of Enoch City Water Right, corresponding to the culinary water, which are not transferable and shall remain with the property, and .7 AF of Enoch City Water Right, corresponding to the Secondary Water, which are not transferable and shall remain with the property.

2. The Conservation Tier Schedule for such properties shall be permanently assigned as follows: The .3 AF of Culinary water shall be set at the Conservation Tier of "CUL," and subject to the corresponding "CUL" water rates. The Secondary water shall be set at the Conservation Tier of "SEC," and shall be subject to the corresponding SEC water rates. Properties in Enoch City with both a Culinary water meter and a Secondary water meter, will receive an Enoch City water bill separately designating the rates for each water meter.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Enoch City that the Enoch City Ordinance 12.2500 is amended as written above. This Ordinance was voted upon and passed by the Enoch City Council at a regular City Council meeting held on the 6th day of July 2022. It shall take effect immediately after signing by the Mayor and City Recorder.

DATED this 6th day of July 2022

ENOCH CITY CORPORATION

VOTING:

David Harris Yea___ Nay___

Richard Jensen Yea___ Nay___

West Harris Yea___ Nay___

Katherine Ross Yea___ Nay___

Shawn Stoor Yea___ Nay___

Geoffrey L. Chesnut, Mayor

ATTEST:

SEAL:

Lindsay Hildebrand, City Recorder

**ENOCH CITY
ORDINANCE NO.
WATER RIGHT EXCHANGE RATES
(Developer Provisions - §12.250.00.2503 Step 12)
(Individual Provisions - §14.100.113)**

Draft for Review by Enoch City Planning Commission and City Leaders

WHEREAS, Enoch City provides water for residential, commercial, and industrial uses consistent with City ordinances and other laws, including Utah State laws governing water rights – which are adopted by the Legislature and administered by the State Engineer; **WHEREAS**, the State Engineer has determined, after extensive study and many public hearings, that the ~~water right~~aquifers in the Cedar City Valley ~~Aquifer~~ have been over-appropriated and over-drafted;
WHEREAS, the State Engineer has determined the estimated safe yield for the Cedar City Valley groundwater basin is 21,000 acre-feet per year ~~and~~ the estimated current average depletion from the groundwater basin is 28,000 acre-feet per year;
WHEREAS, consistent with statutory ~~duty~~authority, the State Engineer has administratively closed the Cedar City Valley basin to further appropriation of consumptive water rights and instituted a Groundwater Management Plan that will eventually curtail the use of~~suspend~~ existing water rights with priority dates after July 25, 1934, if sufficient water is not first regulated, conserved, and replenished so as to stop the decline of groundwater levels in the Cedar City Valley Basin;
WHEREAS, an ordinance is needed to engage broad citizen participation to help conserve and otherwise assure the adequacy of future water supplies and associated water rights;
WHEREAS, the mission of the City is to manage limited water resources and to promote water conservation;
BE IT RESOLVED, that the City is considering the following ordinances to protect and preserve Enoch City’s ability to continue to provide water at reasonable rates and without excessive costs.

REVISED ENOCH CITY ORDINANCE § 12.2500.2503, Step 12 (Water Acquisition)

*City Staff and City Engineer Review of Final Plat. The City Staff and City Engineer shall review the Final Plat for accuracy and completeness. **MOVE TO BE STEP 13***

A. Water Acquisition Fee. An Applicant seeking approval of a development application for single family dwelling units, and to secure new ~~right~~privileges to use the Enoch City water system, must pay a Water Acquisition Fee, based upon the property acreage and expected water use. An Applicant may pay the Water Acquisition Fee in one of two ways: 1. By transferring a Priority Water Right as detailed herein, or;
2. Transfer of acceptable water rights as shown in the following chart labeled Water Rights Acquisition Fee Chart 2022 with the remaining value in cash.

~~An Applicant may pay the Water Acquisition Fee in cash with the transfer of acceptable water rights as shown in the following chart labeled Water Rights Acquisition Fee Chart 2022, or by transferring a Priority Water Right as detailed herein.~~ The Water Acquisition Fee does not fulfill the requirement nor obviate the need to otherwise pay water connection fees. The Applicant shall submit a Subdivision Water Schedule, with each Subdivision Application, designating the selected Conservation Tier for each lot, which determines the Water Acquisition Fee and resulting water rates for each lot.

~~1.3.~~ Cash. Applicants paying the Fee in cash will pay the amount corresponding to the desired water use as per the Acquisition Fee Schedule, which values the required water right based upon a percentage of the appraised value of a one (1) acre-foot Priority Water Right in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73, and a priority date no younger later than July 25, 1934 (“Priority Water Right”).

- a. As often as deemed prudent by Enoch City ~~Staff~~Council, but at least annually, and typically every six months, Enoch City will contract for and obtain an appraisal of the current fair market value of a Priority Water Right as described in this subsection. These appraisals assist the City in its own purchase of acceptable water rights and are the basis for the Water Acquisition Fees levied by the City.

~~2.4.~~ Water Right Transfer. Applicants paying the Fee with the transfer of water rights shall do so with proof of recent beneficial use, proof of ownership through a chain of title, and will pay all costs incurred for deeding and transferring the water right. When deeding water rights to Enoch City, the water right must be in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73. The water right must conform with one of the following:

- a. A priority date equal to or prior to July 25, 1934 (“Priority Water Right”); or
- b. A priority date after July 25, 1934, which at the time of transfer to Enoch City must have at least 10 years before ~~extinguish~~curtailment under the State Engineer’s Groundw~~Water~~ Management Plan for the Cedar City Valley Aquifer.
- i. For purposes of payment of the Water Acquisition Fee, these post July 25, 1934, water rights are deemed to have a fair market value equal to 1% of a Priority Water Right (per subsection 2(a), above

~~water right (priority before July 25, 1934)~~ for each full year remaining at the time of delivery to and acceptance by Enoch City before ~~extinguish~~curtailment under the State Engineer's

2

~~Groundwater~~Water Management Plan for the Cedar City Valley ~~Aquifer~~. The following Water Right Valuation Schedule illustrates the value of each water right as of 2022, quantified as a percentage of a Priority Water Right.

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
Jan 10, 1966 - Dec 31, 1957	January 1, 2035	13%
Dec 30, 1957 - Dec 31, 1954	January 1, 2050	28%
Dec 30, 1954 - Dec 31, 1951	January 1, 2060	38%
Dec 30, 1951 - Dec 31, 1935	January 1, 2070	48%
Dec 30, 1935 - Jul 25, 1934	January 1, 2080	58%
July 25, 1934 - & Earlier	Not Suspended	100%

3-5. Process to Transfer Water Rights. The following process shall be followed for a person developing land within the City to transfer water rights to Enoch City:

- a. The Applicant proposing the transfer shall submit a title report showing the type of water right, ownership of the right, and any liens or encumbrances. The Applicant shall also provide a title insurance policy in a sum adequate to cover the appraised value of the water right(s) the policy is covering.
- b. ~~An acceptably complete change a~~An application for Permanent Change of Water ("change application") with the Utah State Engineer shall be completed and properly filed with the Utah State Engineer at the expense of the ~~Applicant~~party developing the land. Information to be included in the change application will be provided by Enoch City, including the new points of diversion to be proposed. The change application must be approved by the State Engineer and all statutory periods for reconsideration or court appeal passed prior to conveyance by duly-recorded Deed (and Deed Addendum), said documentation enabling transferring water rights to the City on the books of the State of Utah ~~State Engineer to amend the~~ Division of Water Rights' records to reflect the acquisition by the City. This transfer of ownership may also be conditioned on approval of the subdivision application pending

before the City that caused the Applicant to propose the change application and conveyance of~~transfer~~ the water rights.

3

- c. ~~An acceptable deed~~ (and Deed Addendum) conveying ownership of~~transferring~~ the water rights to Enoch City shall be completed and held prior to the subdivision application approval. The deed ~~transfer~~conveying ownership may be held either by the City or in an escrow account paid for by the Applicant. Once the subdivision application has been approved and the change application receives approval as detailed above, the ~~Deed~~ (and Deed Addendum) will be recorded by the City.
- d. If the Division of Water Rights has not made a final decision on the change application prior to the subdivision approval, then the Applicant shall post a cash bond with the City in the amount of the water acquisition fee.
- e. If at any point in this process, the change application is denied by the ~~Division of Water Rights~~State Engineer, or approved with limiting conditions that are not acceptable to the City, then the Applicant must forfeit the bond to Enoch City for the purpose of acquiring necessary water right(s) for Applicant's proposed development.
- f. If the water rights proposed to be transferred are supplemental, recharge/recovery, recovery or something other than from a primary conventional underground water well~~source~~, ~~then~~ prior to the City approving~~completing~~ the subdivision application the Applicant shall be required to obtain an approved change application with an Order of the State Engineer ~~complete determination through the State of Utah Division of Water Rights so that~~ clearly defining the sole supply and established diversion and depletion limitations of the water right. ~~the scope and characteristics of the water right is determined.~~

B. Exemptions. The following are exempt from the Water Acquisition Fee.

- 1. Open space exemptions. If at the time of final plat approval, or pulling of a building permit, land is deeded to Enoch City as a dedicated street or for undeveloped open space, parks and recreation, or placed in a conservation easement that complies with the provisions of Title 57, Chapter 18, Sections 1 through 7, Utah Code Annotated, 1953 as amended, then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights or payment of fees. Additionally, if land in a subdivision is to be held as

common area and is undeveloped and/or unirrigated, then that land is not subject to the requirements of this ordinance that mandate the payment of Water Acquisition Fees.

2. Public lands exemption. If at the time of annexation, the annexed property is owned by the Bureau of Land Management or the U.S. Forest Service then that acreage is not subject to the requirements of this ordinance that mandate the

4

deeding of water rights. This exception only applies to annexation and not when the property is platted as a residential subdivision or receives a building permit.

3. City Exemption. Enoch City is not required to deed water or pay a fee if the City develops land. A purchaser of property from the City will have to pay the Water Acquisition Fee to the City consistent with this ordinance.

C. Water Acquisition Fee Schedule and Tier System. An Applicant seeking approval of a single-family lot development must first designate a Conservation Tier and pay the corresponding Water Acquisition Fee with one (1) AF of water for each single-family lot. The selected Conservation Tier, will establish the lot owner's expected water use, and the corresponding Water Acquisition Fee, and the resulting water rates.

1. The Water Acquisition Fee Schedule indicates the Water Acquisition Fee for each Conservation Tier that could be selected, as a percentage of a full, one-acre-foot, Priority Water Right, and the corresponding water use.
2. The Conservation Tier Schedule indicates the lot owner's expected water use and resulting water rate. Enoch City will, from time to time, change such water rates and penalties for each Tier.

D. Properties with Both Culinary & Secondary Water. Applicants seeking to approve properties, with a single-family unit, and with both Culinary and Secondary water meters are subject to the following. The Water Acquisition Fee for a new water connection on such properties shall be equal to the value of a full, one acre, Priority Water Right. However, the Enoch City Water Rights assigned to such a property shall be as follows: .3 AF of Enoch City Water Right, corresponding to the culinary water, which are not transferable and shall remain with the property, and .7 AF of Enoch City Water Right, corresponding to the Secondary Water, which are not transferable and shall remain with the property. The Conservation Tier Schedule for such properties shall be permanently assigned as follows: The .3 AF of Culinary water shall be set at the Conservation Tier of "CUL," and subject to the corresponding "CUL" water rates. The Secondary water shall be set at the Conservation Tier of "SEC," and shall be subject to the corresponding SEC water rates. Properties in Enoch City with both a Culinary

water meter and a Secondary water meter, will receive an Enoch City water bill separately designating the rates for each water meter.

E. Multi-Residential Developments. Applicants seeking approval of a Multi-Residential Development must provide an engineered Annual Water Estimate, illustrating the total annual, acre feet of water estimated to be used by the Development (“Annual Water Estimate”), to be reviewed and approved by Enoch City. The initial Water Acquisition Fee and Water Right and the subsequent water rate will be calculated based on this determination. For purposes of

5

this Annual Water Estimate, the number of Multi-Residential Units should be multiplied by .3 acre-feet of water, and each sq/ft of proposed grass should be divided by 10,057, to derive the Development’s Annual Water Estimate, in terms of Acre Feet (i.e.: a twenty-unit subdivision (20 units x .3 = 6AF) with 10,000 square feet of grass ($10,000 \text{ sq/ft grass} / 10,057 = .994\text{AF}$) would have a 6.994AF Annual Water Estimate). The Water Acquisition Fee and Water Right will be determined by multiplying the Annual Water Estimate by the priority Water Right Value (*i.e.*: a Development with a 6.994AF Annual Water Estimate will pay 6.995 multiplied by the Conservation MFD Tier, which is 100% of the appraisal Priority Water Right). The Development would subsequently pay for water at a rate of 6.994AF multiplied by the Tier 1 Rate (*i.e.*: a MRD that is estimated to use 6.994AF of water annually, will pay 6.994 times the Tier 1 Rate).

The Water Rights assigned to a Multi-Family Development will be assigned under the “MFD” Conservation Tier. These Water Rights are not transferable and must remain assigned to the Development.

If any Multi-Family Development is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee to address the extra water used.

F. Commercial, Industrial, and Manufacturing Developments. Applicants seeking approval for commercial, industrial, or manufacturing developments must provide an engineered Annual Water Estimate, illustrating the total, annual, acre feet of water estimated to be used for each lot, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee with Water Right and the subsequent water rate will be calculated based on this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre feet of water used for grass areas. The Water Acquisition Fee and Water Right will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate.

The Water Rights assigned to a Commercial, Industrial, or Manufacturing lot will be assigned under the “Com” Conservation Tier. These Water Units are not transferable and must

remain assigned to the property.

If any Commercial, Industrial, or Manufacturing property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee with Water Right(s) to address the extra water used.

G. Institutional Properties. Applicants seeking approval of Institutional Developments, including schools, religious buildings, and other properties of nonprofit organizations, must

6

present an engineered Annual Water Estimate, illustrating the total, annual acre feet of water estimated to be used for such property, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee & Water Right and the subsequent water rate will be based upon this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre feet of water used for grass areas. The Water Acquisition Fee & Water Right will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate.

The Water Rights assigned to an Institutional property will be assigned under “INS” Conservation Tier. These Water Rights are not transferable and must remain assigned to the property.

If any Institutional property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee with Water Right(s) to address the extra water used.

14.100.113 APPLICATION FOR WATER CONNECTION

Any person other than a subdivider or developer seeking multiple connections, who desires or is required to secure a new connection to the municipal water system, shall file with the water department for each such connection a written and signed connection application provided by Enoch City staff.

~~A. If not completed previously, one (1) acre-foot of water shall be decded to Enoch City Corporation for each single dwelling lot. Water rights requirements for all multi residential, commereial and industrial/manufacturing properties will be determined in~~

~~accordance with City ordinances. The applicant must pay any and all costs incurred for deeding and transferring the water. When deeding water to Enoch City, the water right must be in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73 and shall have a priority date no younger than 1934 or an official date set by the Utah State Engineer. A Water Rights Addendum will be required with the water deed.~~

A. Water Acquisition Fee. An Applicant seeking approval of a development application for single family dwelling units, and to secure new [rightsprivileges](#) to use the Enoch City

7

water system, must pay a Water Acquisition Fee, based upon the property acreage and expected water use. An Applicant may pay the Water Acquisition Fee in cash with the transfer of acceptable water rights as shown in the following chart labeled Water Rights Acquisition Fee Chart 2022, or by transferring a Priority Water Right as detailed herein. The Water Acquisition Fee does not fulfill the requirement nor obviate the need to otherwise pay water connection fees. The Applicant shall submit a Subdivision Water Schedule, with each Subdivision Application, designating the selected Conservation Tier for each lot, which determines the Water Acquisition Fee and resulting water rates for each lot.

1. Cash. Applicants paying the Fee in cash will pay the amount corresponding to the desired water use as per the Acquisition Fee Schedule, which values the water based upon a percentage of the appraised value of a one (1) acre-foot Priority Water Right in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73, and a priority date no younger than July 25, 1934 (“Priority Water Right”).

a. As often as deemed prudent by Enoch City Staff, but at least annually, and typically every six months, Enoch City will contract for and obtain an appraisal of the current fair market value of a Priority Water Right as described in this subsection. These appraisals assist the City in its own purchase of acceptable water rights and are the basis for the Water Acquisition Fees levied by the City.

2. Water Right Transfer. Applicants paying the Fee with the transfer of water rights shall do so with proof of use, proof of ownership through a chain of title, and will pay all costs incurred for deeding and transferring the water. When deeding water rights to Enoch City, the water right must be in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73. The water right must conform with one of the following:

- a. A priority date equal to or prior to July 25, 1934 (“Priority Water Right”); or
- b. A priority date after July 25, 1934, which at the time of transfer to Enoch City must have at least 10 years before extinguishment under the State Engineer’s Water Management Plan for the Cedar City Valley Aquifer.
- i. For purposes of payment of the Water Acquisition Fee, these post July 25, 1934 water rights are deemed to have a fair market value equal to 1% of a subsection 2(a) water right (priority before July

8

25, 1934) for each full year remaining at the time of delivery to and acceptance by Enoch City before extinguishment under the State Engineer’s Water Management Plan for the Cedar City Valley Aquifer. The following Water Right Valuation Schedule illustrates the value of each water right as of 2022, quantified as a percentage of a Priority Water Right.

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
Jan 10, 1966 - Dec 31, 1957	January 1, 2035	13%
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Dec 30, 1935 - Jul 25, 1934	January 1, 2080	58%
July 25, 1934 - & Earlier	Not Suspended	100%

3. Process to Transfer Water Rights. The following process shall be followed for a person developing land within the City to transfer water rights to Enoch City:

- g. The Applicant proposing the transfer shall submit a title report showing the type of water right, ownership of the right, and any liens or encumbrances. The Applicant shall also provide a title insurance policy in a sum adequate to cover the appraised value of the water rights the policy is covering.
- h. A deed transferring the water rights to Enoch City shall be completed

and recorded prior to the building application approval.

- i. If the water rights proposed to be transferred are supplemental, recharge/recovery, recovery or something other than from a primary underground source, then prior to completing the building application the Applicant shall obtain a change application with a complete determination through the State of Utah Division of Water Rights so that the scope and characteristics of the water right is determined.

C. Water Acquisition Fee Schedule and Tier System. An Applicant seeking approval of a single-family lot development must first designate a Conservation Tier and pay the corresponding Water Acquisition Fee with one (1) AF of water for each single-family lot. The selected Conservation Tier, will establish the lot owner's expected water use, and the corresponding Water Acquisition Fee, and the resulting water rates.

9

1. The Water Acquisition Fee Schedule indicates the Water Acquisition Fee for each Conservation Tier that could be selected, as a percentage of a full, one-acre-foot, Priority Water Right, and the corresponding water use.
2. The Conservation Tier Schedule indicates the lot owner's expected water use and resulting water rate. Enoch City will, from time to time, change such water rates and penalties for each Tier.

D. Properties with Both Culinary & Secondary Water. Applicants seeking to approve properties, with a single-family unit, and with both Culinary and Secondary water meters are subject to the following. The Water Acquisition Fee & Water Right for a new water connection on such properties shall be equal to the value of a full, one acre, Priority Water Right. However, the Enoch City Water Rights assigned to such a property shall be as follows: .3 AF of Enoch City Water Right, corresponding to the culinary water, which are not transferable and shall remain with the property, and .7 AF of Enoch City Water Right, corresponding to the Secondary Water, which are not transferable and shall remain with the property. The Conservation Tier Schedule for such properties shall be permanently assigned as follows: The .3 AF of Culinary water shall be set at the Conservation Tier of "CUL," and subject to the corresponding "CUL" water rates. The Secondary water shall be set at the Conservation Tier of "SEC," and shall be subject to the corresponding SEC water rates. Properties in Enoch City with both a Culinary water meter and a Secondary water meter, will receive an Enoch City water bill separately designating the rates for each water meter.