

Toquerville City
FINAL PLAT APPLICATION
FEE: \$250.00



Name: SRC Land Holdings, LLC Telephone: (435) 673-4300

Address: 1404 W. Sun River Pkwy. St. George UT 84790 Fax No. _____

Email: scott@sunriver.com

Agent (If Applicable): SCOTT MCCALL Telephone: [REDACTED]

Address/Location of Subject Property: NONE YET. 1600' WEST OF IRRIG. POND

Subdivision Name & Phase: Sun River Firelight - Phase 1

Tax ID of Subject Property: T-141-PV1 , T-128-PV1 Number of Lots: 46

I. **APPLICATION SUBMITTAL CHECKLIST:** (Legend: = compliant, = non-compliant/missing, n/a = not applicable)

1. **FINAL PLAT.** Three (3) paper copies of the Final Plat (size 24" x 36") and Fifteen (15) paper copies of the Final Plat (size 11" x 17"), One (1) electronic copy of the Final Plat in PDF format, and One (1) electronic copy of the Final Plat in the latest Auto-CAD Format, containing the following:

- a. Subdivision name prominently listed¹.
- b. The names, addresses, and phone numbers of the Applicant, its Engineer, and its Surveyor.²
- c. Date, scale, and North arrow.
- d. An accurate and complete survey prepared by a professional land surveyor licensed and bonded in the State of Utah, in a form acceptable to the City Engineer.
- e. An accurately drawn subdivision boundary showing proper bearings and dimensions, properly tied to public survey monuments, and drawn slightly bolder than lot and street lines.
- f. All survey and mathematical information and data necessary to locate all monuments, and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves.³
- e. All lots, blocks and parcels offered for dedication for any purpose delineated and

¹ The subdivision's name should be distinct from any subdivision plat already recorded in the Washington County Recorder's Office relating to property located within the City's municipal boundaries.
² If the Applicant is not the current property owner, then Applicant must provide a written and notarized power of attorney from the property owner authorizing Applicant to act in his/her/its behalf.
³ All boundary corners and monuments within the subdivision shall show the Utah Coordinate System 1983 South Zone Grid coordinates and shall reference existing monumentation on the Washington County horizontal control network. Lot and boundary closure shall be calculated to the nearest one-hundredth (1/100) of a foot.

designated with dimensions, boundaries, and courses clearly shown and defined.

- f. The square footage of each Lot shall be shown.
- g. Parcels offered for dedication other than for streets or easements shall be clearly designated on the plat.
- h. Sufficient linear, angular, and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot, and parcel which is part of the proposed Subdivision.⁴
- i. The right-of-way lines of each street, the width of any portion being dedicated, and the widths of any existing dedications.
- j. The widths and locations of adjacent streets and other public properties within one hundred fifty feet (150') of the proposed Subdivision shall be drawn to proportion with dashed lines.⁵
- k. Consecutive numbering on all lots and blocks under a definite system approved by the City Engineer.⁶
- l. The names and numbering of all streets within the proposed Subdivision are in conformity with the City's currently adopted street and grid system.⁷
- m. The sidelines of all easements are shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to its location within the proposed subdivision shall be shown. All easements of record or easements created by the recording of the plat shall be clearly labeled and identified.
- n. The location of all monuments placed or referenced in making the survey, including a statement as to what, if any, points were reset by ties and any found monuments placed on behalf of any federal or state agency.
- o. All right-of-way monuments at angle points and intersections as approved by the City Engineer.
- p. The name of the surveyor, together with the date of the survey, the scale of the map, and the number of sheets that make up the Final Plat.
- q. Registered professional land surveyor's "Certificate of Survey" in a form acceptable to the City and compliant with State law⁸.
- r. Owner's "Dedication Certificate" in a form acceptable to the City⁹.
- s. Necessary "Lienholder or Mortgagee Consent Certificate" in a form acceptable to the City¹⁰.
- t. Necessary notary public acknowledgments of all owner and lienholder/mortgagee signatures.
- u. A correct "metes and bounds" legal description of all property included within the proposed Subdivision.
- v. Approval signature blocks for the City Engineer, City Attorney, Planning Commission Chairman and the City Council (via the Mayor¹¹), Ash Creek Special Services District

⁴ No ditto marks shall be used for lot dimensions.

⁵ If any street in the proposed Subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.

⁶ Numbering shall continue consecutively throughout the proposed Subdivision with no omissions or duplications.

⁷ Named streets are optional, however all named streets must also be numbered in reference to the City's grid system.

⁸ A certificate of survey must contain the following minimum statements: (a) that the surveyor holds a license in accordance with the Utah Code Professional Engineers and Professional Land Surveyor's Licensing Act; (b) that the surveyor has completed a survey of the property described on the final plat in accordance with Section 17-23-17 of the Utah Code and has verified all measurements; and (c) that he has placed monuments as represented on the plat.

⁹ A dedication certificate must convey, with full warranties, to the City and the general public all streets, parks, easements and public improvements located within the proposed Subdivision (except approved private streets).

¹⁰ A Lienholder or Mortgagee Consent Certificate shall clearly indicate that the lienholder or mortgagee expressly, without condition consents to the recording of the final plat and joins in any dedicatory conveyances set forth therein.

¹¹ The Mayor's signature to contain an attestation from the City Recorder.

the Hurricane Valley Fire District and the Washington County Treasurer located along the bottom of the first page of the Final Plat.

- w. A 2" x 4" block in the lower right corner of first page of the Final Plat designated as "Reserved for Official Use" by the Washington County Recorder for the purpose of inserting recording information or a recording stamp at the time of recording.
- x. Information such as the location of jurisdictional boundary lines (Federal Emergency Management Agency, U.S. Army Corps of Engineers, Bureau of Land Management, U.S. Fish and Wildlife Service, State Institutional Trust Lands Agency, Washington County Habitat Conservation Plan, etc.), adjoining lot lines or property owners, fencing notes, or any other special notes or requirements as deemed appropriate by the City staff, City Engineer, City Attorney or City Council.
- y. Public right-of-way areas, including public park strips.

2. **TITLE REPORT.** A title report for the proposed Subdivision (aka title commitment) is prepared, endorsed, and stamped by a title company licensed and bonded in the State of Utah which discloses all matters recorded and affecting the land within the proposed Subdivision as found in the Official Records on file in the Office of the Recorder of Washington County, State of Utah. All title commitments must be issued and effective no later than thirty (30) days prior to the submittal of this Application.

3. **PRIVATE COMMON AREA GOVERNANCE AND MAINTENANCE INFORMATION.** When a proposed Subdivision contains lands that are reserved in private ownership for community use, including common areas, the Applicant shall submit the following:

- a. The name of the owner or organization empowered to own, maintain and pay taxes on such lands and common areas. *Sum River Firelight Community Assoc., Inc.*
- b. If an organization such as a non-profit corporation acting as an owner's association, the articles of incorporation for the organization, with proof of filing with the State of Utah.
- c. If an organization such as a non-profit corporation acting as an owner's association, a draft of the By-Laws for the organization.
- d. An outline, summary, or draft of the material restrictive covenants and easements ("CC&Rs") that will regulate land uses within the proposed Subdivision.

4. **CONSTRUCTION PLANS.** Prior to, or simultaneous with, the submittal of this application and the afore-referenced application documents, the Applicant shall submit for review and approval a complete set of "Construction Plans" as defined in Sections 10-19D-2 and 10-19D-5 of the City Code. In addition to the components of the Construction Plans delineated in Section 10-19D-5, the Applicant shall also provide the following:

- a. A conceptual lighting plan for the proposed Subdivision.
- b. A conceptual landscape plan for the proposed Subdivision.
- c. A narrative explaining the Applicant's plan for the continued maintenance of common and public areas within the proposed Subdivision (if applicable).
- d. A cost estimate of all off-site improvements to be constructed for the proposed Subdivision (if applicable).¹²

¹² Cost estimate to be prepared by the Applicant's engineer and reviewed/approved by the City Engineer.

5. **NOTICE/MAILING LABELS.** Two (2) sets of mailing labels for all property owners withing a Three Hundred Foot (300 ft) radius from the border of the proposed Subdivision obtained from a title company licensed and bonded in the State of Utah or the Washington County Recorder's Office.
6. **APPLICATION FEE.** The Application Fee for a subdivision final plat so designated in the City's Uniform Fee Schedule, as amended from time to time - plus the sum of \$1.00 multiplied by the number of mailing labels in a set required in the preceding section.

II. APPLICATION APPROVAL PROCESS:

1. **STAFF PRELIMINARY REVIEW.** Upon submittal of this Application and the documents and fees set forth in Section I, above, City Staff will perform a preliminary review determine the completeness of the Application. If the Application is deemed complete the City Planning and Zoning Administrator shall coordinate with the City Recorder and the Chair of Planning Commission to have the Application brought before the Planning Commission. The Planning and Zoning Administrator or his/her delegate shall perform a staff level review and prepare a staff report to the Planning Commission and the City Council analyzing the merits of the application for compliance with the City's land use ordinances and standards and specifications for public improvements. The staff report and recommendation will contain recommended action including any specific grounds for denial or conditions/requirements of approval.
2. **PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION.** At the next regularly scheduled (or specially called) meeting of the Planning Commission in which Ten (10) days advanced notice can be given in compliance with Utah law, the Planning Commission will conduct a public hearing on the Application and, after closing the public hearing, will take action to make a recommendation to the City Council that they deny, approve, or approve with conditions, the Application.
3. **CITY COUNCIL PUBLIC HEARING AND DETERMINATION.** After a public hearing and the issuance of a recommendation by the Planning Commission, the City Council at its next regularly scheduled (or specially called) meeting in which Ten (10) days advanced notice can be given in compliance with Utah law, the City Council will conduct a public hearing on the Application and the Planning Commission's recommendation. After closing the public hearing, the City Council will take action to deny, approve or approve with conditions the Application.

III. POST APPROVAL PROCESS:

1. **TECHNICAL ENGINEERING REVIEW:** Once the Application has received approval from the City Council, a paper copy and an electronic copy in the latest Auto-CAD format of the Final Plat will be submitted to the City Engineer for a more formal technical review. The City Engineer will redline the Final Plat and email the Applicant's engineer with any required changes that need to be made. If a Final Plat is still not ready for the City Engineer's approval after the second submittal, an additional fee must be paid before the Engineer performs another review.
2. **REVIEW AND SIGN-OFF APPROVAL OF CONSTRUCTION PLANS.** While the Application is going through its approval process, the City will follow the process set forth in Section 10-19D to review and approve the Construction Plans. This process includes having the Construction Plans reviewed, modifications requested, and revised plans made (if necessary) and approved by express sign-off by all utility departments of the City and third-party utility providers

who have utility infrastructure that will be located within the proposed Subdivision.

3. **ENGINEERS ESTIMATE OF COST AND BONDING.** Once the Application has received approval from the City Council and the Construction Plans have been fully reviewed and approved by the City and all applicable utility providers, Applicant will have its engineer prepare and provide to the City Engineer an engineer's estimate of cost to construct all public improvements designated within the approved Final Plat and the Construction Plans ("Estimate of Cost"). The City Engineer will then approve, or approve with modification, the Estimate of Cost (in its sole discretion). After approval of the Estimate of Cost, Applicant may choose to either: a) bond for (in lieu of constructing) the public improvements within the proposed Subdivision, or b) construct the public improvements (in lieu of bonding) within the proposed Subdivision. If bonding, the Applicant shall provide, to the satisfaction of the City Attorney, adequate financial security in compliance with Section 10-19D-16.C of the City Code.
4. **CONSTRUCTION OF PUBLIC IMPROVEMENTS.** In the event the Applicant desires to construct the public improvements in lieu of bonding, after satisfaction of steps 1-3 above, the Applicant may schedule and participate in a pre-construction meeting with the City's Public Works Department and all applicable utility providers. After said meeting construction of the proposed Subdivision and the public improvements located therein may commence.
5. **INSPECTION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS.** During the construction process, Applicant and its contractor shall call for and obtain inspection of the work being performed as required by City Code. Once construction of the proposed Subdivision (including all public improvements) is completed, Applicant and its contractor shall request a final inspection of the public improvements. Upon the City's inspection and acceptance of all public improvements, the City will release up to Seventy Five Percent (75%) of Applicant's bond, or if Applicant constructed the public improvements in lieu of bonding, shall post a bond for 25% of the actual cost of construction to be held by the City as a warranty bond for one year after the public improvements have been accepted by the City.
6. **LEGAL REVIEW SUBMITTAL.** After the public improvements within the proposed Subdivision have either been bonded for or constructed by Applicant and inspected/accepted by the City, the Applicant shall provide the City Attorney with the following:
 - a. One (1) paper copy of the Final Plat (size 24" x 36").
 - b. An updated (aka "date down") version of the Title Commitment (with an effective date no earlier than Thirty (30) days prior to the submittal).
 - c. Documentation of payment of the HCP Impact Fee to Washington County.
 - d. Documentation of payment or satisfaction of the Water Impact Fee to the Washington County Water Conservancy District for all Lots identified on the Final Plat.
 - e. Documentation of payment of all prior assessed and unpaid property taxes to Washington County Treasurer's Office.
 - f. One (1) paper copy of the final version of the restrictive covenants and easements ("CC&Rs") that Applicant has signed and given the City or a title company of their choosing with instructions to record immediately after the recording of the Final Plat.
 - g. One (1) paper copy of the fully executed By-Laws for the owners association that will own and maintain the common areas and amenities within the proposed Subdivision.
7. **LEGAL REVIEW.** Upon receipt of the Legal Review Submittal and verification that the public improvements within the proposed Subdivision have been bonded for or constructed, inspected, accepted and warrantied to the satisfaction of the City, the City Attorney shall perform a legal review of the Final Plat to confirm that sufficient content in compliance with 10-19C-4.B is

contained therein and that the Surveyor Certificate, the Owners Dedication Certificate and the Lienholder/Mortgagee Consent Certificate, when executed will be legal binding upon the persons or entities executing the same. The City Attorney will also review the CC&Rs and By-Laws relating to the proposed Subdivision to confirm that there is no use or standard contained therein which is contrary to or conflicts with the City Code and the City's standards and specification. The City Attorney will redline the Final Plat and email the Applicant's engineer with any required changes that need to be made. The City Attorney will redline the CC&Rs and By-Laws (collectively "Governing Documents"), if necessary, and email the Applicant or their legal counsel with any changes that need to be made. If the Final Plat, the CC&Rs and the By-Laws are still not ready for the City Attorney's approval after the second submittal, an additional fee must be paid before the City Attorney performs another review.

8. **RECORDING SUBMITTAL.** Once the Final Plat and governing documents of the has been approved by the City Attorney, the Applicant or his/her/its engineer shall submit to the City Recorder the following:

- a. One (1) mylar copy of the latest version of the approved Final Plat with the Surveyor Certificate and the Owners Dedication Certificate executed by Applicant and their Surveyor.
- b. Two (2) electronic copies of the latest version of the approved Final Plat in the latest Auto-CAD format.¹³
- c. A check made payable to the Washington County Treasurer in the amount of the recording fee assessed by the Washington County Recorder's Office.

9. **MYLAR SIGNATURE CIRCULATION & RECORDING.** Upon receipt of the Recording Submittal, the City Recorder will circulate the mylar copy of the Final Plat for signature by the requisite City officials, the Ash Creek Special Service District and the Hurricane Valley Fire District. Once all of the above signatures have been obtained, the City Recorder will deliver the entire Recording Submittal (less one electronic copy of the Final Plat) to the City Attorney. Upon receipt of the Recording Submittal, the City Attorney will countersign the mylar copy of the Final Plat and submit the same, along with the unsigned electronic copy of the Final Plat and the check for the recording fees directly to the Washington County Recorders Office or to a title company licensed and bonded in the State of Utah chosen by the Applicant (who shall record the same).

(Office Use Only)

DATE RECEIVED: _____ COMPLETE: YES _____ NO _____

DATE APPLICATION DEEMED TO BE COMPLETE: _____

COMPLETION DETERMINATION MADE BY: _____

Signature

¹³ Provided on either a compact disc (CD) or a flash (thumb) drive.