



# Staff Report to the Town of Bluff

November 28, 2022

Judy F. Lyman Petition to Disconnect

## Synopsis

### **Petition Information**

**Public Hearing Date:** Thursday, December 1, 2022, 5:00pm MTN

**Applicant:** Judy F. Lyman

**Petition Request:** Judy F. Lyman owns the full section of real property described as: T40S, R22E, S16, SLM (t the "Lyman Property").<sup>1</sup> Pursuant to Section 10-2-501, Utah Code Ann., Ms. Lyman requests that the Town of Bluff ("Bluff" or the "Town") disconnect the Lyman Property from its boundaries.

### **Property Information**

**Section, Township, Range:** Sec. 16, T. 40S, R. 22E, SLM

**County:** San Juan, State of Utah

**Zoning:** A-2, Private

**Existing Land Use:** Undeveloped

### **Adjacent Land Use/Zoning**

**North:** A-1 SITLA/A-1 BLM – Undeveloped

**South:** A-1 SITLA – Undeveloped

**East:** A-1 SITLA/A-1 BLM – Undeveloped

**West:** A-1 SITLA – Undeveloped

### **Staff Information**

**Prepared by:** Erin Nelson, Town Manager<sup>2</sup>

## Applicable Utah Code

§10-2-501. Municipal disconnection

§10-2-502.5. Hearing on request for disconnection

§10-2-502.7. Court action.

## Summary

### **Petition Letter**

On July 14, 2022, members of the Bluff Town Council received, via first class mail as well as certified mail, eight identical letters from Mr. Bruce Baird representing Judy F. Lyman. The letter, attached in Appendix A, is a petition to disconnect Judy Lyman's real property pursuant to Utah Code Section 10-2-501. This document is the staff summary provided to the Town Council concurrent with the public hearing.

### **Property and Zoning Information**

The real property owned by Judy Lyman is 640 acres, equivalent to one (1) square mile of land, located in the northeastern quadrant of incorporated Bluff. The land is located on what is commonly known as the "Bluff Bench" north of Highway 163 (also known as the Bluff Bench Road), and East of Highway 191. Ms. Lyman acquired the property with her late husband, Edward Nielson Lyman, by deed in 2012. See Appendix F.

Bluff incorporated land totals 23,696.76 acres, equivalent to approximately 37.026 square miles. Judy Lyman's property represents 2.7 percent of the total incorporated land, and approximately 16.20 percent (+/- 0.7 percent) of the privately owned land in Bluff. See Appendix E for additional land ownership

<sup>1</sup> The Lyman petition incorrectly identifies the property as "T36S, R22E, S16."

<sup>2</sup> The Town Attorney has provided relevant citations to legal provisions to aid the Council.

information.

The proposed land for disconnect is currently Zoned Agricultural 2 (A-2) and is subject to *Town of Bluff Amended Ordinance #2022 – 4-10: An Amended Ordinance Adopting Zoning Provisions, and Officially Zoning Map, Non-Conforming Use Provisions, Home Occupation Provisions, and Site Plan Process, Sign Regulations, and Appeal Provisions*, as well as all Town Ordinances passed since incorporation in 2018. Allowed uses in the A-2 zoning district include, among other things, agriculture, ranching, single family dwellings, and accessory dwellings and structures. Bluff Mun. Code, Section 6.01.070. Any changes to zoning would require a text amendment or a map amendment, as provided by Town ordinances.

### **Town Services and Property Attributes**

The Town provides the following services, and the Lyman Property has the attributes as described below:

- a. **Road maintenance:** The Class C Road accessing the Judy Lyman property from Highway 191 was recently graded in September of 2022. The Town provides road maintenance and snow plowing as needed on all Class C roads, subject to need and available funding.
- b. **Wildland Fire Protection Insurance:** The Bluff Volunteer Fire Department carries Wildland Fire Protection insurance for the entire 37 incorporated miles of the township, including lands owned by the Bureau of Land Management (BLM), Utah School and Institutional Trust Lands Administration (SITLA), and private property, including the Lyman property. The premium for the insurance is calculated based on the total incorporated land, not just developed land. The Bluff Volunteer Fire Department would provide wildland fire response services in the event of an emergency on the Lyman Property.
- c. **Fire/EMS Services:** The Bluff Volunteer Fire Department is the closest responding agency for fire and EMS services and would provide those services on the Lyman Property in the event of a call.
- d. **Law Enforcement:** The Town has entered into an intergovernmental agreement (IGA) with San Juan County, which calls for Sheriff's Department response to calls for service within the Town. Calls for service on the Lyman Property would be covered by the IGA.
- e. **Culinary Water:** The Town owns water rights for various wells and culinary water service is provided by the Bluff Water Works, which manages the culinary water system. The Lyman Property could receive culinary water service when or if it develops.
- f. **Sanitary Sewer:** All developed properties within the Town process wastewater via individual septic systems that are approved by the San Juan County Health Department. Town ordinances require health department approval of septic systems, and development on the Lyman Property would require similar approval.
- g. **Electricity:** Rocky Mountain Power provides electrical service within the Town. Development on the Lyman Property would require the owner to contract for a service extension from Rocky Mountain Power.
- h. **Telecommunications:** The Town has entered into a franchise agreement with Emery Telcom for the provision of telecommunication services within the Town. Development on the Lyman Property would receive telecommunications services from Emery Telcom.
- i. **Municipal Regulations:** Since incorporation in 2018, the Town has enacted various ordinances establishing zoning (Ord. 2022-3-5, as amended); regulating subdivisions (Ord. 2019-5b-9); regulating business activities (Ord. 2019-15-10); and the like. Generally, it is the obligation of the developer to provide and dedicate to the Town the infrastructure needed to serve any new development. See e.g., Bluff Mun. Code, Section 6.50.060 (requiring developer to dedicate improvements to the Town) Ms. Lyman has not sought any development approvals from the Town with respect to subject Lyman Property.
- j. **Taxation.** The Town has enacted and collects sales taxes on business activities. There is also a small property tax levy. The annual real property tax bill for the Lyman Property, which includes county, school district, Town, and other tax increments, is \$124.12 See Appendix G (San Juan County Tax Roll Master Record).

## **Analysis**

The Town is required to hold a public hearing and receive testimony and information about the petition. It must act on the petition for disconnection within 45 days of the completion of the public hearing. U.C.A. 10-2-502.5(3) and (4). Under Utah Code 10-2-502.7, the burden of proof is on the petitioner to prove:

- a. "The viability of the disconnection;
- b. that justice and equity require that the territory be disconnected from the municipality;
- c. that the proposed disconnection will not: i) leave the municipality with an area within its boundaries for which the cost, requirements, or other burdens of providing municipal services would materially increase over previous years; ii) make it economically or practically unfeasible for the municipality to continue to function as a municipality; or iii) leave or create one or more islands or peninsulas of unincorporated territory; and
- d. that the county in which the area proposed for disconnection is located is capable, in a cost-effective manner and without materially increasing the county's costs of providing municipal services, of providing to the area the services that the municipality will no longer provide to the area due to the disconnection."

## **Islands or Peninsulas**

The creation of an island of unincorporated territory as a result of disconnection is clearly impermissible because it leads to irregular municipal boundaries which disrupts, impairs, or inhibits the municipality's ability to provide services to adjacent properties. *Bluffdale Mountain Homes, LC, v. Bluffdale City*, 167 P.3d 1016 ¶ 63-65 (Utah Sup. Ct. 2007). If a disconnection would lead to an island of unincorporated territory surrounded by incorporated lands, then the petition must be rejected without evaluation of costs or other factors. *Id.*

The same analysis applies if the disconnection would result in the creation of a "peninsula" of unincorporated territory substantially surrounded by incorporated lands within municipal boundaries. In the context of municipal boundaries, a "peninsula" is defined as:

"...an area surrounded on more than ½ of its boundary distance, but not completely, by incorporated territory and situated so that the length of a line drawn across the unincorporated area from an incorporated area to an incorporated area on the opposite side shall be less than 25% of the total aggregate boundaries of the unincorporated area." U.C.A. 10-1-104.

The term "incorporated" means lands within a municipality and the term "unincorporated" means outside of a municipality. See U.C.A. 10-2A-106 (a contiguous area of a county may incorporate as a municipality as provided in this chapter).

The incorporation map of the Town of Bluff, Appendix B, shows that all of the lands surrounding the Lyman Property (Section 16) are incorporated into the Town limits. The land adjacent to the Lyman Property is primarily School and Institutional Trust Lands Administration ("SITLA") lands subject to the A-1 zoning district. See Appendix C and D. The northeast corner of the Lyman Property abuts Bureau of Land Management (BLM) which is also zoned A-1. See Appendix C and D.

Under the language of the disconnection statute the granting of the petition would create an "island" of unincorporated land surrounded on all sides by incorporated territory. Granting of the petition may also create a "peninsula" of unincorporated territory (the Lyman Property) mostly surrounded by incorporated lands owned by SITLA, and a small area managed by the BLM.

The Petitioner asserts that granting the petition as to the Lyman Property will not create an unincorporated island or peninsula, "...given that it is surrounded on all sides by SITLA." Petition, P. 2. This position appears to assume that the Town can never assert municipal powers against any of the adjacent lands. It is the general policy of the Town that it will attempt to exercise its governmental

powers to influence management of public lands within the Town. Per the Town of Bluff General Plan, under *Section 1: Land Use, Public Land, Planning Assumptions, Item 2*: “Town of Bluff government may exercise influence over how Public Lands are used.” Additionally, pursuant to Bluff Mun. Code Section 6.01.020(K) it states:

“...the Town expresses the policy that public lands and state administered lands within Town limits should be developed in a manner that is consistent with the ordinance and advisory documents of the Town. The Town will engage in dialogue and pursue agreements with public and state agencies to assure that public and state lands within the Town are developed in a manner that benefits the Town and the public interest.”

SITLA currently manages approximately 8,756.51 acres within incorporated Bluff. SITLA land is used to generate revenue through energy and mineral leases, rent, and royalties; real estate development and sales; and surface estate sales, leases, and easements. At any given time, the SITLA land bordering approximately 81.25% of the Lyman Property could be transferred to a private entity and would be directly subject to Bluff’s municipal jurisdiction. While there are restrictions on the assertion of local government authority on state lands, those lands will be subject to Town regulations when transferred into private ownership.

Policies enacted by SITLA make clear that it intends to develop the lands that it manages to maximize revenue payable to the state, either through sale, joint venture, or otherwise. See SITLA Policy Statements 2012-01 (all blocks of land are generally available for revenue generating purposes through sale, lease, or exchange) (Appendix F); SITLA Policy Statement 2008-01 (governing development program activities and joint ventures in land development) (Appendix G). Additionally, SITLA has directed that its staff is “authorized and encouraged to be involved in any joint planning efforts conducted” by local governments and other agencies so as to avoid negative effects on SITLA lands. SITLA Policy 2005-01 (Appendix H). Disconnection of the Lyman Property could impair the ability to develop other lands on the Bluff Bench due to the presence of a large unincorporated tract which would impair future roads, utility extensions, and other services required for further development, including on adjacent SITLA lands.

## **Other Factors**

The Council may also weigh<sup>3</sup>: i) “whether justice and equity” require the Lyman Property to be disconnect; ii) the viability of the disconnection; ii) whether disconnection will increase the burdens of providing services in the Town; iii) whether the disconnection would make it unfeasible for the municipality to continue to function; or iv) that the county is capable of providing to the disconnection area the services formerly provided by the local government without increasing county’s costs of services. These criteria necessarily require the Town to weigh “all relevant factors,” including the effect of the disconnection on:

1. the municipality as a whole;
2. adjoining property owners;
3. existing or projected streets or public ways;
4. water mains and water services;
5. sewer mains and sewer services;
6. law enforcement;
7. zoning; and
8. other municipal services.

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<sup>3</sup> The statute, U.C.A. 10-2-502.7, provides that the petitioner in a lawsuit challenging a denial of a petition has the burden of proving that it has met the statutory factors. In determining whether the petitioner has met its burden, the statute tasks the court with weighing eight relevant factors described below. These factors may also guide the Council decision here.

The Town Council may wish to consider the following additional points.

The petition notes that the Lyman Property is vacant. The petitioner has never come to the Town seeking any type of development approval. The burdens of being in the Town seem to be slight, and petitioner has not pointed to any conduct or behavior on the part of Town officials that she regards to be either unjust or unfair.

Municipal services within Bluff are generally quite limited by urban standards, both for developed and undeveloped areas. Levels of service could change over time or with future growth. The Lyman Property has not sought or been denied access to services, nor is it prevented from enjoying services uniformly provided to other parcels within the Town.

As noted above, disconnection could make it more difficult or costly to provide services to other areas of the Bluff Bench when or if those areas develop. This could affect water line extensions, public road networks, or the like.

It is unknown if Lyman Property will develop, but the Town should assume that the area might be developed in some fashion as the Town grows. Any future development should probably be part of the Town, given the Bluff Bench area's proximity at the east end of the Town and the absence of other municipalities abutting the Lyman Property.

It is difficult to evaluate the financial impacts of disconnection in the absence of any information as to future development plans for the Lyman Property.

It is unknown if there would be any services cost increase to San Juan County if the Lyman Property disconnects. Future cost increases are unknown due to the lack of any information as to future development plans.

The disconnection of the Lyman Property, which comprises 16.2% of all private lands within the present Bluff limits, could impact the future municipal tax base and/or the ability of the Town to grow in the future. This is a potential impact to Bluff as a whole.

## **Noticing Compliance**

A hearing for this item before the Town of Bluff has been posted for public notice in compliance with §10-2-502.5 in the following manners:

- Posted on the Town of Bluff Website November 10, 2022
- Posted on the Utah Public Notice Website November 10, 2022
- Published in the San Juan Record on November 16 and November 23, 2022

## **Staff Recommendation**

Staff recommends the Bluff Town Council review the comments and evidence obtained before and during the Public Hearing, held on December 1, 2022. Within 45 days of the hearing, the council is required to vote to grant or deny the application to disconnect the Lyman Property described as T40S, R22E, S16.

## Exhibits

- Appendix A: Letter from Bruce Baird; RE: Petition for Disconnection pursuant to Section 10-2-501  
Judy F. Lyman
- Appendix B: Town of Bluff Incorporated Final Entity Plat Map – February 2019
- Appendix C: Town of Bluff Zoning Map
- Appendix D: BLM Utah Map
- Appendix E: Land Use Charts
- Appendix F: Deed to Lyman Property
- Appendix G: Lyman Parcel Tax Master Record
- Appendix H: SITLA Policy 2012-01
- Appendix I: SITLA Policy 2008-01
- Appendix J: SITLA Policy 2005-01

The published ordinances of the Town of Bluff are incorporated by reference. They may be found at:  
[www.townofbluff.org](http://www.townofbluff.org).

-End of Document-

**BRUCE R. BAIRD PLLC**

ATTORNEY AND COUNSELOR

2150 SOUTH 1300 EAST, FIFTH FLOOR

SALT LAKE CITY, UTAH 84106

TELEPHONE (801) 328-1400

BBAIRD@DIFFICULTDIRT.COM

July 11, 2022

VIA CERTIFIED MAIL AND FIRST-CLASS MAIL

Hon. Ann K. Leppanen, Mayor  
Town of Bluff  
190 North 3<sup>rd</sup> East, Office 1  
PO Box 324  
Bluff, UT 84512

Hon. Ann K. Leppanen, Mayor  
Town of Bluff  
PO Box 175  
Bluff, UT 84512

Hon. Jim Sayers, Council Member  
Town of Bluff  
190 North 3<sup>rd</sup> East, Office 1  
PO Box 324  
Bluff, UT 84512

Hon. Luanne Hook, Council Member  
Town of Bluff  
190 North 3<sup>rd</sup> East, Office 1  
PO Box 324  
Bluff, UT 84512

Hon. Brant Murray, Council Member  
Town of Bluff  
190 North 3<sup>rd</sup> East, Office 1  
PO Box 324  
Bluff, UT 84512

Hon. Linda Sosa, Council Member  
Town of Bluff  
190 North 3<sup>rd</sup> East, Office 1  
PO Box 324  
Bluff, UT 84512

**Re: Petition for Disconnection Pursuant to Section 10-2-501  
Judy F. Lyman**

Dear Mayor Leppanen and Members of the Town Council:

I am counsel for Judy F. Lyman ("Lyman"). Lyman owns the full section of real property described as T36S, R22E, S16 ("Disconnection Property"). Pursuant to Section 10-2-501, Utah Code Ann., Lyman hereby requests that the Town of Bluff ("Bluff") disconnect the Disconnection Property from its boundaries.

The address for Lyman is 363 S 100 E Blanding UT 84511. Lyman owns 100% of the Disconnection Property. This letter is countersigned by Ms. Lyman who is the owner of the Disconnection Property. This information satisfies the requirements of Section 10-2-501(2)(b)(i). Mr. Eric Acton is hereby designated as the person with authority to act on behalf of Lyman. Mr. Acton's address is 2002 N Reservoir Rd Blanding UT 84511. That information satisfies the requirements of Section 10-2-501(2)(b)(iv). Please direct any future correspondence regarding this matter to Mr. Acton and please copy me on all such correspondence.

Attached is a map of the proposed disconnection which satisfies the requirements of

Section 10-2-501(2)(b)(iii).

The disconnection is proposed because the Disconnection Property cannot be served by Bluff with any municipal services. The Disconnection Property is currently vacant land surrounded by State (SITLA) property. The Disconnection Property as disconnected would be "viable" in that it would get the very minimal services that San Juan County has previously provided. Justice and equity require the disconnection. The proposed disconnection will not leave the municipality with an area within its boundaries for which the cost, requirements, or other burdens of providing municipal services would materially increase over previous years (which is obviously true as no such services have or will be provided). The proposed disconnection will not make it economically or practically unfeasible for the municipality to continue to function as a municipality (which is obviously true as the taxes generated for Bluff by the Disconnection Property are miniscule). The proposed disconnection will not leave or create one or more islands or peninsulas of unincorporated territory given that it is surrounded on all sides by SITLA.

Further, the proposed disconnection will have no adverse effect on: (a) the municipality or community as a whole; (b) adjoining property owners (the State of Utah and the United States of America); (c) existing or projected streets or public ways (since there are none); (d) water mains and water services (since there are none); (e) sewer mains and sewer services (since there are none); (f) law enforcement (since there is none); (g) zoning (since there is none); or (h) other municipal services (since there are none).

Simply put, if Bluff does not allow the Disconnection Property to disconnect peacefully then Lyman will file suit in District Court to force the disconnection. Bluff will lose that suit and the Disconnection Property will be disconnected but only after Bluff has wasted a fortune on attorney's fees. Based on *Bluffdale Mountain Homes v Bluffdale City*, 2007 UT 57, a copy of which I sent you with a prior disconnection request several years ago I am about as certain of that outcome as I can possibly be. Lyman does not want to litigate this matter but will do so if she has to.

Upon filing this request for disconnection, Lyman will promptly cause notice of the request to be published once a week for three consecutive weeks in a newspaper of general circulation within the municipality (the *San Juan Record*) and in accordance with Section 45-1-101, Utah Code Ann., for three weeks. Lyman will also mail notice to itself and will also deliver a copy to the San Juan County Commission.

Section 10-2-501(3) was amended this year by the Legislature but those amendments did not fix the problem that I had pointed out to the Legislature about some other noticing requirements. Frankly, subsections 3(b) and (f) make no sense at all. Lyman does not have access to the Utah Public Notice Website and Lyman also has no access to the Town's website. Therefore, when the Town sets the hearing on this request I would ask the Town to fulfill those requirements that Lyman cannot do. As soon as the hearing is set and we are notified of the date Lyman will comply with the notice requirements of Section 10-2-501(3)(a)(i), (c), (d) and (e).

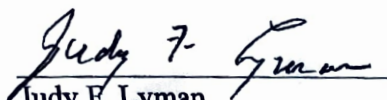
Hon. Mayor Leppanen and Members of the Town Council  
July 11, 2022  
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I look forward to coordinating with you for the hearing required by Section 10-2-502.5,  
Utah Code Ann. Please contact me if you have any questions.

Sincerely,

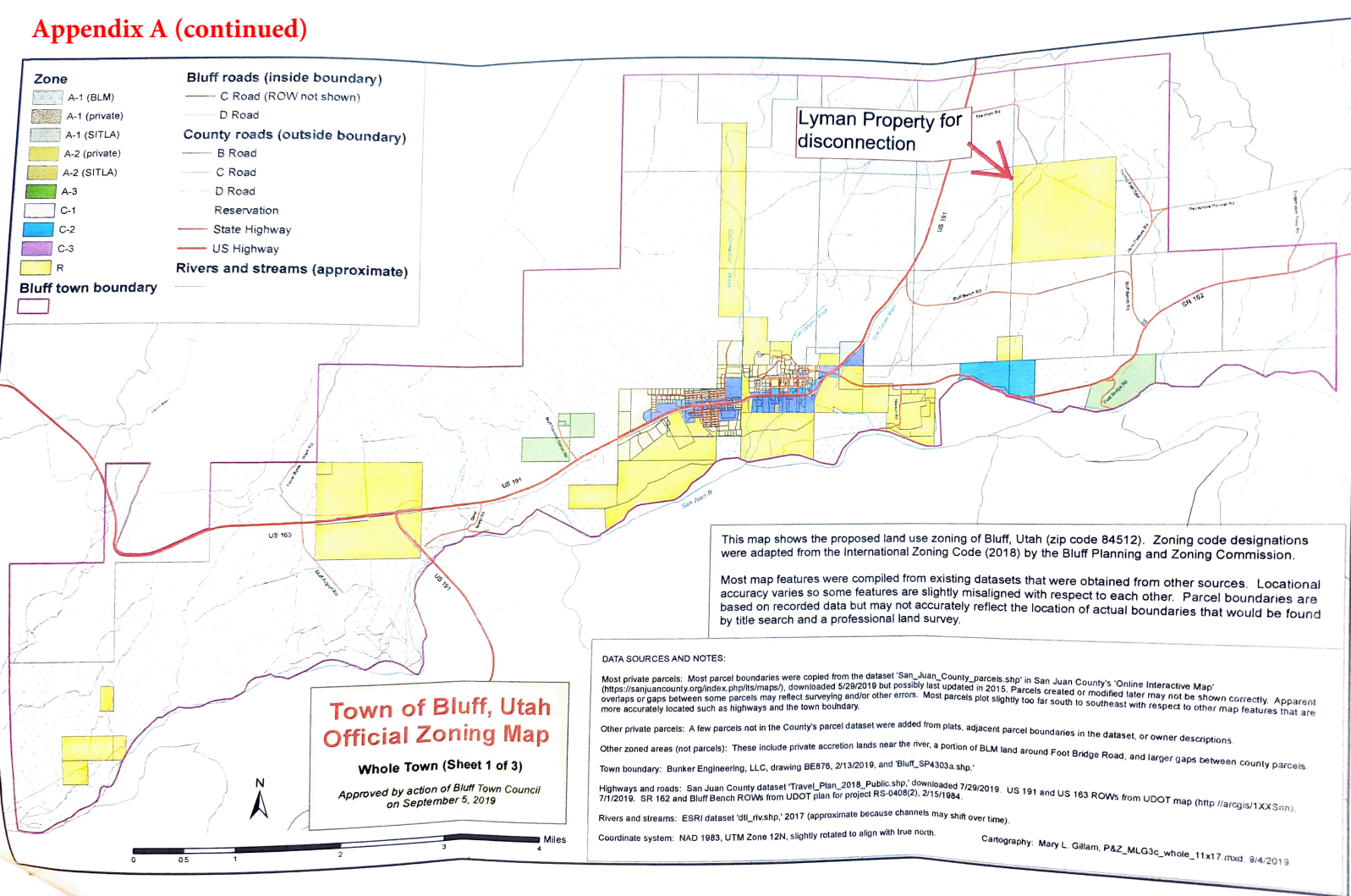


Bruce R. Baird

  
Judy F. Lyman

cc: Client  
Mr. Eric Acton

# Appendix A (continued)



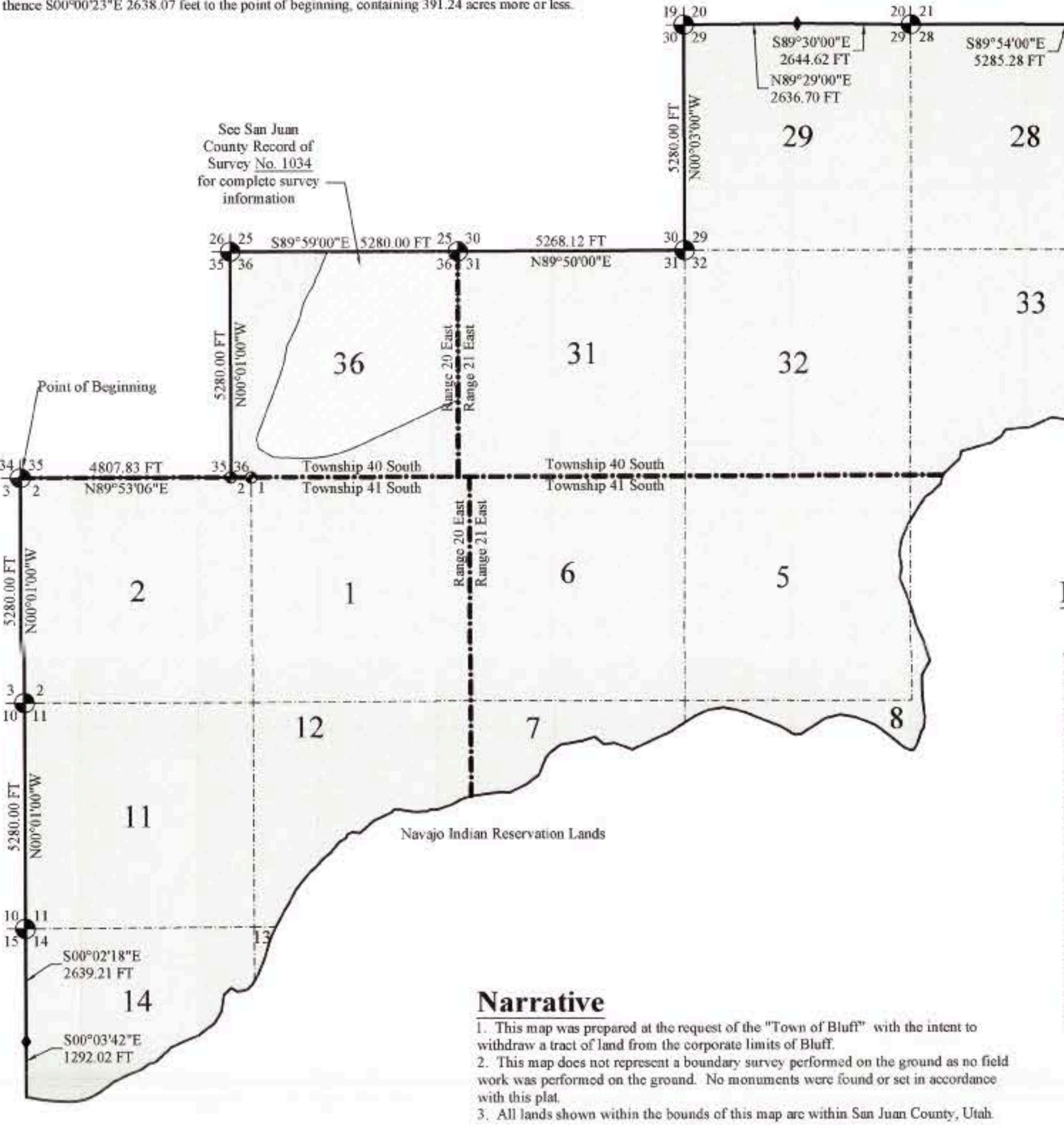
Final Local Entity Plat  
Lyman Family Farms Withdrawal  
Bluff, Utah

Within Section 36, T40S, R20E, SLB&M  
23,697 Acres ± (resultant)

Resultant General Description for Bluff Corporate Limits

A tract of land located within Section 36, T40S, R20E; Sections 11-14, 22-29, 31-36, T40S, R21E; Sections 7-10, 15-23, 26-30, T40S, R22E; Sections 1, 2, 11, 12, 14, T41S, R20E; Sections 4-8, T41S, R21E, SLB&M, County of San Juan, State of Utah, more particularly described as follows:  
Beginning at the northwest corner of said Section 2, T41S, R20E, thence N89°53'06"E 4807.83 feet more or less to the southwest corner of said Section 36, T40S, R20E, thence N00°01'00"W 5280.00 feet more or less to the northwest corner of said Section 36, thence S89°59'00"E 5280.00 feet more or less to the northwest corner of Section 31, T40S, R21E, thence N89°30'00"E 5268.12 feet to the southwest corner of Section 29, T40S, R21E, thence N00°01'00"W 5280.00 feet more or less to the northwest corner of said Section 29, thence N89°29'00"E 2636.70 feet more or less to N1/4 corner of said Section 29, thence S89°59'00"E 2644.62 feet to the northwest corner of Section 28, T40S, R21E, thence S89°54'00"E 5285.28 feet to the southwest corner of Section 22, T40S, R21E, thence N00°02'00"W 5283.30 feet to the northwest corner of Section 22, thence S89°56'00"E 2642.64 feet to the N1/4 corner of said Section 22, thence N89°52'00"E 2634.72 feet to the southwest corner of Section 14, T40S, R21E, thence N00°04'00"E 5272.08 feet to the northwest corner of said Section 14, thence N00°01'00"W 5276.04 feet to the northwest corner of Section 11, T40S, R21E, thence S89°59'00"E 2633.40 feet to the N1/4 corner of said Section 11, thence N89°56'00"E 2638.02 feet to the northwest corner of Section 12, T40S, R21E, thence S89°56'00"E 5287.92 feet to the northwest corner of Section 7, T40S, R22E, thence East 5280.00 feet to the northwest corner of Section 8, T40S, R22E, thence N89°54'00"E 5281.32 feet to the northwest corner of Section 9, T40S, R22E, thence N89°56'00"E 5280.00 feet to the northwest corner of Section 10, T40S, R22E, thence S89°59'00"E 2640.00 feet to the N1/4 corner of said Section 10, thence South 5280.00 feet more or less to the N1/4 Corner of Section 15, T40S, R22E, thence South 5280.00 feet to the N1/4 Corner of Section 22, T40S, R22E, thence S89°40'00"E 2626.80 feet to the northwest corner of Section 23, T40S, R22E, thence East 5280.00 feet to the northeast corner of said Section 23, thence S00°01'00"E 5280.00 feet to the northeast corner of Section 26, T40S, R22E, thence S00°01'00"E 2239.38 feet more or less to the Navajo Indian Reservation Boundary, thence along the boundary of the Navajo Indian Reservation as previously established by either survey or agreement or otherwise through Sections 26, 27, 28, 29, 30, & 31, T40S, R22E, Sections 25, 36, 35, 34, & 33, T40S, R21E, Sections 4, 5, 7, 8, & 9, T41S, R21E, Sections 12, 13, & 14, T41S, R20E to the west line of Section 14, T41S, R20E, thence N00°03'42"W 1292.02 feet more or less to the W1/4 corner of said Section 14, thence N00°02'18"W 2639.21 feet to the southwest corner of Section 11, T41S, R20E, thence N00°01'00"W 5280.00 feet to the southwest corner of said Section 2, T41S, R20E, thence N00°01'00"W 5280.00 feet more or less to the point of beginning, containing 24,088 acres more or less.

LESS: That tract of land as surveyed in November, 2016, in accordance with San Juan County Record of Survey No. 1034 within Section 36, Township 40 South, Range 20 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:  
Beginning at the E1/4 corner of said Section 36, thence South along the section line 841.91 feet more or less to the monumented north right-of-way line of Highway 163, thence along right-of-way line as follows: 489.61 feet along a curve to the left having a radius of 3919.72 feet, the chord of said curve is 489.30 feet and bears S68°16'51"W, thence S64°42'14"W 2037.65 feet, thence 194.79 feet more or less along a highway spiral with a chord bearing of S65°21'32"W for 194.76 feet to the beginning of a simple curve to the right having a radius of 2764.79 feet, thence along said curve 1127.97 feet, the chord of said curve is 1120.16 feet and bears S78°25'36"W, thence 194.78 feet more or less along a highway spiral with a chord bearing of N88°09'25"W for 194.75 feet more or less, thence N88°10'23"W 519.09 feet, thence N88°30'21"W 402.71 feet, thence (leaving said right-of-way line) N14°34'00"W 216.83 feet to a point located N79°20'25"W 4764.86 feet from the southeast corner of said Section 36, said point is also located S07°42'05"E 4434.40 feet from the northwest corner of said Section 36, thence N18°17'26"E 145.52 feet, thence N19°56'46"E 612.95 feet, thence N21°11'55"E 700.00 feet, thence N17°24'31"E 468.21 feet, thence N09°44'01"E 381.56 feet, thence N26°27'26"E 372.75 feet, thence N22°41'05"E 340.61 feet, thence N13°58'21"E 361.89 feet, thence N23°56'20"E 189.94 feet, thence N3°37'58"E 257.70 feet, thence N21°10'39"E 217.29 feet, thence N29°21'45"E 179.04 feet, thence N17°45'18"E 184.95 feet, thence N23°03'41"E 306.60 feet to a point on the north line of said Section 36, thence S89°59'25"E 385.02 feet to the NW corner of said Section 36, thence N89°59'07"E 2637.43 feet to the northeast corner of said Section 36, thence S00°00'23"E 2638.07 feet to the point of beginning, containing 391.24 acres more or less.



Narrative

1. This map was prepared at the request of the "Town of Bluff" with the intent to withdraw a tract of land from the corporate limits of Bluff.
2. This map does not represent a boundary survey performed on the ground as no field work was performed on the ground. No monuments were found or set in accordance with this plat.
3. All lands shown within the bounds of this map are within San Juan County, Utah.

Legend

- Section Corner (Not Field Located)
- Quarter Corner (Not Field Located)
- "Bluff" Area
- Withdrawal Area (this plat)

Description for Bluff Corporate Limit Withdrawal  
(Lyman Family Farms)

That tract of land as surveyed in November, 2016, in accordance with San Juan County Record of Survey No. 1034 within Section 36, Township 40 South, Range 20 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:  
Beginning at the E1/4 corner of said Section 36, thence South along the section line 841.91 feet more or less to the monumented north right-of-way line of Highway 163, thence along right-of-way line as follows: 489.61 feet along a curve to the left having a radius of 3919.72 feet, the chord of said curve is 489.30 feet and bears S68°16'51"W, thence S64°42'14"W 2037.65 feet, thence 194.79 feet more or less along a highway spiral with a chord bearing of S65°21'32"W for 194.76 feet to the beginning of a simple curve to the right having a radius of 2764.79 feet, thence along said curve 1127.97 feet, the chord of said curve is 1120.16 feet and bears S78°25'36"W, thence 194.78 feet more or less along a highway spiral with a chord bearing of N88°09'25"W for 194.75 feet more or less, thence N88°10'23"W 519.09 feet, thence N88°30'21"W 402.71 feet, thence (leaving said right-of-way line) N14°34'00"W 216.83 feet to a point located N79°20'25"W 4764.86 feet from the southeast corner of said Section 36, said point is also located S07°42'05"E 4434.40 feet from the northwest corner of said Section 36, thence N18°17'26"E 145.52 feet, thence N19°56'46"E 612.95 feet, thence N21°11'55"E 700.00 feet, thence N17°24'31"E 468.21 feet, thence N09°44'01"E 381.56 feet, thence N26°27'26"E 372.75 feet, thence N22°41'05"E 340.61 feet, thence N13°58'21"E 361.89 feet, thence N23°56'20"E 189.94 feet, thence N21°10'39"E 217.29 feet, thence N29°21'45"E 179.04 feet, thence N17°45'18"E 184.95 feet, thence N23°03'41"E 306.60 feet to a point on the north line of said Section 36, thence S89°59'25"E 385.02 feet to the NW corner of said Section 36, thence N89°59'07"E 2637.43 feet to the northeast corner of said Section 36, thence S00°00'23"E 2638.07 feet to the point of beginning, containing 391.24 acres more or less.

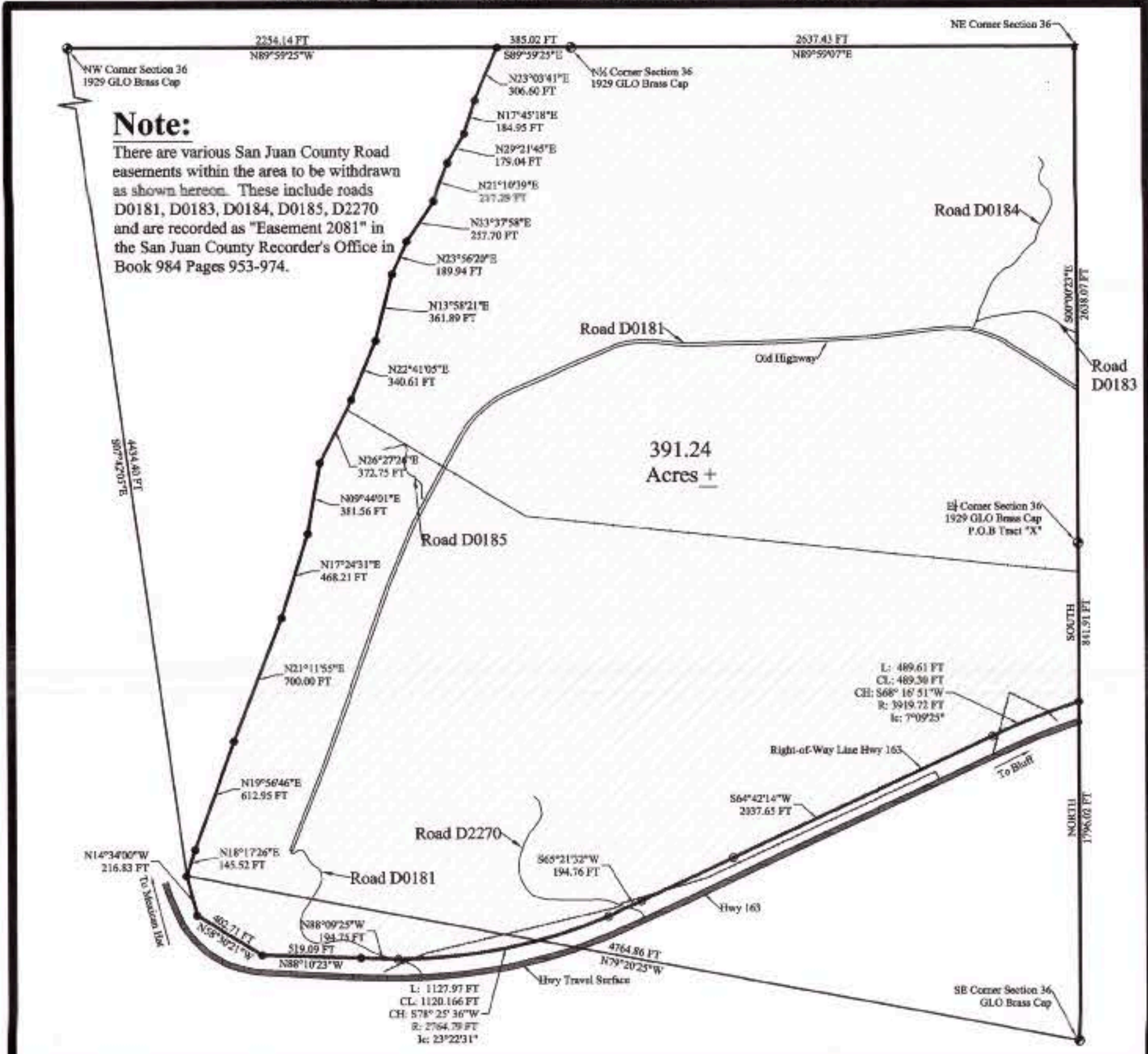
Surveyor's Certificate

I Brad D. Bunker, Professional Utah Land Surveyor, Number 4769309, hold a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act. This map has been completed under my direction for the area shown herein.

Brad D. Bunker Utah P.L.S. #4769309  
Date 2/13/19



Partial excerpt from San Juan County Record of  
Survey No. 1034 Scale: 1" = 1600'



San Juan County Surveyor  
Approved this 14th Day of February 2019  
[Signature]  
Surveyor

Bluff Mayor  
Approved this 14th Day of February 2019  
[Signature]  
Mayor, Bluff

San Juan County Recorder  
State of Utah, County of San Juan, Recorded at the request of  
Filed: Date: 2-14-19 Time: 11:43  
Book: 1035 Page: 793  
Fee: \$450.00  
[Signature]  
County Recorder

Bunker Engineering, LLC

965 South Creek Road, Monticello, UT 84535  
P.O. Box 432, Monticello, UT 84535 (435) 459-9152

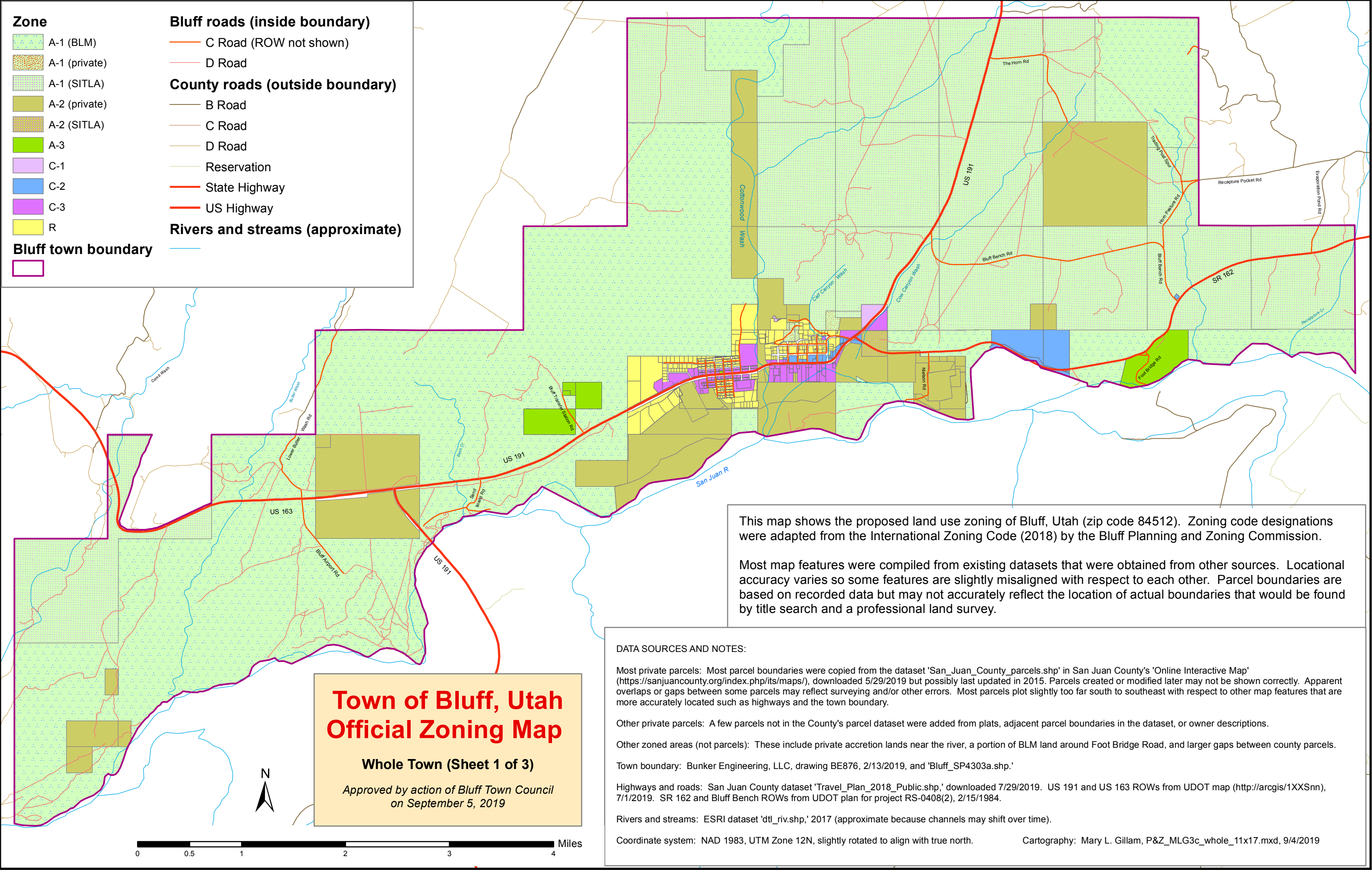
Sheet: 1 of 1

Drawing Name: Drawing Reference No. BE876

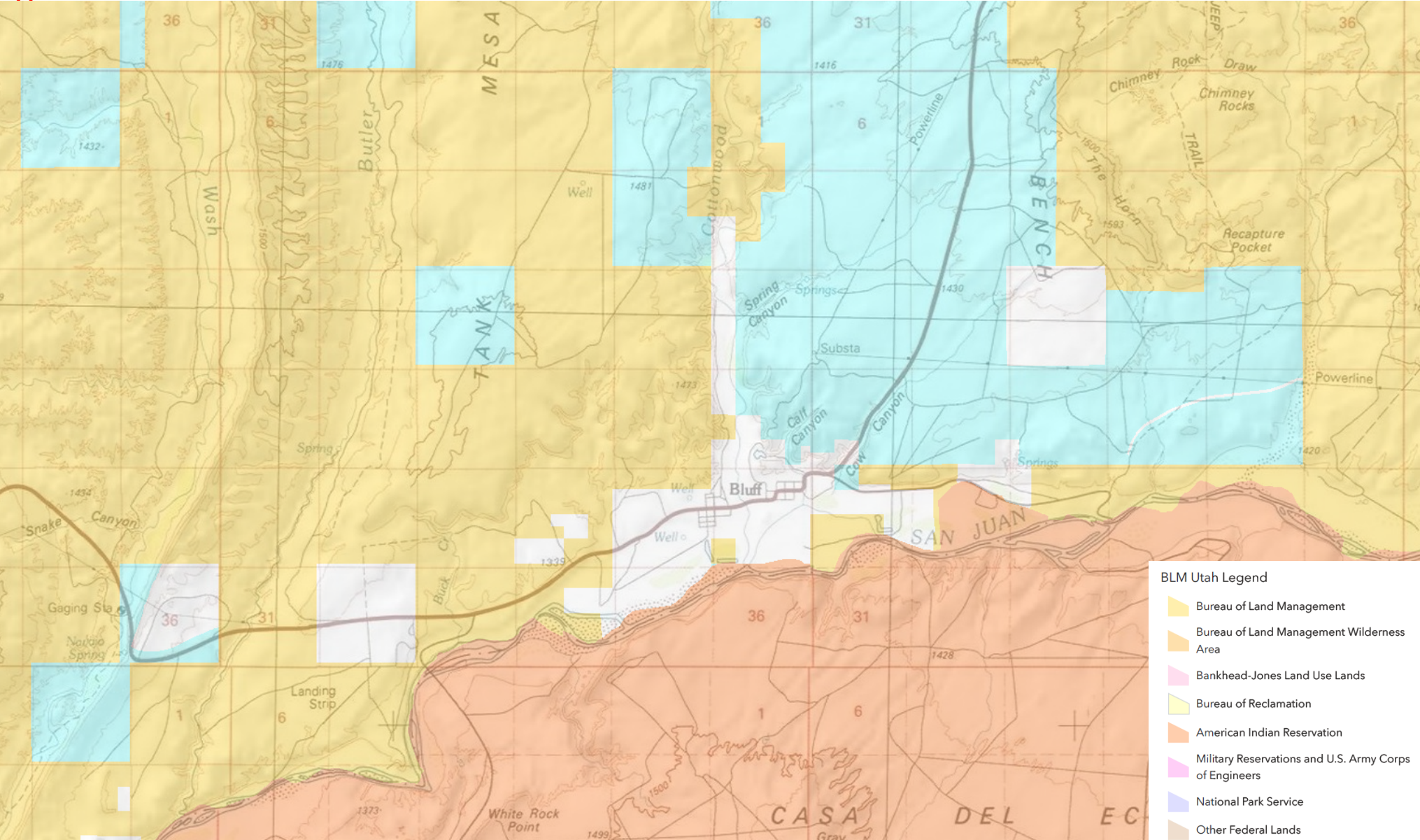
Date: Feb. 7, 2019

Updated: Feb. 13, 2019

Scale: 1" = 2400'



Appendix D



- BLM Utah Legend
- Bureau of Land Management
  - Bureau of Land Management Wilderness Area
  - Bankhead-Jones Land Use Lands
  - Bureau of Reclamation
  - American Indian Reservation
  - Military Reservations and U.S. Army Corps of Engineers
  - National Park Service
  - Other Federal Lands
  - Private
  - State of Utah
  - State Parks and Recreation
  - State Wildlife Reserve/Management Area
  - U.S. Fish & Wildlife Service National Wildlife Refuge
  - USDA Forest Service
  - USDA Forest Service Wilderness Area

## Appendix E

### Land Ownership - Town of Bluff

As of November 2022

|                                                                       | Acreage   | Square Miles | Percentage of Surveyor Total | Percentage of Calculated Total |
|-----------------------------------------------------------------------|-----------|--------------|------------------------------|--------------------------------|
| Federal/Bureau of Land Management <sup>1</sup>                        | 10,692.10 | 16.71        | 45.12%                       | 45.24%                         |
| Utah School and Institutional Trust Lands Administration <sup>2</sup> | 8,756.51  | 13.68        | 36.95%                       | 37.05%                         |
| Private Ownership                                                     | 3,950.20  | 6.17         | 16.67%                       | 16.72%                         |
| San Juan County/San Juan School District <sup>3</sup>                 | 69.94     | 0.11         | 0.30%                        | 0.30%                          |
| Tribal <sup>4</sup>                                                   | 58.60     | 0.09         | 0.25%                        | 0.25%                          |
| Town of Bluff <sup>5</sup>                                            | 53.24     | 0.08         | 0.22%                        | 0.23%                          |
| State of Utah (UDOT)                                                  | 51.51     | 0.08         | 0.22%                        | 0.22%                          |
| Calculated Total based on Known Ownership                             | 23,632.10 | 36.93        |                              | 100.00%                        |
| County Surveyor Totals                                                | 23,696.76 | 37.03        | 99.73%                       |                                |
| Unknown Ownership                                                     | 64.66     | 0.10         | 0.27%                        |                                |

1) BLM ownership acres – Confirmed by BLM GIS Specialist, Elizabeth Lament, on November 21, 2022

2) SITLA ownership acres – Confirmed by SITLA Deputy Assistant Director of the Southeast Area, Bryan Torgerson, on November 21, 2022

3) San Juan School District Ownership – confirmed by San Juan School District Business Administrator, Tyrel Pemberton, on November 21, 2022

4) Tribal land calculation through GIS data provided by Bryan Torgerson - based on shifts in the San Juan River on the southern border of town

5) Includes Roads and property. Road information calculated by Michael Haviken on November 15, 2022

Previous private land ownership data obtained from Mary Gillam

Appendix

F

Ent 115286 # 936 P 819-821  
Date: 16-FEB-2012 9:34:31AM  
Fee: \$18.00 Check  
Filed By: LCJ  
LOUISE JONES, Recorder  
SAN JUAN COUNTY CORPORATION  
For: ANDERSON & ANDERSON

**DEED OF DISTRIBUTION  
BY PERSONAL REPRESENTATIVE**

THIS DEED, made by BARTA JEAN LYMAN GUYMON and EDWARD NIELSON LYMAN, as co-personal representatives of the estate of Ida Venice Neilson Lyman, also known as Venice Nielson Lyman and Venice N. Lyman and Venice Lyman, deceased, GRANTORS, to EDWARD N. LYMAN and JUDITH F. LYMAN, husband and wife, as joint tenants, whose address is 363 South 100 East, Blanding, Utah 84511, GRANTEE.

WHEREAS, GRANTORS are the qualified co-personal representatives of said estate, filed as Probate Number 1137-13 in San Juan County, Utah; and

WHEREAS, GRANTEE is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, GRANTORS convey and release to GRANTEE all of GRANTOR's right, title and interest in the following described real property in San Juan County, Utah:

Township 40 South, Range 22 East, SLM

Section 16: All (Parcel No. 40S22E160000)

with all appurtenances.

EXECUTED this 14th day of February, 2012.

  
Barta Jean Lyman Guymon, Co-Personal  
Representative of the Estate of Ida Venice Nielson  
Lyman, also known as Venice Nielson Lyman and  
Venice N. Lyman and Venice Lyman,  
deceased

Edward Nielson Lyman  
Edward Nielson Lyman, Co-Personal  
Representative of the Estate of Ida Venice Nielson  
Lyman, also known as Venice Nielson Lyman and  
Venice N. Lyman and Venice Lyman,  
deceased

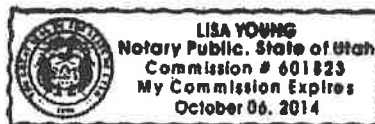
STATE OF UTAH     )  
                              : ss.  
County of San Juan    )

On the 14<sup>th</sup> day of February, 2012, personally appeared before me Barta Jean Lyman  
Guymon, as co-personal representative of the estate of Ida Venice Nielson Lyman, also known as  
Venice Nielson Lyman and Venice N. Lyman and Venice Lyman, deceased, and as signer of the  
foregoing Deed of Distribution, who acknowledged to me that she executed the same.

Lisa Young  
Notary Public  
Residing at Blanding, UT

My Commission Expires:

10-6-14



STATE OF UTAH     )  
                              : ss.  
County of San Juan    )

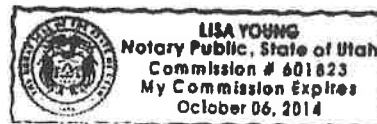
On the 14<sup>th</sup> day of February, 2012, personally appeared before me Edward Nielson  
Lyman, as co-personal representative of the estate of Ida Venice Nielson Lyman, also known as  
Venice Nielson Lyman and Venice N. Lyman and Venice Lyman, deceased, and as signer of the  
foregoing Deed of Distribution, who acknowledged to me that he executed the same.

Lisa Young  
Notary Public  
Residing at Blanding, UT

My Commission Expires:

10-6-14

vlyman.dod



## Appendix

tabbles

G

Sept

SAN JUAN COUNTY CORPORATION

## Tax Roll Master Record

11:28:05AM

Parcel: 40S22E160000

Entry: 115286

Name: LYMAN JUDITH F

c/o Name:

Address 1: 363 S 100 E

Address 2:

City State Zip: BLANDING

UT 84511-3015

Mortgage Co:

Property Address

Acres: 640.00

Status: **Active**Year: **2022**District: **011 TOWN OF BLUFF****0.011925**

| Owners         | Interest | Entry | Date of Filing | Comment     |
|----------------|----------|-------|----------------|-------------|
| LYMAN JUDITH F |          |       |                | (0706/0346) |

| Property Information        |             |                  | 2022 Values & Taxes |         |            |         | 2021 Values & Taxes |         |            |
|-----------------------------|-------------|------------------|---------------------|---------|------------|---------|---------------------|---------|------------|
|                             |             |                  | Units/Acres         | Market  | Taxable    | Taxes   | Market              | Taxable | Taxes      |
| LG01 LAND GREENBELT         |             |                  | 640.00              | 480,000 | 8,960      | 124.12  | 192,000             | 8,960   | 124.11     |
| Totals:                     |             |                  | 640.00              | 480,000 | 8,960      | 124.12  | 192,000             | 8,960   | 124.11     |
| Greenbelt Class Code & Name |             | Zone Code & Name |                     | Acres   | Price/Acre | Market  | Taxable             | Status  | Changed    |
| GZ3                         | GRAZING III | 0001 SAN JUAN    |                     | 640.00  | 750        | 480,000 | 8,960               | Active  | 05/26/2022 |
| Greenbelt Totals            |             |                  |                     | 640.00  |            | 480,000 | 8,960               |         |            |

\*\*\*\* **ATTENTION !!** \*\*\*\*  
 Tax Rates for 2022 have been set and approved. All levied taxes and values shown on this printout for the year 2022 should be correct.

|               |        |                       |        |
|---------------|--------|-----------------------|--------|
| 2022 Taxes:   | 124.12 | 2021 Taxes:           | 124.11 |
| Special Fees: | 0.00   |                       |        |
| Penalty:      | 0.00   | <b>Review Date</b>    |        |
| Abatements: ( | 0.00)  | <b>04/08/2019</b>     |        |
| Payments: (   | 0.00)  |                       |        |
| Amount Due:   | 124.12 | <b>NO BACK TAXES!</b> |        |

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

## Taxing Description

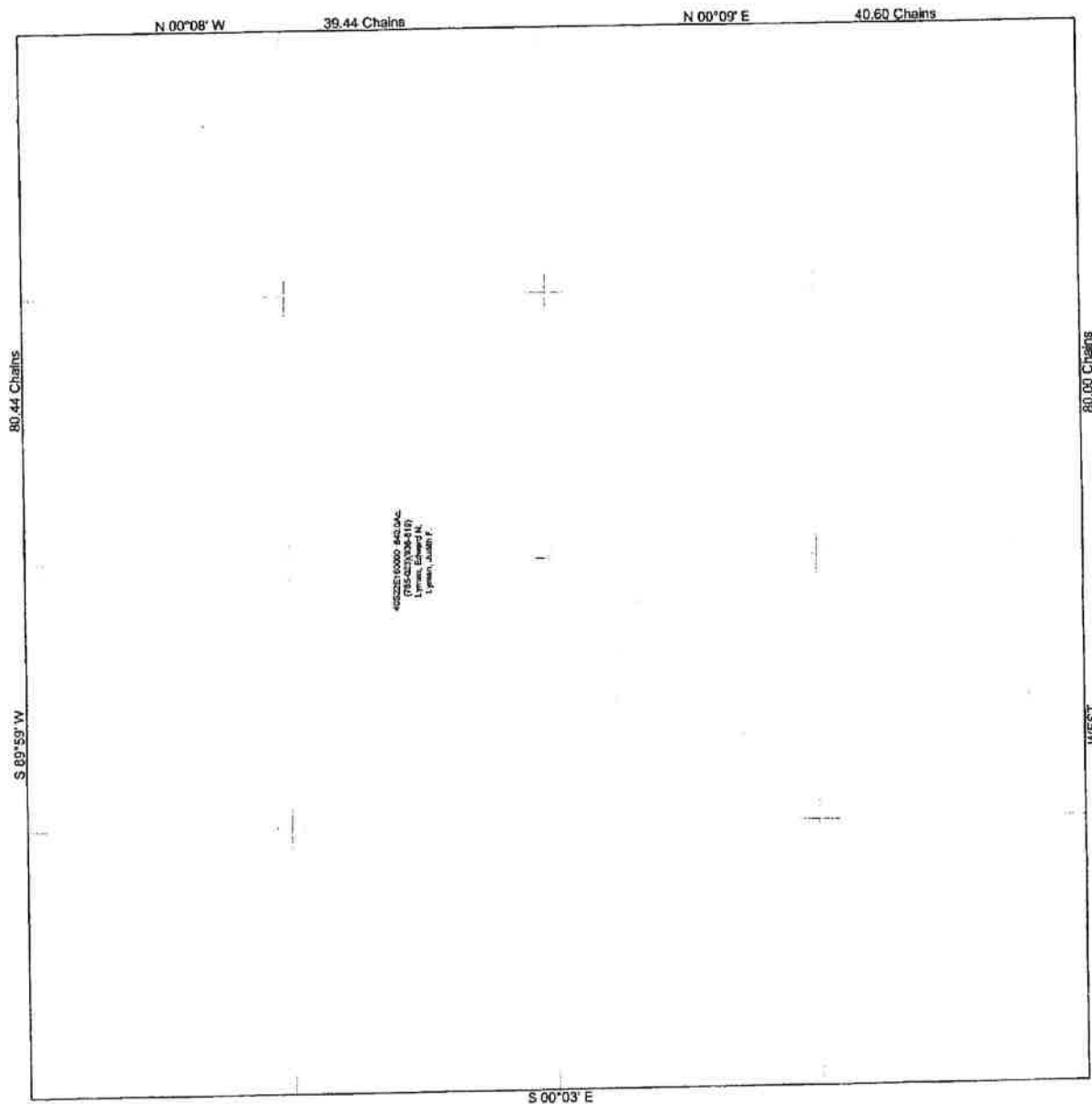
SEC 16 T40S R22E: ALL OF SECTION 16 (640 AC) 40S22E160000

## History

AFFIDAVIT TO TERM JNT TENANCY BY JUDITH LYMAN, 170720, 07/28/2022.

# SAN JUAN COUNTY, UTAH

## SECTION 16, T40S, R22E, SALT LAKE MERIDIAN, UTAH



This plat was created pursuant to Utah Code Annotated (1962), as amended, section 17-21-21 solely for the purposes set forth herein and does not constitute a warranty of accuracy or validity for any other purpose, including, but not limited to, title, ownership, or any other interest in the land.

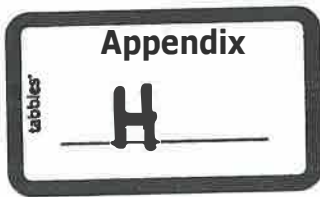
GRAPHIC SCALE



80.00 Chains

WEST

|    |    |    |    |    |    |    |    |    |     |
|----|----|----|----|----|----|----|----|----|-----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20  |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30  |
| 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40  |
| 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50  |
| 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60  |
| 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70  |
| 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80  |
| 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90  |
| 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |



*The Board of Trustees  
of the  
School and Institutional Trust Lands Administration*

☒ New Policy    ☐ Amends Policy No. \_\_\_\_\_ ☐ Replaces Policy No. \_\_\_\_\_

*Policy Statement No. 2012-01*

*Subject: Lease/Disposal of Land Blocks*

*The Board of Trustees of the School and Institutional Trust Lands Administration met in open, public session on May 17, 2012, and by majority vote declares the following to be an official policy of the Board on the retention or lease/disposal of designated land blocks.*

- The School and Institutional Trust Lands Administration manage numerous blocks of land with acreages in excess of 5,000 acres.
- In recognition of its fiduciary duties the Board acknowledges that all blocks are generally available for revenue-generating purposes, including lease, exchange or sale.
- Prior to bringing a disposal proposal on a designated land block to the board for review, the Administration shall:
  - Require the applicant to provide terms for the acquisition of the block, including:
    - The amount of money or other assets being offered;
    - All proposed terms of any contract;
  - Analyze any potential for conflict with retained rights if the surface is conveyed out of Trust ownership;
  - Prepare a recommendation for Board consideration containing a thorough financial analysis of why disposal of the parcel at the time is in the best interest of the beneficiaries.
- In order to allow for appropriate input from beneficiary representatives and other stakeholders the board will not take action on any proposal during the meeting the proposal is first presented.

BY THE BOARD:

  
Michael R. Brown, Chairman



*The Board of Trustees  
of the  
School and Institutional Trust Lands Administration*

☒ *New Policy*                      ☐ *Amends Policy No. \_\_\_\_\_*                      ☐ *Repeals Policy No. \_\_\_\_\_*

*Policy Statement No. 2008-01*

*Subject: Real Estate Development on  
Trust Lands*

*The Board of Trustees of the School and Institutional Trust Lands Administration met in open public session on January 17, 2008, and by majority vote declares the following to be an official policy of the Board.*

In furtherance of the policies set forth in Policy Statement No. 2006-03 and pursuant to 53C-1-201(5)(a) and 53C-1-204(1)(a) of the School and Institutional Trust Lands Management Act ("Act"), the Board of Trustees ("Board") believes it is desirable and prudent to establish a policy governing the procedures for the oversight of Development Program transactions by the Board.

The Board acknowledges that the Director is: (i) vested with broad authority to enter into Development Program transactions pursuant to, among other provisions, 53C-1-302(1)(a)(i) and 53C-1-303(4)(d) of the Act; (ii) required to obtain Board approval of joint venture transactions and other business arrangements pursuant to 53C-1-303(4)(e) of the Act; and (iii) required to inform the Board of the Administration's activities pursuant to 53C-1-303(1)(k) of the Act. In order to assist the Director in fulfilling his/her obligations under the foregoing, the Board adopts the following policy regarding informing the Board and, where required, obtaining the Board's approval of Development Program transactions.

1. Pursuant to the Act, the Director has broad authority to manage Trust assets and enter into transactions that comply with the requirements of the Act, provided, however, 53C-1-303(4)(e) of the Act requires Board approval of joint ventures and "other business arrangements". The Board finds that the term "other business arrangements" shall mean transactions which have substantially similar or greater risks as joint ventures and in which a material portion of the anticipated return to the Trust is contingent on the economic performance of the ultimate development of the Trust property. The agency's standard non-subordinated "development lease" is not considered an other business arrangement.

The Director shall adopt procedures for the Board's approval of joint ventures ("JV") and other business arrangements ("OBA") consistent with the foregoing criteria.

2. Development Program transactions present different levels of risk, with JV's and OBA's typically involving greater risk than other types of transactions. The Board believes that its review process should be proportional to the potential risk and should take into account the value of the Trust assets committed in a transaction and distinguish between JV's and OBA's and other types of transactions. To that end, the Administration shall adopt procedures to categorize proposed transactions as either "Major Transactions" or "Minor Transactions" applying the following criteria:
  - a. A "Minor Transaction" shall be:
    - I. a transaction which is not a JV or OBA and which involves Trust assets (including the value of Trust property and capital commitments by the Trust) valued in an amount equal to or less than Five Million Dollars (\$5,000,000); or
    - II. a transaction which is a JV or OBA and involves Trust assets (including the value of Trust property and capital commitments by the Trust) valued in an amount equal to or less than Two Million Dollars (\$2,000,000.)
  - b. A "Major Transaction" shall be:
    - I. a transaction which is not a JV or OBA and which involves Trust assets (including the value of Trust property and capital commitments by the Trust) valued in an amount greater than Five Million Dollars (\$5,000,000);
    - II. a transaction which is a JV or OBA and involves Trust assets (including the value of Trust property and capital commitments by the Trust) valued in an amount greater than Two Million Dollars (\$2,000,000).
3. With regard to all transactions, the Administration should conduct an appropriate public advertising program designed to effectively solicit interested parties for each transaction and conduct appropriate due diligence with respect to the ownership, financial capacity, and character of its development partners, which shall include investigation into credit and financial capacity, business background, litigation and bankruptcy history, and other relevant factors. The Administration shall maintain this information in its files.

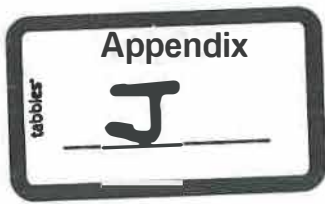
4. With regard to Minor Transactions, the Administration shall adopt procedures for advising the Board, which procedures shall require, at a minimum, the following:
  - a. The Administration shall deliver to the Board, in a consistent written format, key information about the Minor Transaction, including a summary of: (i) the economic analysis of the transaction; (ii) the competitive/advertising process used in soliciting offers for the transaction; (iii) a declaration of any conflicts of interest for staff with any interested parties; (iv) a list of key components of the transaction; and (v) all parties and any relevant background information regarding such parties derived from the Administration's due diligence activities described in Paragraph 3 above.
  - b. If such Minor Transaction is not a JV or OBA, such matter shall be placed on the consent agenda for the next Board meeting for informational purposes and to allow an opportunity for the Board to comment on the transaction and/or provide guidance to the Director for future transactions.
  - c. If such Minor Transaction is a JV or OBA, thereby requiring Board approval, such matter shall be placed on the consent agenda for the next Board meeting. Any member of the Board may request a review, discussion, and vote on such proposed transaction by the Board at such meeting. If no such review is requested, the proposed transaction shall be approved or rejected as part of the consent agenda at such meeting. If approved by the Board, the Administration shall be authorized to enter into binding agreements for the proposed JV or OBA on the terms so approved and in compliance with the requirements of the Act.
5. With regard to major Transactions, the Administration shall adopt procedures for the review and approval of such transactions by the Board, which procedures shall materially conform with the following:
  - a. The Administration shall make an initial presentation to the Board, which presentation shall contain key information about the proposed transaction, including:
    - (i) an executive summary of the Administration's perception of the values involved in the transaction;
    - (ii) a discussion of the financial and other goals of the transaction;
    - (iii) an analysis of the determination of timeliness of the transaction;
    - (iv) the structure or structures if more than one is proposed for the transaction selected by the Administration;

- (v) a discussion of the competitive processes that the Administration intends to use in soliciting proposals;
- (vi) financial requirements of parties demonstrating the capability to complete the project; and
- (vii) known political issues with proposed solutions.

The Administration shall solicit Board input on the proposed transaction and the Board's concurrence with moving forward to finalize the proposed transaction.

- b. Subject to concerns expressed by the Board at the initial presentation, the Administration may, in its discretion, continue to pursue proposed transaction, including, among other things, conducting a competitive process to obtain proposals for the transaction, selecting one or more proposals and negotiating the key terms of the proposed transaction.
- c. After selecting a proposal, the Administration shall make a second presentation to the Board which includes:
  - (i) a summary of the key terms of the transaction;
  - (ii) a description of the parties to the proposed transaction with all relevant background information about the parties derived from the due diligence activities described in Paragraph 3 above.
  - (iii) a projected financial pro forma of the transaction;
  - (iv) a summary of the competitive process(es) and advertising efforts used in selecting a proposal;
  - (v) the minimum financial criteria that will be conditions to the completion of the transaction; and
  - (vi) a declaration of any conflicts of interest for staff with any interested parties.
- d. If such matter is a JV or OBA, thereby requiring Board approval, such matter shall be voted on by the Board. If approved by the Board, the Administration shall be authorized to enter into binding agreements for the proposed JV or OBA on the terms so approved and in compliance with the requirements of the Act.
- e. If such matter is not a JV or OBA and provided the Board has not specifically directed the Administration to terminate the proposed transaction, the Administration shall be authorized to enter into binding agreements for the proposed transaction on the terms so approved and in compliance with the requirements of the Act.

- f. Notwithstanding the foregoing, with respect to Major Transactions which do not involve a JV or OBA and where all relevant material information regarding the proposed transaction is available, the Administration may make at least one presentation to the Board regarding the proposed transaction.
  - g. The Administration shall provide the Board with updates on Major Transactions which have been reviewed or approved by the Board within six (6) months of such review or approval.
- 6. With respect to references in this Policy Statement to “competitive processes” or similar terms, the Board acknowledges that in certain circumstances with regard to certain types of lands, conducting a competitive process for the disposition of the property may not be appropriate nor in the best interest of the Trust. Some examples of such circumstances include, without limitation, exchange of property (when such exchanges further other goals with adjoining trust lands), sale to governmental entities when appropriate and in the best interest of the Trust (i.e., project parks, fire and safety such as firehouses and police stations, etc.), and sales of conservation properties when needed to further development of adjoining properties. In such instances, the Administration shall not be required to conduct a competitive process, but rather shall advise the Board of such instances and the Administration’s rationale for such determination in advance of any such transaction.
- 7. In order to more efficiently conduct the Board oversight of Development Program transactions, the Board may, pursuant to 53C-1-204(9)(a)(i) of the Act, create a committee consisting of not less than one (1) member of the Board and such other members of the Administration and/or the public as is appropriate for the task of reviewing submittals concerning Development Program transactions and making recommendations to the Board. In such event, any submittals and presentations required to be made to the Board in connection with any Development Program transaction as described herein may be made to such committee.



*The Board of Trustees*  
*of the*  
*School and Institutional Trust Lands Administration*

☐ *New Policy*      ☐ *Amends Policy No.* ☐ *Repeals Policy No. 94-04.2*

*Policy Statement No. 2005-01*

*Subject: Joint Planning*

*The Board of Trustees of the School and Institutional Trust Lands Administration met in open, public session on February 10, 2005, and by majority vote declares the following to be an official policy of the Board:*

Trust lands are often intermingled with lands managed by other federal and state agencies. Actions taken by those agencies can often impact the ability to manage trust lands for their highest and best use. Many land-management agencies and local governments have obligations to develop plans to direct the management of lands. Involvement in those planning processes may prevent adoption of plans that have the potential to negatively affect trust lands.

The Administration is hereby authorized and encouraged to be involved in any joint planning efforts conducted by local, state, or federal entities, with the degree of involvement to be set by the Director.