



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, June 05, 2024 at 6:00 PM

AGENDA

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, June 05, 2024**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Becky Wood

Please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 8266151 3795

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONFLICT OF INTEREST DISCLOSURES

HEARING ON THE FOLLOWING

1. Amend Title 10.14 Short Term Vacation Rental Rules and Regulations, Ordinance-O-2024-23.
2. Amend Title 10.07.090 Conditional Use Permit, Ordinance-O-2024-22.
3. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1378-N, AV-1378-R, AV-1378-S, AV-1378-P. Applicant: Cortney Barlow.
4. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-O. Applicant: Jonathan J George.
5. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1367-A, AV-1370-A, AV-1371-A, AV-1368, AV-1356-A-1, AV-1360, AV-1357, AV-1356-B, AV-1359, AV-1349, AV-1348-B. Applicant: Hirschi Big Plain Ranch Irrevocable Trust.
6. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-N. Applicant: John Carl Izaak McHenry/Todd A Chamberlain.
7. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1378-B, AV-1378-C, AV-1378-D. Applicant: Land Development Solutions, LLC.
8. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1390, AV-1366-A-1, AV-1369-A. Applicant: Farrar Family Trust.

DISCUSSION AND POSSIBLE ACTION ITEMS

- [9.](#) Amend Title 10.14 Short Term Vacation Rental Rules and Regulations, Ordinance-O-2024-23.
- [10.](#) Amend Title 10.07.090 Conditional Use Permit, Ordinance-O-2024-22.
- [11.](#) Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1378-N, AV-1378-R, AV-1378-S, AV-1378-P. Applicant: Cortney Barlow.

- [12.](#) Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-O. Applicant: Jonathan J George.
- [13.](#) Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1367-A, AV-1370-A, AV-1371-A, AV-1368, AV-1356-A-1, AV-1360, AV-1357, AV-1356-B, AV-1359, AV-1349, AV-1348-B. Applicant: Hirschi Big Plain Ranch Irrevocable Trust.
- [14.](#) Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-N. Applicant: John Carl Izaak McHenry/Todd A Chamberlain.
- [15.](#) Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1378-B, AV-1378-C, AV-1378-D. Applicant: Land Development Solutions, LLC.
- [16.](#) Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1390, AV-1366-A-1, AV-1369-A. Applicant: Farrar Family Trust.

APPROVAL OF MINUTES

- [17.](#) Minutes: April 10, 2024.
- [18.](#) Minutes: May 1, 2024.

ADJOURNMENT

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

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

**APPLE VALLEY
ORDINANCE O-2024-23**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1:**AMENDMENT** “10.14.020 Rules And Regulations” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.14.020 Rules And Regulations

- A. Short Term Vacation Rental Business License Required: No dwelling in a residential zone shall be occupied or used as a short term vacation rental, until such time that the owner has obtained a short term vacation rental business license issued in accordance with the provisions of this Section.
- B. Conditions for Issuance of a Short Term Vacation Vacation Rental Business License : In addition to any other requirement of this Section, a short term vacation rental business license shall be approved by the Town Clerk if:
1. The dwelling unit is located in a single family dwelling that has been issued a certificate of occupancy, or a building permit has been issued for the construction of a single family dwelling unit. If a certificate of occupancy has not yet been issued, the business must be operational within six (6) months of the issuance of the business license. If the business is not operating within this time period, the short term vacation rental business license may be revoked to enable another business to license a Short Term Vacation Rental in the area. For purposes of this section, “operational” is defined as accepting reservations and being available at least two weeks per month, including the next full month. Portions of a single family dwelling may not be used as a short term vacation rental unless licensed as a bed and breakfast or residential hosting facility in accordance with the regulations for that use. A short term vacation rental and a bed and breakfast or residential hosting facility may not be located in the same single family dwelling. A short-term vacation rental permit may be issued if the property line of the property in question is closer than 300 feet to another dwelling that is licensed for short-term rentals, provided that the applicant applies for and receives a Conditional Use Permit.
 2. The owner of a single family dwelling for which a short term vacation business license is sought does not hold a business license to operate another short term vacation rental within the Town of Apple Valley limits. For purposes of this paragraph, “owner” means any individual, corporation, partnership, limited liability company, trust or other entity which has a legal or equitable ownership interest in the single family dwelling, or any individual

who has an ownership interest in any corporation, partnership, limited liability company, trust or other entity which has a legal or equitable ownership interest in the single family dwelling,

3. The property line of another dwelling licensed as a short term vacation rental is not located within 300' (three hundred feet), as measured along the same street or around the corner, of the front property line corners of the property where the proposed short term vacation rental license is being sought. No more than 10% of the homes in any subdivision phase or designated area to be defined by the Town, may be licensed as a short term vacation rental.
4. The application lists the name, address and phone number of the owner or other person designated by the owner as the property manager who shall be responsible for ensuring compliance with the rules and regulations specified in this section. This person shall be a permanent resident of the Town and be ready and willing to receive phone calls at any hour to promptly deal with complaints, violations, or any other safety or nuisance issues.
5. The contact information of the responsible individual will be given to all property owners/residents within a 300 ft. radius of the short term vacation rental property in question, so they will be able to make direct contact with the responsible individual in the case of a complaint, violation, or any other safety or nuisance issue.
6. The application includes a valid sales and use tax license from the State Tax Commission for remittance of transient lodging taxes.

C. Parking Regulations: The owner of any property licensed as a short term vacation rental shall provide off street parking for guests in accordance with the following:

1. Off street parking shall be provided on the same lot as the dwelling which is licensed as a short term vacation rental.
2. Parking shall be provided at one vehicle per bedroom. Tandem spaces on a driveway may be used.
3. All guest parking shall be contained on the site.
4. No off street parking space may be located in front of the living area of the dwelling unless there is a circular driveway.
5. The number of vehicles allowed by the occupants of a vacation rental home shall be restricted to the number of off street parking spaces provided by the owner.

D. Maintenance Standards: Any property that contains a dwelling which is licensed as a short term vacation rental shall conform to the following standards:

1. Structures shall be properly maintained, painted and kept in good repair, and grounds and landscaped areas shall be properly maintained and watered in order that the use in no way detracts from the general appearance of the neighborhood;
2. The use of a dwelling as a short term rental shall not in any way change the appearance of the dwelling or property for residential purposes; and
3. Each sleeping room must meet current International Residential Code for egress and be equipped with smoke and CO2 detectors. A fire exiting route plan and maximum occupancy number must be posted in each sleeping room.

- E. Prevention of Noise, Nuisance or Trespass: The owner of any dwelling licensed as a short term vacation rental shall be responsible to ensure that guests or occupants of the short term rental do not:
1. Create noises that by reason of time, nature, intensity or duration are out of character with noises customarily heard in the surrounding residential neighborhood.
 2. Disturb the peace of surrounding residential property residents by engaging in shouting, fighting, playing of loud music, racing of cars or recreational vehicles on streets, engaging in outside recreational activities after 10 p.m., or other similar activities.
 3. Interfere with the privacy of surrounding residents or trespass onto surrounding residential properties.
 4. Allow pets or animals to create noise, roam the streets, trespass on neighboring properties, or create a mess that is not cleaned up by the owner or custodian of the pet or animal.
 5. Engage in any disorderly or illegal conduct, including illegal consumption of drugs and alcohol.
- F. Required Posting: The following information must be posted in a clear, concise, and unambiguous manner and in a conspicuous location inside any dwelling licensed as a short term vacation rental:
1. a copy of the short term vacation rental business license
 2. the name, address, and phone number of the owner or property manager
 3. the location of all fire extinguishers
 4. a list of all rules applicable for vacation rentals
 5. the maximum occupancy of the vacation rental and the maximum number of vehicles allowed.
- G. Miscellaneous Rules and Regulations: The following rules and regulations shall apply to any dwelling for which a short term vacation rental business license has been issued:
1. Prohibits the operation of a short-term rental unless the municipality issues a permit to operate the short-term rental and the State Tax Commission issues a sales and use tax license.
 2. Outdoor pools, hot tubs or spas shall not be used between the hours of eleven o'clock (11:00) p.m. and six o'clock (6:00) a.m.
 3. Maximum occupancy in any dwelling licensed as a short term vacation rental shall be 4 people per rental for one bedroom, 2 additional people allowed per bedroom not to exceed ten (10) persons at any one time total in the home. If, however, the property has a fire sprinkler system or other fire suppression system acceptable to the Apple Valley Fire Department, a greater occupancy may be approved. Maximum occupancy of the dwelling must be included in the regulations sign.
 4. The owner of any property containing a dwelling licensed as a short term vacation rental shall cause to be displayed in a town approved location on the exterior of the property an approved sign containing the name and 24 hour-per-day, 365 day-per-year telephone number of the owner or other party

designated by the owner as property manager who will be responsible for receiving and resolving complaints regarding activities on the property and the conduct of its occupants and guests. The sign shall not exceed 12" X 18" and shall be the only sign other than an address permitted on a short term vacation rental property. All neighbors surrounding the property in question shall be furnished the same contact information.

5. The owner or property manager shall provide information on current occupants to police, emergency, or town personnel as requested. The owner or other person designated as the property manager shall respond to complaints and concerns within one (1) hour of any phone call or other notification. Failure of the owner or property manager to respond in a timely manner may result in a violation and possible fines to the business license holder and property owner.
6. The requirements of this section shall be in effect throughout the time a short term vacation rental license is in effect on the property, regardless of whether the property is occupied by the owner, non-paying guests of the owner, or paying guests of the owner. The Town of Apple Valley finds that, given the practical difficulty of determining whether or not the occupants are paying guests, enforcement of the requirements contained in this section shall be based on whether the property is licensed as a short term vacation rental.
7. An inspection of a vacation rental property for compliance with these regulations will be performed at the time of business license issuance and renewal each year. There shall be a fee charged for such inspection, to be set by the Town Council. Additional inspections may be performed with 24 hour notice to the license holder/property manager if deemed necessary by the Town.
8. The owner of any dwelling licensed as a short term vacation rental shall be required to collect and remit on a timely basis transient lodging taxes and all other applicable sales and use taxes to the Utah State Tax Commission.

H. Enforcement Provisions:

1. Any owner of any dwelling in a residential zone within the Town of Apple Valley who allows or permits occupation of said dwelling as a short term vacation rental, as defined herein, without having first obtained a business license in accordance with the provisions of this section shall be guilty of a Class B misdemeanor, which shall be punishable by a fine of up to \$1,000, imprisonment for up to 6 months, or any combination thereof for each such violation.
2. Any owner of any dwelling in a residential zone within the Town of Apple Valley, who, having first obtained a business license for use or occupation of said dwelling as a short term vacation rental, thereafter operates or permits operation of said short term vacation rental in violation of the terms and provisions of this section shall be guilty of an Infraction, and shall be punished by a fine of not less than \$1000 for each such violation.
3. Any person who occupies a short term rental as a guest and who violates any local ordinance or state law shall be subject to arrest, issuance of a citation, or

other criminal process in accordance with all state, federal or local statutes, rules or ordinances.

4. Violation of any provision of this section regulating short term vacation rentals shall constitute a separate offense for each day said violation occurs or continues.
5. In the event of three (3) or more violations of this ordinance committed by an owner or guest, or any combination of the two, within any 12 month period, the town council may proceed with revocation of the business license for any short term vacation rental property in accordance with the provisions of the general business license ordinance.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-23**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.14.020 Rules And Regulations” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.14.020 Rules And Regulations

- A. Short Term Vacation Rental Business License Required: No dwelling in a residential zone shall be occupied or used as a short term vacation rental, until such time that the owner has obtained a short term vacation rental business license issued in accordance with the provisions of this Section.
- B. Conditions for Issuance of a Short Term Vacation Vacation Rental Business License : In addition to any other requirement of this Section, a short term vacation rental business license shall be approved by the Town Clerk if:
1. The dwelling unit is located in a single family dwelling that has been issued a certificate of occupancy, or a building permit has been issued for the construction of a single family dwelling unit. If a certificate of occupancy has not yet been issued, the business must be operational within six (6) months of the issuance of the business license. If the business is not operating within this time period, the short term vacation rental business license may be revoked to enable another business to license a Short Term Vacation Rental in the area. For purposes of this section, “operational” is defined as accepting reservations and being available at least two weeks per month, including the next full month. Portions of a single family dwelling may not be used as a short term vacation rental unless licensed as a bed and breakfast or residential hosting facility in accordance with the regulations for that use. A short term vacation rental and a bed and breakfast or residential hosting facility may not be located in the same single family dwelling. A short-term vacation rental permit may be issued if certain requirements are not met provided that the applicant applies for and receives a Conditional Use Permit.
 2. The owner of a single family dwelling for which a short term vacation business license is sought does not hold a business license to operate another short term vacation rental within the Town of Apple Valley limits. For purposes of this paragraph, “owner” means any individual, corporation, partnership, limited liability company, trust or other entity which has a legal or equitable ownership interest in the single family dwelling, or any individual who has an ownership interest in any corporation, partnership, limited liability

company, trust or other entity which has a legal or equitable ownership interest in the single family dwelling,

3. The property line of another dwelling licensed as a short term vacation rental is not located within 300' (three hundred feet), as measured along the same street or around the corner, of the front property line corners of the property where the proposed short term vacation rental license is being sought. No more than 10% of the homes in any subdivision phase or designated area to be defined by the Town, may be licensed as a short term vacation rental.
 4. The application lists the name, address and phone number of the owner or other person designated by the owner as the property manager who shall be responsible for ensuring compliance with the rules and regulations specified in this section. This person shall be a permanent resident of the Town and be ready and willing to receive phone calls at any hour to promptly deal with complaints, violations, or any other safety or nuisance issues.
 5. The contact information of the responsible individual will be given to all property owners/residents within a 300 ft. radius of the short term vacation rental property in question, so they will be able to make direct contact with the responsible individual in the case of a complaint, violation, or any other safety or nuisance issue.
 6. The application includes a valid sales and use tax license from the State Tax Commission for remittance of transient lodging taxes.
- C. Parking Regulations: The owner of any property licensed as a short term vacation rental shall provide off street parking for guests in accordance with the following:
1. Off street parking shall be provided on the same lot as the dwelling which is licensed as a short term vacation rental.
 2. Parking shall be provided at one vehicle per bedroom. Tandem spaces on a driveway may be used.
 3. All guest parking shall be contained on the site.
 4. No off street parking space may be located in front of the living area of the dwelling unless there is a circular driveway.
 5. The number of vehicles allowed by the occupants of a vacation rental home shall be restricted to the number of off street parking spaces provided by the owner.
- D. Maintenance Standards: Any property that contains a dwelling which is licensed as a short term vacation rental shall conform to the following standards:
1. Structures shall be properly maintained, painted and kept in good repair, and grounds and landscaped areas shall be properly maintained and watered in order that the use in no way detracts from the general appearance of the neighborhood;
 2. The use of a dwelling as a short term rental shall not in any way change the appearance of the dwelling or property for residential purposes; and
 3. Each sleeping room must meet current International Residential Code for egress and be equipped with smoke and CO2 detectors. A fire exiting route plan and maximum occupancy number must be posted in each sleeping room.
- E. Prevention of Noise, Nuisance or Trespass: The owner of any dwelling licensed as a

short term vacation rental shall be responsible to ensure that guests or occupants of the short term rental do not:

1. Create noises that by reason of time, nature, intensity or duration are out of character with noises customarily heard in the surrounding residential neighborhood.
 2. Disturb the peace of surrounding residential property residents by engaging in shouting, fighting, playing of loud music, racing of cars or recreational vehicles on streets, engaging in outside recreational activities after 10 p.m., or other similar activities.
 3. Interfere with the privacy of surrounding residents or trespass onto surrounding residential properties.
 4. Allow pets or animals to create noise, roam the streets, trespass on neighboring properties, or create a mess that is not cleaned up by the owner or custodian of the pet or animal.
 5. Engage in any disorderly or illegal conduct, including illegal consumption of drugs and alcohol.
- F. Required Posting: The following information must be posted in a clear, concise, and unambiguous manner and in a conspicuous location inside any dwelling licensed as a short term vacation rental:
1. a copy of the short term vacation rental business license
 2. the name, address, and phone number of the owner or property manager
 3. the location of all fire extinguishers
 4. a list of all rules applicable for vacation rentals
 5. the maximum occupancy of the vacation rental and the maximum number of vehicles allowed.
- G. Miscellaneous Rules and Regulations: The following rules and regulations shall apply to any dwelling for which a short term vacation rental business license has been issued:
1. Prohibits the operation of a short-term rental unless the municipality issues a permit to operate the short-term rental and the State Tax Commission issues a sales and use tax license.
 2. Outdoor pools, hot tubs or spas shall not be used between the hours of eleven o'clock (11:00) p.m. and six o'clock (6:00) a.m.
 3. Maximum occupancy in any dwelling licensed as a short term vacation rental shall be 4 people per rental for one bedroom, 2 additional people allowed per bedroom not to exceed ten (10) persons at any one time total in the home. If, however, the property has a fire sprinkler system or other fire suppression system acceptable to the Apple Valley Fire Department, a greater occupancy may be approved. Maximum occupancy of the dwelling must be included in the regulations sign.
 4. The owner of any property containing a dwelling licensed as a short term vacation rental shall cause to be displayed in a town approved location on the exterior of the property an approved sign containing the name and 24 hour-per-day, 365 day-per-year telephone number of the owner or other party designated by the owner as property manager who will be responsible for

receiving and resolving complaints regarding activities on the property and the conduct of its occupants and guests. The sign shall not exceed 12" X 18" and shall be the only sign other than an address permitted on a short term vacation rental property. All neighbors surrounding the property in question shall be furnished the same contact information.

5. The owner or property manager shall provide information on current occupants to police, emergency, or town personnel as requested. The owner or other person designated as the property manager shall respond to complaints and concerns within one (1) hour of any phone call or other notification. Failure of the owner or property manager to respond in a timely manner may result in a violation and possible fines to the business license holder and property owner.
6. The requirements of this section shall be in effect throughout the time a short term vacation rental license is in effect on the property, regardless of whether the property is occupied by the owner, non-paying guests of the owner, or paying guests of the owner. The Town of Apple Valley finds that, given the practical difficulty of determining whether or not the occupants are paying guests, enforcement of the requirements contained in this section shall be based on whether the property is licensed as a short term vacation rental.
7. An inspection of a vacation rental property for compliance with these regulations will be performed at the time of business license issuance and renewal each year. There shall be a fee charged for such inspection, to be set by the Town Council. Additional inspections may be performed with 24 hour notice to the license holder/property manager if deemed necessary by the Town.
8. The owner of any dwelling licensed as a short term vacation rental shall be required to collect and remit on a timely basis transient lodging taxes and all other applicable sales and use taxes to the Utah State Tax Commission.

H. Enforcement Provisions:

1. Any owner of any dwelling in a residential zone within the Town of Apple Valley who allows or permits occupation of said dwelling as a short term vacation rental, as defined herein, without having first obtained a business license in accordance with the provisions of this section shall be guilty of a Class B misdemeanor, which shall be punishable by a fine of up to \$1,000, imprisonment for up to 6 months, or any combination thereof for each such violation.
2. Any owner of any dwelling in a residential zone within the Town of Apple Valley, who, having first obtained a business license for use or occupation of said dwelling as a short term vacation rental, thereafter operates or permits operation of said short term vacation rental in violation of the terms and provisions of this section shall be guilty of an Infraction, and shall be punished by a fine of not less than \$1000 for each such violation.
3. Any person who occupies a short term rental as a guest and who violates any local ordinance or state law shall be subject to arrest, issuance of a citation, or other criminal process in accordance with all state, federal or local statutes,

rules or ordinances.

4. Violation of any provision of this section regulating short term vacation rentals shall constitute a separate offense for each day said violation occurs or continues.
5. In the event of three (3) or more violations of this ordinance committed by an owner or guest, or any combination of the two, within any 12 month period, the town council may proceed with revocation of the business license for any short term vacation rental property in accordance with the provisions of the general business license ordinance.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-22**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.07.090 Conditional Use Permit” of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.07.090 Conditional Use Permit

A. Purpose. The purpose of this chapter is to establish standards for certain land uses which, because of their unique characteristics or potential impacts on the town, surrounding residential neighborhoods, or other adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required which mitigate or eliminate the detrimental impacts. The standards for the issuance of a conditional use permit are established to ensure compatibility with surrounding land uses, conformity with the Apple Valley general plan, consistency with the characteristics and purposes stated for the zone, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare.

B. Authority.

1. The Planning Commission is authorized to issue conditional use permits for the following uses :

Animal specialties.

Animals and fowl for recreation and family food production.

Clubhouse.

Sales or registration office.

On-site manager dwelling.

Kennel.

Assisted living facility.

Greater heights than permitted by this Code.

Greater size than permitted by this Code.

Greater heights accessory buildings than permitted by this Code.

Greater size accessory buildings than permitted by this Code.

Metal building in commercial and residential zones.

Public stable.

Reception center.

Recreation and entertainment, outdoor.

Short Term Vacation Rental Business License

C. Permit Required. An approved conditional use permit shall be required for each conditional use listed in this title. No building permit or other permit or license shall be issued for a use requiring conditional use approval until a conditional use permit shall first have been approved by the planning commission.

D. Initiation. A property owner, or the owner's agent, may request a conditional use permit as provided in subsection E1 of this section.

E. Procedure. An application for a conditional use permit shall be considered and processed as provided in this subsection.

1. A complete application shall be submitted to the office of the Zoning Administrator in a form established by the administrator along with any fee established by the Town's schedule of fees. The application shall include at least the following information:

- a. The name, address and telephone number of the applicant and the applicant's agent, if any;
- b. The address and parcel identification of the subject property;
- c. The zone, zone boundaries and present use of the subject property;
- d. A description of the proposed conditional use;
- e. A plot plan showing the following:
 - (1) Applicant's name;
 - (2) Site address;

- (3) Property boundaries and dimensions;
 - (4) Layout of existing and proposed buildings, parking, landscaping, and utilities; and
 - (5) Adjoining property lines and uses within 100 feet of the subject property;
- f. Traffic impact analysis, if required by the Town Engineer or the Planning Commission;
 - g. A statement by the applicant demonstrating how the conditional use permit request meets the approval standards for the conditional use desired; and
 - h. Such other and further information or documentation as the Zoning Administrator may deem necessary for proper consideration and disposition of a particular application.
2. After the application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Planning Commission as provided in [section 10.07.040](#) of this chapter or shall review the application to determine if it meets the standards for an administrative conditional use permit.
 3. A staff report evaluating the application shall be prepared by the Zoning Administrator for a conditional use permit that will be reviewed by the Planning Commission.
 4. The Planning Commission shall hold a public meeting and shall thereafter approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection F of this section. A conditional use shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with the applicable standards, the conditional use may be denied.
 5. After the Planning Commission or Zoning Administrator makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
 6. A record of all conditional use permits shall be maintained in the office of the Zoning Administrator.

F. Approval standards. The following standards shall apply to the issuance of a conditional use permit:

1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.
2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2h of this section:
 - a. *Standards for a reception center.*
 - (1) Hours of operation must be compatible with adjoining uses and comply with Town noise regulations.
 - (2) Parking must be provided.
 - (3) The use of on street parking to provide up to 40 percent of the required parking may be permitted if adjoining uses are not residential uses and the street is fully improved.
 - (4) The center must have an approved site plan.
 - (5) If beer, wine, or other alcoholic beverages are served, the center must be licensed by the state alcohol control board.
 - b. *Standards for an agricultural industry.*
 - (1) Adequate fencing and/or enclosures must be provided to ensure animals and fowl are confined safely and in conformance with acceptable animal husbandry standards.
 - (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
 - (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
 - (4) Animal enclosures used for intensive animal feeding operations must be at least 25 feet from any adjacent parcel that, at the time the applicant first seeks the conditional use, is zoned residential or residential-agricultural pursuant to chapters 13 or 14 of this title.

G. *Appeal of decision.* Any person adversely affected by a decision of the Planning Commission regarding the transfer, issuance, or denial of a conditional use permit may appeal such decision to the Appeals Board by filing written notice of appeal stating the grounds therefor within 14 days from the date of such decision.

H. *Appeal of decision by Zoning Administrator.* Any decision of the Zoning Administrator regarding the issuance or denial of a conditional use permit, shall, upon request by the applicant within ten days after a determination by the Zoning Administrator, be submitted for a de novo review and decision by the Planning Commission at their next available meeting.

I. *Effect of approval.* A conditional use permit shall not relieve an applicant from obtaining any other authorization or permit required under this title or any other title of this Code.

1. A conditional use permit may be transferred so long as the use conducted thereunder conforms to the terms of the permit.

2. Unless otherwise specified by the Planning Commission and subject to the provisions relating to amendment, revocation or expiration of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land.

J. *Amendment.* The procedure for amending any conditional use permit shall be the same as the original procedure set forth in this section.

K. *Revocation.* A conditional use permit may be revoked as provided in [section 10.20.100](#) of this title.

1. In addition to the grounds set forth in [section 10.20.100](#) of this title, any of the following shall be grounds for revocation:

a. The use for which a permit was granted has ceased for one year or more;

b. The holder or user of a permit has failed to comply with the conditions of approval or any Town, state, or federal law governing the conduct of the use;

c. The holder or user of the permit has failed to construct or maintain the site as shown on the approved site plan, map, or other approval materials; or

d. The operation of the use or the character of the site has been found to be a nuisance or a public nuisance by a court of competent jurisdiction in any civil or criminal proceeding.

2. No conditional use permit shall be revoked against the wishes of the holder or user of the permit without first giving such person an opportunity to appear before the Planning Commission and show cause as to why the permit should not be revoked or the conditions amended. Revocation of a permit shall not limit the Town's ability to initiate or complete other legal proceedings against the holder or user of the permit.

L. Expiration. A conditional use permit shall expire and have no further force or effect if the building, activity, construction, or occupancy authorized by the permit is not commenced within one year after approval.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley



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

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Cortney Barlow		Phone: (435)467-8743	
Address: PO BOX 1618		Email: barlowcort43@gmail.com	
City: Colorado City		State: AZ	Zip: 86021
Agent: (If Applicable)		Phone: 435-467-8743	
Address/Location of Property: Apple Valley, North of Hwy 59		Parcel ID: AV-1378-N, AV-1378-R, AV-1378-S, AV-1378-P	
Existing Zone: OST		Proposed Zone: A-X	
For Planned Development Purposes: Acreage in Parcel _____ Acreage in Application ^{181.5} _____			
Reason for the request Change to AG			

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

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature 	Date 5-3-2024
-------------------------	-------------------------

Official Use Only	Amount Paid: \$ N/A	Receipt No: N/A
Date Received: RECEIVED MAY 03 2024	Date Application Deemed Complete:	
By:	By:	



Search...

Sign in

Tools

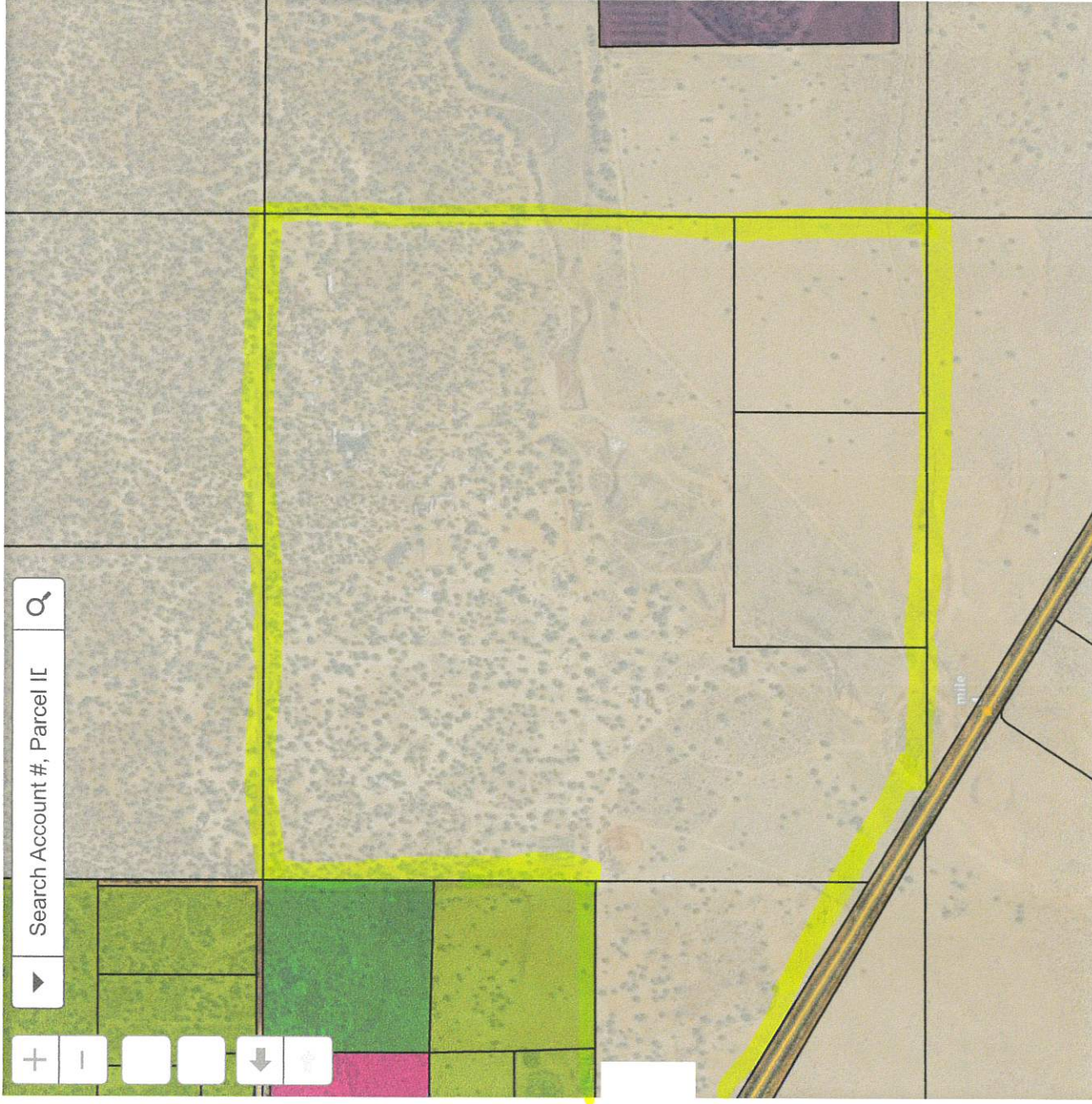


Item 11.

Apple Valley Zoning Districts Viewer



Search Account #, Parcel ID



Legend

Washington County Parcels



Apple Valley Zoning Viewer

Town Boundary



Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10



113.043187 37.033956 Degrees

Warranty Deed Page 1 of 3
Russell Shirts Washington County Recorder
02/15/2019 04:44:33 PM Fee \$15.00 By EAGLE
GATE TITLE INSURANCE AGENCY, INC.

EGT FILE NO. STG74607LH
WHEN RECORDED MAIL TO:
Cortney Barlow
P.O. Box 1618
Colorado City, AZ 86021

THIS SPACE FOR RECORDING ONLY

WARRANTY DEED

Kenstal, LLC, a Utah limited liability company
hereby CONVEY AND WARRANT to

Grantor,

Cortney Barlow,
of Colorado City, County of Mohave, State of AZ

Grantee,

for the sum of TEN AND NO/DOLLARS and other good and valuable consideration, the following tract of land in Washington County State of Utah, to-wit

PORTION OF AV-1378-D

See Attached Exhibit "A"

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2019 taxes and thereafter.

Witness, the hand of said grantors, this 11th day of February, 2019.

Kenstal, LLC, a Utah limited liability company

N/A
By: Kendra Webb, Manager

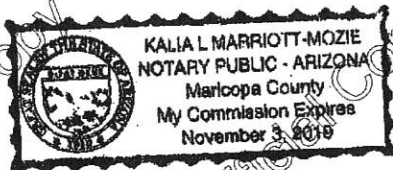
Kristal Markham
By: Kristal Markham, Manager

State of AZ)
County of Cochise)
ss

On this 11th day of February, 2019 before me a notary public, personally appeared Kendra Webb and Kristal Markham, Manager Kenstal, LLC, a Utah limited liability company, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged that (he/she/they) executed the same.

Witness my hand and official seal

(Seal)



Kalia L. Marriott-Mozie
Notary Public
My Commission Expires: 11/3/2019

Eagle Gate Title File No. STG74607LH

Exhibit "A" Legal Description

PARCEL 4:

BEGINNING AT A POINT BEING SOUTH 0°55'54" WEST 1,366.76 FEET ALONG THE SECTION LINE AND NORTH 89°02'52" WEST 772.59 FEET FROM THE NE CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 00°55'12" WEST 776.33 FEET TO THE CENTER SECTION LINE OF SAID SECTION; THENCE NORTH 89°03'14" WEST ALONG THE SAID CENTER SECTION LINE 933.38 FEET; THENCE NORTH 00°55'12" EAST 776.44 FEET; THENCE SOUTH 89°02'52" EAST 933.38 FEET TO THE POINT OF BEGINNING.

APN: PART OF AX-1378-D

Eagle Gate Title File No. ST674607LH

Exhibit "A": Legal Description

PARCEL 5:

BEGINNING AT A POINT ON THE EAST SECTION LINE SAID POINT BEING SOUTH $00^{\circ}55'54''$ WEST 1,866.76 FEET ALONG SAID EAST SECTION LINE FROM THE NE CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING; THENCE SOUTH $00^{\circ}55'54''$ WEST ALONG SAID SECTION LINE 776.25 FEET TO THE EAST 1/4 CORNER OF SAID SECTION; THENCE NORTH $89^{\circ}03'14''$ WEST ALONG THE CENTER SECTION LINE 772.43 FEET; THENCE NORTH $00^{\circ}55'12''$ EAST 776.33 FEET; THENCE SOUTH $89^{\circ}02'52''$ EAST 772.0 FEET TO THE POINT OF BEGINNING.

APN:

PART OF AV 1378-D

WHEN RECORDED MAIL TO:
CORTNEY BARLOW
P.O. BOX 1618
COLORADO CITY, AZ 86021

DOC # 20180048832

Item 11.

Warranty Deed Page 1 of 2
Russell Shirts Washington County Recorder
12/11/2018 12:23:36 PM Fee \$ 13.00
By BARLOW CORTNEY



SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

WARRANTY DEED

GLENN JOHNSON

GRANTOR(S)

OF COLORADO CITY, COUNTY OF MOHAVE, STATE OF AZ
HEREBY CONVEY AND WARRANT TO

CORTNEY BARLOW

GRANTEE(S)


OF COLORADO CITY, COUNTY OF MOHAVE, STATE OF AZ
FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION,
THE FOLLOWING DESCRIBED TRACT OF LAND IN WASHINGTON COUNTY,
STATE OF UT:

(AV-1378-N AND AV-1378-P)

See Attached Exhibit "A"

SUBJECT TO EASEMENTS, RESTRICTIONS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD AND TAXES
FOR THE YEAR 2018 AND THEREAFTER.


WITNESS, THE HAND(S) OF SAID GRANTOR(S), THIS 11th DAY OF NOVEMBER, 2018



GLENN JOHNSON

Arizona
STATE OF UTAH)
Mohave) SS
COUNTY OF WASHINGTON)

18 2018
ON 18 DAY OF NOVEMBER, 2018, PERSONALLY APPEARED BEFORE ME, GLENN JOHNSON, THE SIGNER
OF THE WITHIN INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



NOTARY PUBLIC

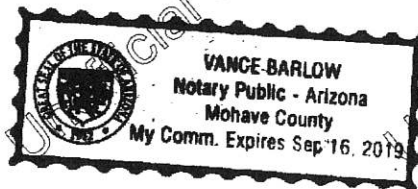


EXHIBIT "A"

PARCEL 1:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE SOUTH 00°55'54" WEST ALONG THE SECTION LINE OF SAID SECTION 1,866.76 FEET; THENCE NORTH 89°02'52" WEST 1,705.97 FEET; THENCE SOUTH 00°55'12" WEST 776.44 FEET TO THE CENTER SECTION LINE OF SAID SECTION; THENCE NORTH 89°03'14" WEST ALONG SAID CENTER SECTION LINE 556.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE HIGHWAY U-59; THENCE NORTH 57°36'38" WEST ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE 442.46 FEET TO THE CENTER SECTION LINE OF SAID SECTION; THENCE NORTH 00°55'12" EAST ALONG THE SAID CENTER SECTION LINE 2,412.49 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE SOUTH 89°02'52" EAST ALONG THE SECTION LINE 2,639.74 FEET TO THE POINT OF BEGINNING.

SITUATE IN WASHINGTON COUNTY, STATE OF UTAH.

PARCEL 2:

BEGINNING AT THE CENTER 1/16 CORNER, SAID POINT BEING SOUTH 00°55'12" WEST 1,321.65 FEET ALONG THE CENTER SECTION LINE FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 00°55'12" WEST ALONG SAID CENTER SECTION LINE 1,090.84 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE HIGHWAY U-59; THENCE NORTH 57°36'38" WEST, ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE 2,090.78 FEET TO THE NORTH 1/16 SECTION LINE OF SAID SECTION; THENCE SOUTH 89°03'34" EAST ALONG SAID NORTH 1/16 SECTION LINE 1,783.26 FEET TO THE POINT OF BEGINNING.

SITUATE IN WASHINGTON COUNTY, STATE OF UTAH.



May 21, 2024

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST
Parcel Numbers: AV-1378-N, AV-1378-R, AV-1378-S, AV-1378-P
Located: see map (on backside of this letter)

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space Transition Zone (OST) A-X Agricultural Zone (A-X) for the stated purpose of “Change to Agricultural.” The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder’s office or at the following links:

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05 Temporary Ordinance For Zone Change To A-X Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05%20Temporary%20Ordinance%20For%20Zone%20Change%20To%20A-X%20Agricultural%20Zone)

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020 A Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020%20Agricultural%20Zone)

The hearing will be held **Wednesday, June 5th at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner’s property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

Jenna Vizcardo
Jenna Vizcardo
Town Clerk



Search...

Sign in

Tools



Item 11.



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

See Fee Schedule Page 2

Item 12.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: <u>Jonathan S George</u>		Phone: <u>801-450 0371</u>	
Address: <u>PO Box 824</u>		Email: <u>junglegroove²⁰¹²@gmail.com</u>	
City: <u>Springdale</u>		State: <u>UT</u>	Zip: <u>84767</u>
Agent: (If Applicable)		Phone: <u>801-450 0371</u>	
Address/Location of Property: <u>Red Hawk Rd. E</u>		Parcel ID: <u>AV-1365-0</u>	
Existing Zone: <u>Transition</u>		Proposed Zone: <u>Agriculture X</u>	
For Planned Development Purposes: Acreage in Parcel _____		Acreage in Application <u>10</u>	
Reason for the request <u>to move forward to develop agricultural lands</u>			

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

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature 	Date <u>5-9-24</u>
-------------------------	-----------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: RECEIVED MAY 09 2024	Date Application Deemed Complete:	
By:	By:	

FEE SCHEDULE

ZONE	FEE	
<u>Commercial & Industrial</u>		
	\$1,000 plus	
		\$50 per acre for the first 100 acres
		\$30 per acre for the second 100 acres
		\$20 per acre for each acre over 200 acres
<u>Agricultural & Residential</u>		
	\$1,000 plus	
		\$40 per acre for the first 100 acres
		\$30 per acre for the second 100 acres
		\$10 per acre for each acre over 200 acres
<u>All Other Zones</u>		
	\$1,000 plus	
		\$40 per acre or portion thereof over one acre

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

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE

When approving a zone change, the following factors shall be considered by the Planning Commission and Town Council:

1. Whether the proposed amendment is consistent with the Goals, Objectives and Policies of the Town's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

PROCESS

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the Town Council for approval, approval with modifications, or denial of the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the Town Council will consider and act on the Commission's recommendation. The action of the Town Council is final. If denied, a similar application generally cannot be heard for a year.

SUBDIVISION APPROVAL PROCESS

AFFIDAVIT

PROPERTY OWNER

Item 12.

STATE OF UTAH)
)S
COUNTY OF WASHINGTON)

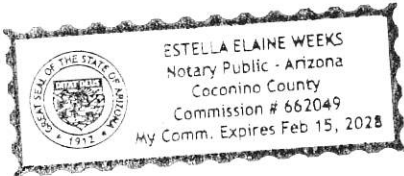
I (We) Jonathan J George, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct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

[Handwritten signature]
Property Owner

Property Owner

Subscribed and sworn to me this 9th day of May, 2024.

[Handwritten signature: Estella Elaine Weeks]
Notary Public



Residing in: Cocanino County

My Commission Expires: Feb 15, 2028

AGENT AUTHORIZATION

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

Property Owner

Property Owner

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

Notary Public

Residing in: _____

My Commission Expires: _____

DOC # 20240012822

Quit Claim Deed Page 1 of 3
Gary Christensen, Washington County Recorder
04/25/2024 03:59:58 PM Fee \$ 40.00
By GEORGE JONATHAN



When recorded mail deed and tax notice to:
Jonathan George
PO Box 824
Springdale, Utah 84767

Tax I.D. No.: AV-1365-N / AV-1365-O

QUIT-CLAIM DEED

Todd Chamberlain and John Carl Izaak McHenry, grantor(s), hereby

QUIT-CLAIMS to

Jonathan George, grantee(s) of Apple Valley, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract in Iron County, State of UTAH:

See Exhibit "A" attached hereto and made a part hereof.

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

WITNESS the hand(s) of said grantor(s), this 15th day of April, 2024.

Todd Chamberlain

John Carl Izaak McHenry

Ohio
State of ~~Utah~~)
Scioto) : ss
County of ~~Washington~~)

On the 15th day of April, 2024, personally appeared before me Todd Chamberlain, the signer(s) of the above agreement who duly acknowledge to me that he executed the same.

STATE OF UTAH
COUNTY OF: IRON
ON THE 23rd DAY OF April 2024
PERSONALLY APPEARED BEFORE ME

SIGNER(S) OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME

JOHN A. MCHENRY
ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
O.R.C. SECTION 147.03

NOTARY PUBLIC
Joshua Lavern Hunt
733943
My Commission Expires
10/31/2027
STATE OF UTAH

NOTARY PUBLIC

Exhibit "A"

September 9, 2022

Legal Descriptions
prepared for Jonny George

The north half of parcel AV-1365-O, being more particularly described as follows:

Beginning at a point which lies South 89°55'35" East 2306.25 feet along the center section line from the west quarter corner of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 89°55'35" East 330.45 feet along said line to the center of section; thence South 0°05'42" West 659.45 feet long the center section line; thence North 89°55'22" West 330.45 feet; thence North 0°05'42" East 659.44 feet to the point of beginning. Contains 5.00 acres.

Subject to a public roadway easement per agreement dated March 5th, 2008, (affects the north 50 feet of said parcel).

Together with and subject to the following easement for ingress, egress, utilities and drainage:

Beginning at a point which lies South 0°05'42" West 50.00 feet along the center section line from the center of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 0°05'42" West 621.59 feet along said center section line; thence North 89°55'22" West 282.04 feet to a point on a non-tangent curve, the radius point of which bears North 75°26'43" West 50.00 feet distant; thence southwesterly, northwesterly, northeasterly and southeasterly along the arc of said curve through a central angle of 331°02'42", a distance of 288.89 feet; thence South 89°55'22" East 257.04 feet; thence North 0°05'42" East 596.95 feet to a point on the southerly right of way of a public roadway; thence South 89°55'35" East 25.00 feet along said line to the point of beginning.

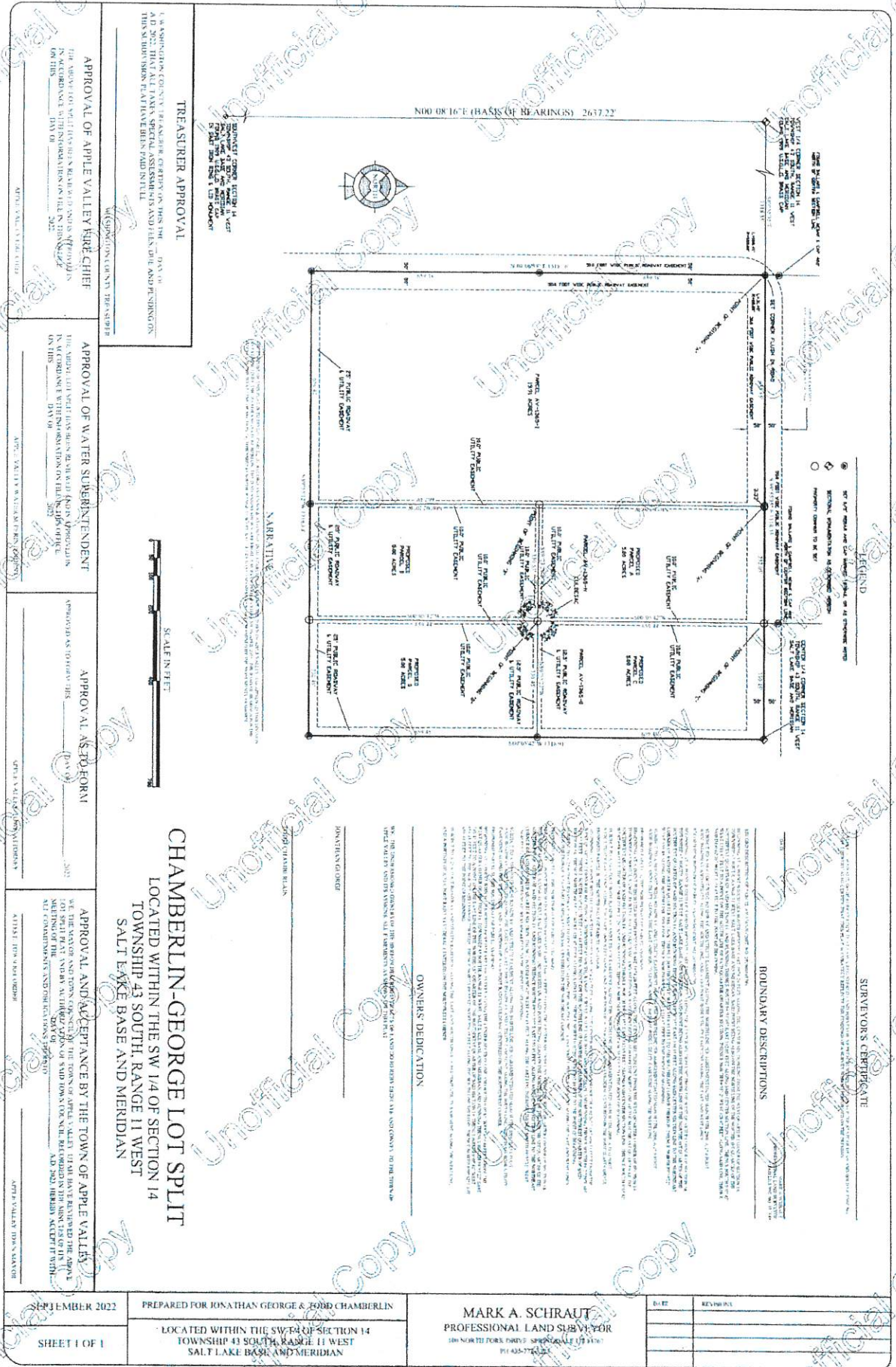
The south half of parcel AV-1365-O, being more particularly described as follows:

Beginning at a point which lies South 89°55'35" East 2306.25 feet along the center section line and South 0°05'42" East 659.44 feet from the west quarter corner of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 89°55'22" East 330.45 feet; thence South 0°05'42" West 659.45 feet to a point on the south line of the northeast quarter of the southwest quarter of said section 14; thence North 89°55'12" West 330.45 feet along said line; thence North 0°05'42" East 659.44 feet to the point of beginning. Contains 5.00 acres.

Together with and subject to the following easement for ingress, egress, utilities and drainage:

Beginning at a point which lies South 0°05'42" West 50.00 feet along the center section line from the center of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 0°05'42" West 621.59 feet along said center section line; thence North 89°55'22" West 282.04 feet to a point on a non-tangent curve, the radius point of which bears North 75°26'43" West 50.00 feet distant; thence southwesterly, northwesterly, northeasterly and southeasterly along the arc of said curve through a central angle of 331°02'42", a distance of 288.89 feet; thence South 89°55'22" East 257.04 feet; thence North 0°05'42" East 596.95 feet to a point on the southerly right of way of a public roadway; thence South 89°55'35" East 25.00 feet along said line to the point of beginning.

Prepared by Mark A. Schraut, PLS 187849



TREASURER APPROVAL
 I, AS TREASURER OF WASHINGTON COUNTY, BEARING CERTIFY ON THIS DATE THAT ALL TAXES SPECIAL ASSESSMENTS AND FEES DUE AND PAYABLE TO THIS SAID JURISDICTION HAVE BEEN PAID IN FULL.

APPROVAL OF APPLE VALLEY WARD CHIEF
 THE ABOVE LOT SPLIT MEETS ALL REQUIREMENTS OF THE APPLE VALLEY WARD CHIEF WITH NO OBJECTIONS ON THE PART OF THE WARD CHIEF.

APPROVAL OF WATER SUPERINTENDENT
 THE ABOVE LOT SPLIT MEETS ALL REQUIREMENTS OF THE WATER SUPERINTENDENT WITH NO OBJECTIONS ON THE PART OF THE WATER SUPERINTENDENT.

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS DATE BY THE CLERK OF THE BOARD OF SUPERVISORS.

APPROVAL AND ACCEPTANCE BY THE TOWN OF APPLE VALLEY
 WE THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY DO HEREBY ACCEPT AND APPROVE THE ABOVE LOT SPLIT AND THE SUBDIVISION THEREOF AND WE HEREBY ACCEPT THE MAP AND PLAN THEREON AND WE HEREBY ACCEPT THE MAP AND PLAN THEREON.

CHAMBERLIN-GEORGE LOT SPLIT
 LOCATED WITHIN THE SW 1/4 OF SECTION 14
 TOWNSHIP 43 SOUTH, RANGE 11 WEST
 SALT LAKE BASE AND MERIDIAN

NARRATIVE
 THIS SURVEY WAS CONDUCTED BY ME AND MY ASSISTANTS ON THE DATE INDICATED ABOVE. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE PROFESSIONAL LAND SURVEYOR ACT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE PROFESSIONAL LAND SURVEYOR ACT.

OWNERS' DEDICATION
 WE, THE UNDERSIGNED, DONORS OF THE ABOVE DESCRIBED TRACTS OF LAND DO HEREBY DEDICATE TO THE PUBLIC THE TRACTS OF LAND DESCRIBED ABOVE FOR THE PURPOSES OF THE TRACTS OF LAND DESCRIBED ABOVE.

BOUNDARY DESCRIPTIONS
 THE BOUNDARY DESCRIPTIONS OF THE TRACTS OF LAND DESCRIBED ABOVE ARE AS FOLLOWS: [Detailed description of boundary lines, bearings, and distances for each parcel.]

SURVEYOR'S CERTIFICATE
 I, THE UNDERSIGNED, A PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF WASHINGTON AND THAT I HAVE PERSONALLY CONDUCTED THE SURVEY DESCRIBED ABOVE AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE PROFESSIONAL LAND SURVEYOR ACT.

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS DATE BY THE CLERK OF THE BOARD OF SUPERVISORS.

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS DATE BY THE CLERK OF THE BOARD OF SUPERVISORS.

SEPTEMBER 2022
 SHEET 1 OF 1

PREPARED FOR JONATHAN GEORGE & TODD CHAMBERLIN
 LOCATED WITHIN THE SW 1/4 OF SECTION 14
 TOWNSHIP 43 SOUTH, RANGE 11 WEST
 SALT LAKE BASE AND MERIDIAN

MARK A. SCHRAUT
 PROFESSIONAL LAND SURVEYOR
 100 NORTH FORK FORTY STREET, SUITE 101
 P.O. BOX 77222

DATE	REVISION

access in a manner that will minimize the hazard of traffic leaving and entering roadways.

E. Manufacturing Zone:

The objective in establishing the M-1 zone is to provide space for warehousing, light manufacturing, fabrication, wholesaling, services and other similar commercial establishments which are combined with manufacturing or warehousing uses, and to locate these establishments in a location compatible with one another, and where they are convenient to the other commercial and industrial zones in the county.

F. Industrial Zone:

The objective in establishing the I-1 zone is to provide space for various types of land uses whose effects, both secondary and direct, are not compatible with uses found in other zones in the county.

G. Open Space Conservation Zone:

The purpose of this zone is to permit the use of open space land within the county for uses compatible with the protection of the natural and scenic resources of the county for the benefit of present and future generations.

H. Open Space Transition Zone:

The purpose of this zone is to provide for the protection of primarily undeveloped private land.



Apple Valley Zoning Districts Viewer

Search Account #: Parcel ID

(1 of 2)

Address Information:
 Account ID: 1034272
 Address:
 Subdivision:
 Zoom 15

Legend

Washington County Parcels

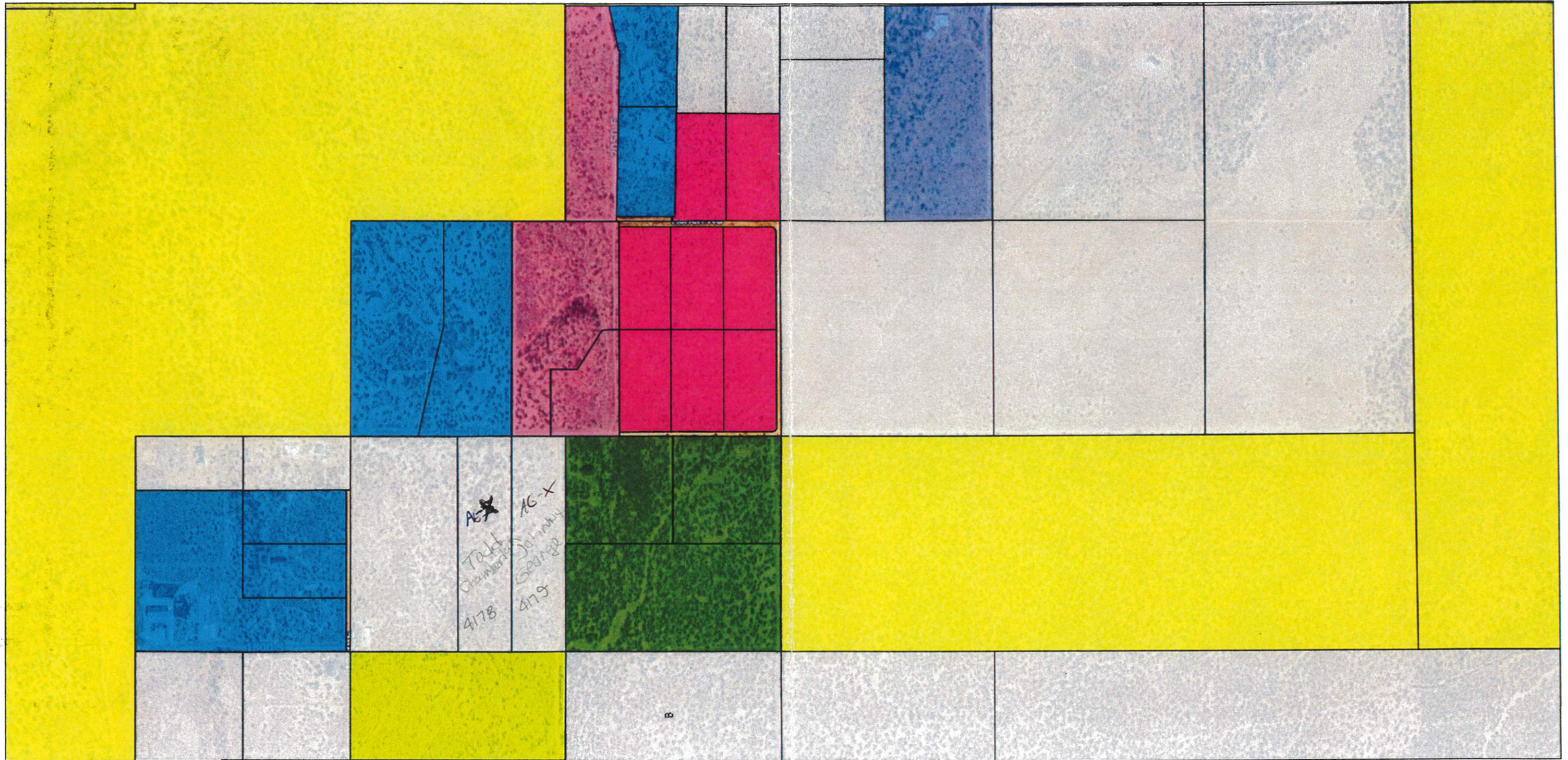
Apple Valley Zoning Viewer

Town Boundary

Zoning Districts

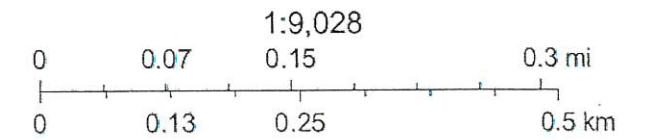
- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > 1.5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTR - Churches or Trolley Home Parks Zone
- INST - Institutional
- MH - Manufacture Housing Park
- OSC - Open Space Conservation
- Ost - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV/Park - Recreational Vehicle Park

Apple Valley Zoning Districts



3/7/2024, 2:07:38 PM

- | | | |
|------------------------------|-------------------------------|-------------------------|
| Washington County Parcels | OSC – Open Space Conservation | RE-5 – Rural Estate 5 |
| Future Annexation Boundary | OST – Open Space Transition | RE-10 – Rural Estate 10 |
| Zoning Districts | | |
| A-5 - Agricultural > 5 Acres | RE-1 – Rural Estate 1 | RE-20 – Rural Estate 20 |
| PD – Planned Development | Town Boundry | |





May 21, 2024

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST
Parcel Numbers: AV-1365-O
Located: see map (on backside of this letter)

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space Transition Zone (OST) A-X Agricultural Zone (A-X) for the stated purpose of “Change to Agricultural.” The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder’s office or at the following links:

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05 Temporary Ordinance For Zone Change To A-X Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05%20Temporary%20Ordinance%20For%20Zone%20Change%20To%20A-X%20Agricultural%20Zone)

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020 A Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020%20Agricultural%20Zone)

The hearing will be held **Wednesday, June 5th at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner’s property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

Jenna Vizcardo
Town Clerk



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

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Hirschi Big Plain Ranch Irrevocable Trust		Phone: (435) 773-5781	
Address: 209 W 300 S		Email: loghirschi@aol.com	
City: Hurricane		State: Utah	Zip: 84737
Agent: (If Applicable)		Phone:	
Address/Location of Property: Apple Valley		Parcel ID: <small>AV-1367-A, AV-1370-A, AV-1371-A, AV-1368, AV-1356-A-1, AV-1360, AV-1357, AV-1356-B, AV-1359, AV-1349, AV-1348-B</small>	
Existing Zone: OST/RE-1		Proposed Zone: A-X	
For Planned Development Purposes: Acreage in Parcel _____ Acreage in Application ⁹¹⁵ _____			
Reason for the request Switch to AG			

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

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature 	Date 5/14/24
-------------------------	------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: RECEIVED MAY 14 2024	Date Application Deemed Complete:	
By:	By:	



Search...

Sign in

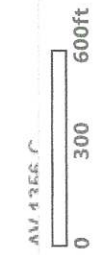
Tools



Item 13.

AV-1360

AV-1356-A-1



emap...



Search...

Sign in



Item 13.

1/1

SUBDIVISION APPROVAL PROCESS

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
)S
COUNTY OF WASHINGTON)

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

[Signature]
Property Owner

N/A
Property Owner

Subscribed and sworn to me this 14 day of May, 2024.



[Signature]
Notary Public

Residing in: Hurricane UT

My Commission Expires: 07/30/2025

AGENT AUTHORIZATION

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

Property Owner

Property Owner

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

Notary Public

Residing in: _____

My Commission Expires: _____

SUBDIVISION APPROVAL PROCESS

AFFIDAVIT

PROPERTY OWNER

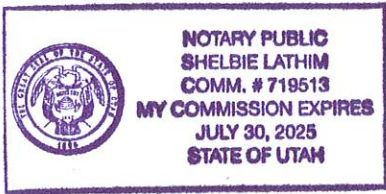
STATE OF UTAH)
)S
COUNTY OF WASHINGTON)

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

[Signature]
Property Owner

N/A
Property Owner

Subscribed and sworn to me this 14 day of May, 20 24.



[Signature]
Notary Public

Residing in: Hurricane Utah

My Commission Expires: 07/30/2025

AGENT AUTHORIZATION

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

Property Owner

Property Owner

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

Notary Public

Residing in: _____

My Commission Expires: _____

SUBDIVISION APPROVAL PROCESS

AFFIDAVIT
PROPERTY OWNER

Item 13.

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

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

[Signature]
Property Owner

N/A
Property Owner

Subscribed and sworn to me this 14 day of May, 20 24.



[Signature]
Notary Public

Residing in: Hurricane UT

My Commission Expires: 07/30/2025

AGENT AUTHORIZATION

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

Property Owner

Property Owner

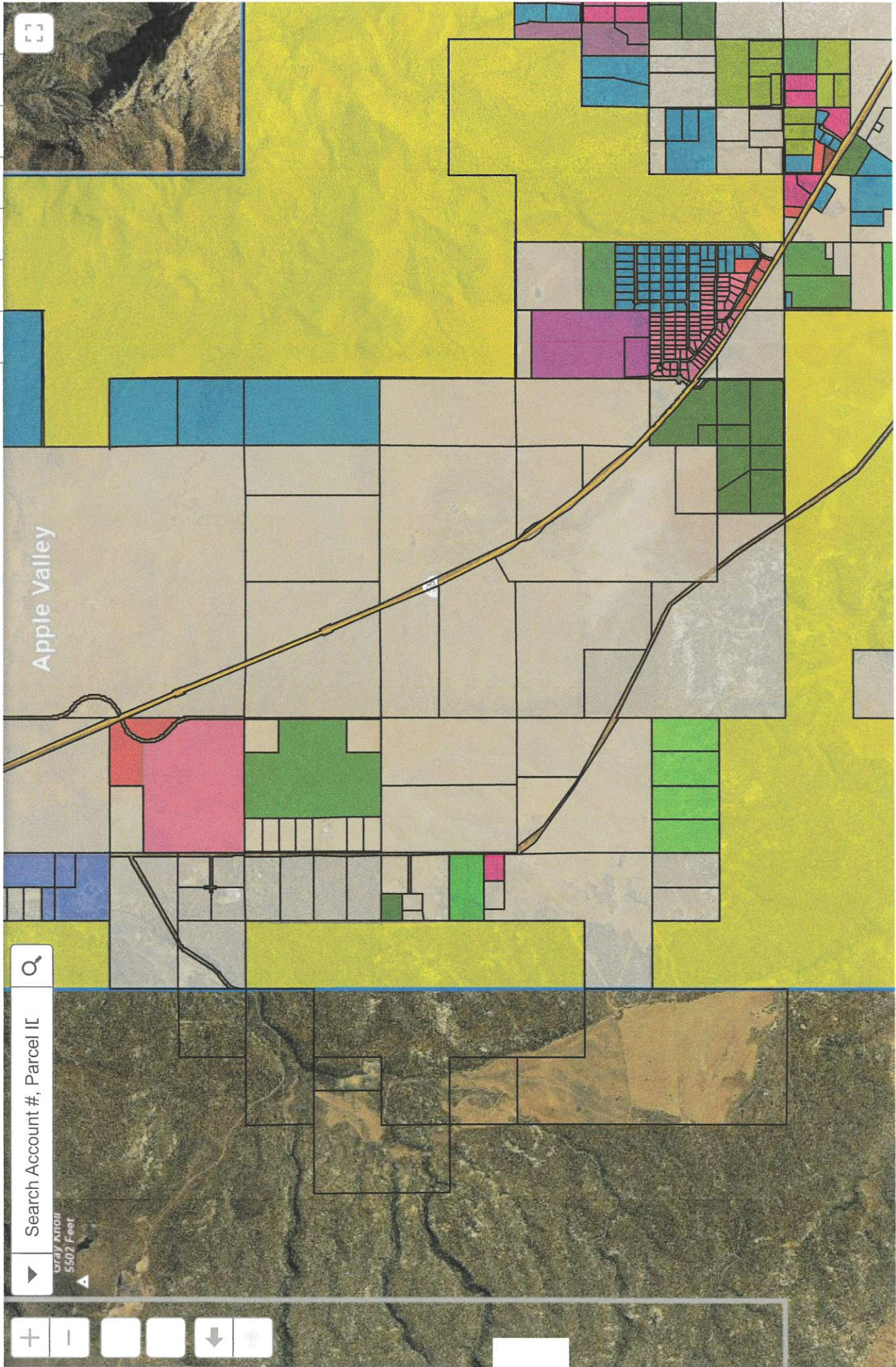
Subscribed and sworn to me this _____ day of _____, 20_____.

Notary Public

Residing in: _____

My Commission Expires: _____

Apple Valley Zoning Districts Viewer



Search Account #, Parcel ID

0.6km
0.4mi

Apple Valley

Item 13.

Warranty Deed Page 1 of 4

Gary Christensen Washington County Recorder
05/17/2021 12:10:55 PM Fee \$54.00 By: DENTONS
DURHAM JONES PINEGAR - ST. GEORGE

WHEN RECORDED, MAIL TO:

Lyle R. Drake
Durham Jones & Pinegar, P.C.
192 E. 200 N., 3rd Floor
St. George, Utah 84770

GRANTEE'S ADDRESS IS:

Richard William Hirschi
209 W 300 S
Hurricane, UT 84737

WARRANTY DEED

J. Waldo Hirschi and Sybil Hirschi, Grantors, hereby **CONVEY AND WARRANT** to **Richard William Hirschi, Sara Elaine Hirschi, Douglas L. Hirschi, and Janice M. Hirschi, Trustees of the Hirschi Big Plain Ranch Irrevocable Trust** under agreement dated **March 12, 2021**, Grantee, as a gift and for no consideration, the following described tracts of land in Washington County, State of Utah:

Tax Parcel # AV-1356-A-1; AV-1356-B; AV-1357; AV-1360; AV-1367-A; AV-1368; AV-1370-A; and AV-1371-A

See attached Exhibit A for complete legal descriptions.

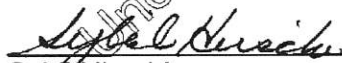
TOGETHER WITH all improvements, water rights, and appurtenances thereto.

SUBJECT TO easements, restrictions, rights of way, and reservations of record or enforceable in law or equity.

WITNESS the hand of grantors, this 12th day of March, 2021.



J. Waldo Hirschi



Sybil Hirschi

STATE OF UTAH

COUNTY OF WASHINGTON

On this 12th day of March, 2021, before me personally appeared J. Waldo Hirschi and Sybil Hirschi, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are signed on the preceding Warranty Deed, and acknowledged before me that they signed it voluntarily for its stated purpose.

Shanan Arslanian

NOTARY PUBLIC



Schedule A**Tax Parcel # AV-1356-A-1**

S: 9 T: 43S R: 11W S1/2 SEC 9 T43S R11W. LESS: LAND IN HWY. LESS: BEG W1/4 COR SEC 9 TH N 89°54'17E ALG 1/4 SEC/L 2048.08 FT TO W R/W LN HWY U-59; TH ALG R/W S 22°35'51 E 579.43FT TO PT CURV NON TNGT CUR CNCV NE HAV RAD 14711.06 FT CTRL ANG 02°35'12 CHD 664.09 FT BEAR S 24°0'20 E; TH SEC/L ALG CUR 664.15 FT; TH S 89°54'17 W 2538.70 FT TO SEC/L; TH N 0°06'37 W ALG SEC/L 1142.41 FT TO POB

Tax Parcel # AV-1356-B

The S 1/2 of the NE 1/4; and beginning at a point 60 rods W of the NE corner of Section 9 and running thence South 160 rods; thence West 20 rods; thence North 160 rods; thence East 20 rods to the point of beginning, all in Section 9, Township 43 South, Range 11 West, Salt Lake Base and Meridian, Utah. Containing 100 acres more or less. Together with water appurtenances, improvements, contents belonging thereto, plus 14 shares Hurricane Canal Co. water.

Tax Parcel # AV-1357

All of the East 60 Acres of the NE 1/4 of Section 9, Township 43 South, Range 11 West, Salt Lake Base and Meridian. Containing 60 acres.

Tax Parcel # AV-1360

The W 1/2 of the SW 1/4 of Section 10, Township 43 South, Range 11 West, Salt Lake Base and Meridian, Utah. Containing 80 acres more or less.

Tax Parcel # AV-1367-A

The W 1/2 of the NW 1/4 of Section 15, Township 43 South, Range 11 West, Salt Lake Base and Meridian. Containing 80 acres more or less.

Tax Parcel # AV-1368

The E 1/2 of the NW 1/4 ; NW 1/4 of the NW 1/4 of Section 16, Township 43 South, Range 11 West, Salt Lake Base and Meridian, Utah. Containing 120 acres more or less.

Tax Parcel # AV-1370-A

The W 1/2 of the NE 1/4, SE 1/4 of the NE 1/4; the NW 1/4 of the SE 1/4 and the North 15 acres of the NE 1/4 of the SE 1/4 of Section 16, Township 43 South, Range 11 West, Salt Lake Base and Meridian, Utah. Containing 175 acres more or less. Less: Land in Highway.

Tax Parcel # AV-1371-A

The NE 1/4 of the NE 1/4 of Section 16, Township 43 South, Range 11 West, Salt Lake Base and Meridian, Utah. Containing 40 acres more or less. Less: Land in Highway..

Mail tax notice to:

When recorded mail to:

MICHAEL AND KARALE FARRAR
900 MOUNTAIN DRIVE
APPLE VALLEY, UT 84737

Item 13.

DOC # 20230023643

Quit Claim Deed Page 1 of 3
Gary Chris Owen Washington County Recorder
08/08/2023 09:54:24 AM Fee \$ 40.00
By FARRAR-BRADLEY



TAX ID No. AV-1348-B, AV-1349 & AV-1359

QUIT-CLAIM DEED

THE MICHAEL AND KARALE FARRAR FAMILY TRUST DATED SEPTEMBER 27, 2019, MICHAEL LEE FARRAR AND KARALE ROBYN FARRAR, as Trustees, of Apple Valley, County of Washington, State of Utah, Grantor(s).

Hereby **QUIT CLAIMS** to:

RICHARD WILLIAM HIRSCHI, DOUGLAS I. HIRSCHI, AND JANICE M. HIRSCHI, TRUSTEES OF THE HIRSCHI BIG PLAIN RANCH, IRREVOCABLE TRUST UNDER AGREEMENT DATED MARCH 12, 2021, of Hurricane City, County of Washington, State of Utah, Grantee(s).

For the sum of **TEN AND NO/100** (and other good and valuable considerations) **DOLLARS** the following described tract of land, located in Washington County, State of Utah.

PARCELS AV-1348-B, AV-1349 & AV-1359:

See Attached Exhibit "A, B & C"

*****Please Note***** The purpose of this deed is to adjust the lot line between parcels AV-1348-B, AV-1349 & AV-1359.

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2023 taxes and thereafter.

WITNESS the hand of said Grantors this the 8 day of August, 2023.

THE MICHAEL AND KARALE FARRAR FAMILY TRUST DATED SEPTEMBER 27, 2019, MICHAEL LEE FARRAR AND KARALE ROBYN FARRAR, as Trustees, and signers of both parcels of land:

BY: [Signature] TRUSTEE
Michael Lee Farrar, Trustee

BY: [Signature] Trustee
Karale Robyn Farrar, Trustee

OWNER ACKNOWLEDGEMENT

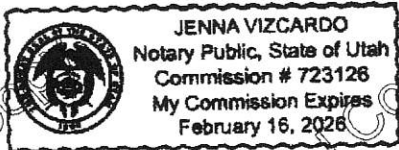
STATE OF UTAH)
) : ss.
COUNTY OF WASHINGTON)

On the 8 day of August, 2023 personally appeared before me, the undersigned notary public in and for said State and County,

Jenna Vizcardo, personally appeared THE MICHAEL AND KARALE FARRAR FAMILY TRUST DATED SEPTEMBER 27, 2019, MICHAEL LEE FARRAR AND KARALE ROBYN FARRAR, as Trustees, being the signer(s) of the instrument herein and who duly acknowledged to me that he/she/they executed the same.

BY: [Signature]
Notary Public in and for the State of UT

Residing at Apple Valley, UT
My commission expires 2/16/26.





May 21, 2024

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST
Parcel Numbers: AV-1367-A, AV-1370-A, AV-1371-A, AV-1368, AV-1356-A-1, AV-1360, AV-1357,
AV-1356-B, AV-1359, AV-1349, AV-1348-B
Located: see map (on backside of this letter)

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space Transition Zone (OST) A-X Agricultural Zone (A-X) for the stated purpose of “Change to Agricultural.” The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder’s office or at the following links:

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05 Temporary Ordinance For Zone Change To A-X Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05_Temporary_Ordinance_For_Zone_Change_To_A-X_Agricultural_Zone)

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020 Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020_Agricultural_Zone)

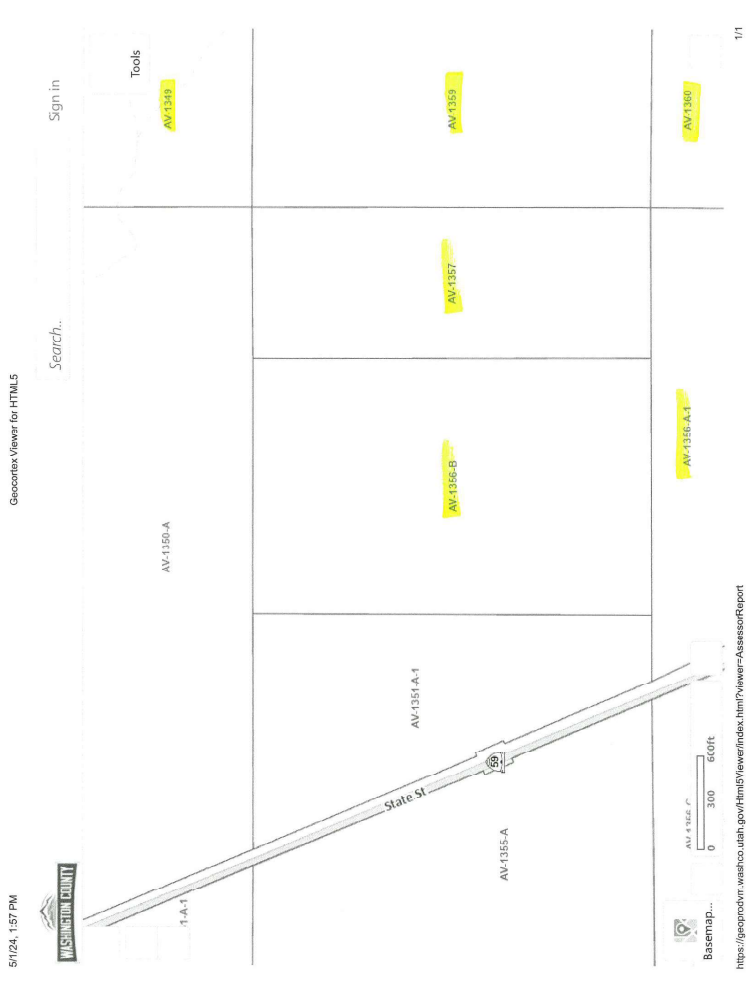
The hearing will be held **Wednesday, June 5th at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner’s property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

Jenna Vizcardo

Jenna Vizcardo
Town Clerk



Item 13.



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

See Fee Schedule Page 2

Zone Change Application
Applications Must Be Submitted By The First Wednesday Of The Month
Owner: John Carl Izaak McHenry/Todd A Chamberlin
Address: 49 S 200 W
City: Panguitch 84759
State: UT
Zip: 84759
Parcel ID: AV-1365-N / AG-X
Existing Zone: Open Space Transition
Proposed Zone: Agricultural
Reason for the request: Rezone to agricultural for residential dwelling, crop production, gardening and farm buildings and uses.

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

- A. The name and address of owners in addition to above owner.
B. An accurate property map showing the existing and proposed zoning classifications
C. All abutting properties showing present zoning classifications
D. An accurate legal description of the property to be rezoned
E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature [Signature] Date 1/3/2023

Official Use Only
Amount Paid: \$ N/A
Receipt No: N/A
Date Received: RECEIVED MAY 09 2024
Date Application Deemed Complete:
By: [Signature]

FEE SCHEDULE

ZONE	FEE	
<u>Commercial & Industrial</u>		
	\$1,000 plus	
		\$50 per acre for the first 100 acres
		\$30 per acre for the second 100 acres
		\$20 per acre for each acre over 200 acres
<u>Agricultural & Residential</u>		
	\$1,000 plus	
		\$40 per acre for the first 100 acres
		\$30 per acre for the second 100 acres
		\$10 per acre for each acre over 200 acres
<u>All Other Zones</u>		
	\$1,000 plus	
		\$40 per acre or portion thereof over one acre

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

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE

When approving a zone change, the following factors shall be considered by the Planning Commission and Town Council:

1. Whether the proposed amendment is consistent with the Goals, Objectives and Policies of the Town's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

PROCESS

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the Town Council for approval, approval with modifications, or denial of the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the Town Council will consider and act on the Commission's recommendation. The action of the Town Council is final. If denied, a similar application generally cannot be heard for a year.

SUBDIVISION APPROVAL PROCESS

AFFIDAVIT

PROPERTY OWNER

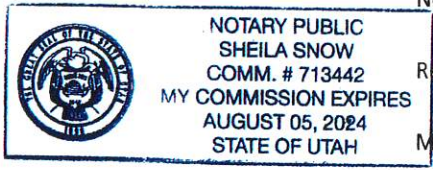
STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

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

[Signature]
Property Owner
[Signature]
Property Owner

Subscribed and sworn to me this 3 day of January, 2024.

Sheila Snow
Notary Public



Residing in: Laverkin, Utah
My Commission Expires: 8/5/24

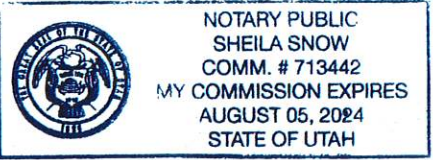
AGENT AUTHORIZATION
~~JOHN CARL IZAAK McHENRY TODD A. CHAMBERLIN~~

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

[Signature]
Property Owner
[Signature]
Property Owner

Subscribed and sworn to me this 3 day of January, 2024.

Sheila Snow
Notary Public



Residing in: Laverkin, UT.
My Commission Expires: 8/5/24

Apple Valley Zoning Districts Viewer

access in a manner that will minimize the hazard of traffic leaving and entering roadways.

E. Manufacturing Zone:

The objective in establishing the M-1 zone is to provide space for warehousing, light manufacturing, fabrication, wholesaling, service, and other similar commercial establishments which are combined with manufacturing or warehousing uses, and to locate these establishments in a location compatible with one another, and where they are convenient to the other commercial and industrial zones in the county.

F. Industrial Zone:

The objective in establishing the I-1 zone is to provide space for various uses of land uses whose effects, both secondary and direct, are not compatible with uses found in other zones in the county.

G. Open Space Conservation Zone:

The purpose of this zone is to permit the use of open space land within the county for uses compatible with the protection of the natural and scenic resources of the county for the benefit of present and future generations.

H. Open Space Transition Zone:

The purpose of this zone is to provide for the protection of primarily undeveloped private land.



Parcel ID#



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

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, John Carl Izaak McHenry/Todd Andrew Chamberlin am/are the applicant(s) of the application known as AV-1365-N Rezone located on parcel(s) AV-1365-N within the Town of Apple Valley, Washington County, Utah.

By my/our signatures(s) below, I/we do hereby acknowledge and agree to the following:

1. Approval of a development application by the Town does not guarantee that sufficient water will be available to serve the zone, project, subdivision, or development for which this application is being submitted; and
2. Prior to receiving approval for the application, the applicant shall be required by the Town of Apple Valley to provide a Preliminary Water Service letter from the Big Plains Water Special Service District ("District") which verifies the conditions required to provide services to the project, subdivision or development; and
3. The applicant assumes the entire risk of water availability for the project, subdivision or development and/or application.

Signature(s):

John Carl Izaak McHenry/Todd Andrew Chamberlin

Name

John Carl Izaak McHenry

Name

Todd Andrew Chamberlin

Name

Applicant/Owner

1/3/2024
Date

Applicant/Owner

1/3/2024
Date

Applicant/Owner

1/3/2024
Date

State of Utah)

County of Washington)§

On this 3 day of January, in the year 2024, before me, Sheila Snow a notary public, personally appeared John Carl Izaak McHenry Todd Andrew Chamberlin proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal. Sheila Snow
(notary signature)

(seal)

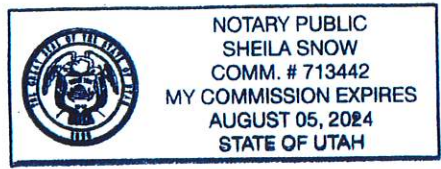


Exhibit "A"

September 9, 2022

Legal Descriptions
prepared for Todd Chamberlain

The north half of parcel AV-1365-N, being more particularly described as follows:

Beginning at a point which lies South 89°55'35" East 1974.20 feet along the center section line from the west quarter corner of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 89°55'35" East 332.05 feet along said center section line; thence South 0°05'42" West 659.44 feet; thence North 89°23'29" West 330.53 feet; thence North 0°02'20" West 656.35 feet to the point of beginning. Contains 5.00 acres.

Subject to a public roadway easement per agreement dated March 5th, 2008, (affects the north 50 feet of said parcel).

Together with and subject to the following easement for ingress, egress, utilities and drainage:

Beginning at a point which lies South 0°05'42" West 50.00 feet along the center section line from the center of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 0°05'42" West 621.59 feet along said center section line; thence North 89°55'22" West 282.04 feet to a point on a non-tangent curve, the radius point of which bears North 75°26'43" West 50.00 feet distant; thence southwesterly, northwesterly, northeasterly and southeasterly along the arc of said curve through a central angle of 331°02'42", a distance of 288.89 feet; thence South 89°55'22" East

257.04 feet; thence North 0°05'42" East 596.95 feet to a point on the southerly right of way of a public roadway; thence South 89°55'35" East 25.00 feet along said line to the point of beginning.

The south half of parcel AV-1365-N, being more particularly described as follows:

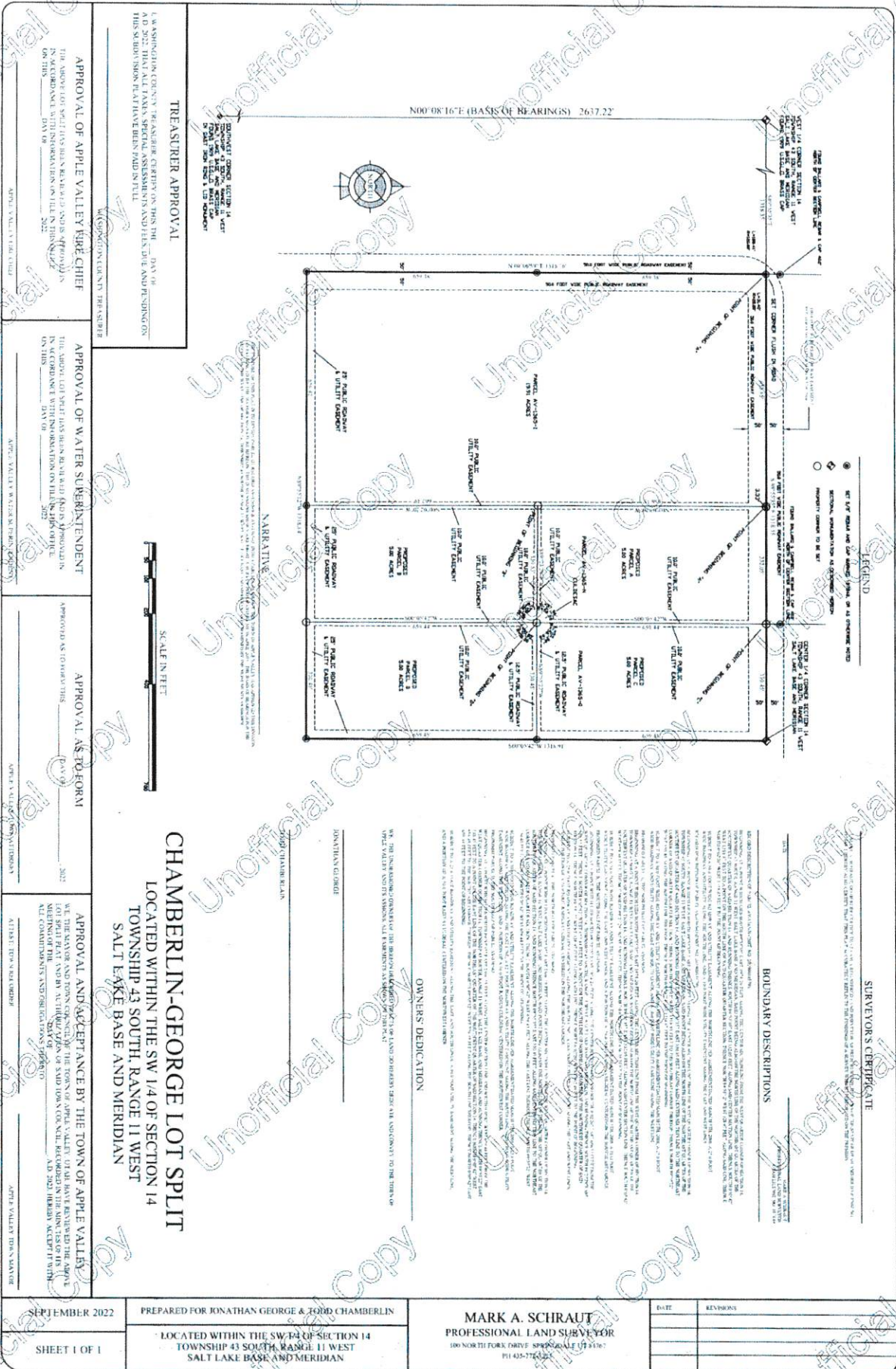
Beginning at a point which lies South 89°55'35" East 1974.20 feet along the center section line and South 0°02'20" East 656.35 feet from the west quarter corner of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 89°23'29" East 330.53 feet; thence South 0°05'42" West 659.44 feet to a point on the south line of the northeast quarter of the southwest quarter of said section 14; thence North 89°55'12" West 328.97 feet along said line; thence North 0°02'20" West 662.49 feet to the point of beginning. Contains 5.00 acres.

Together with and subject to the following easement for ingress, egress, utilities and drainage:

Beginning at a point which lies South 0°05'42" West 50.00 feet along the center section line from the center of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 0°05'42" West 621.59 feet along said center section line; thence North 89°55'22" West 282.04 feet to a point on a non-tangent curve, the radius point of which bears North 75°26'43" West 50.00 feet distant; thence southwesterly, northwesterly, northeasterly and southeasterly along the arc of said curve through a central angle of 331°02'42", a distance of 288.89 feet; thence South 89°55'22" East

257.04 feet; thence North 0°05'42" East 596.95 feet to a point on the southerly right of way of a public roadway; thence South 89°55'35" East 25.00 feet along said line to the point of beginning.

Prepared by Mark A. Schraut, PLS 187849



TREASURER APPROVAL

I, A MEMBER OF THE TOWN OF APPLE VALLEY, HEREBY CERTIFY THAT THE ABOVE DESCRIBED SPLIT HAS BEEN RECORDED IN ACCORDANCE WITH THE SPLIT ACT AND THAT THE SPLIT DOCUMENT HAS BEEN FILED IN FULL.

APPROVED BY: _____
 DATE: _____

APPROVAL OF APPLE VALLEY FIRE CHIEF

THE ABOVE DESCRIBED SPLIT HAS BEEN RECORDED IN ACCORDANCE WITH THE SPLIT ACT AND THAT THE SPLIT DOCUMENT HAS BEEN FILED IN FULL.

APPROVED BY: _____
 DATE: _____

APPROVAL OF WATER SUPERINTENDENT

THE ABOVE DESCRIBED SPLIT HAS BEEN RECORDED IN ACCORDANCE WITH THE SPLIT ACT AND THAT THE SPLIT DOCUMENT HAS BEEN FILED IN FULL.

APPROVED BY: _____
 DATE: _____

APPROVAL AS TO FORAM

THE ABOVE DESCRIBED SPLIT HAS BEEN RECORDED IN ACCORDANCE WITH THE SPLIT ACT AND THAT THE SPLIT DOCUMENT HAS BEEN FILED IN FULL.

APPROVED BY: _____
 DATE: _____

APPROVAL AND ACCEPTANCE BY THE TOWN OF APPLE VALLEY

WE, THE TOWN OF APPLE VALLEY, HEREBY ACCEPT AND APPROVE THE ABOVE DESCRIBED SPLIT AND THE SPLIT DOCUMENT HAS BEEN FILED IN FULL.

APPROVED BY: _____
 DATE: _____

NARRATIVE

THE ABOVE DESCRIBED SPLIT HAS BEEN RECORDED IN ACCORDANCE WITH THE SPLIT ACT AND THAT THE SPLIT DOCUMENT HAS BEEN FILED IN FULL.

OWNERS' DEDICATION

WE, THE UNDERSIGNED, HEREBY DEDICATE TO THE TOWN OF APPLE VALLEY THE ABOVE DESCRIBED UTILITY EASEMENTS FOR THE USE OF THE TOWN OF APPLE VALLEY.

JONATHAN GEORGE
 JORD CHAMBERLIN

CHAMBERLIN-GEORGE LOT SPLIT
 LOCATED WITHIN THE SW 1/4 OF SECTION 14
 TOWNSHIP 43 SOUTH, RANGE 11 WEST
 SALT LAKE BASE AND MERIDIAN

BOUNDARY DESCRIPTIONS

SECTION 14, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN.

PREPARED FOR JONATHAN GEORGE & JORD CHAMBERLIN

LOCATED WITHIN THE SW 1/4 OF SECTION 14
 TOWNSHIP 43 SOUTH, RANGE 11 WEST
 SALT LAKE BASE AND MERIDIAN

MARK A. SCHRAUT
 PROFESSIONAL LAND SURVEYOR
 100 NORTH FORK DRIVE SPOKANE WA 83402
 PH 409-776-2222

DATE	REVISIONS

DOC # 20240012822

Quit Claim Deed Page 1 of 3
Gary Christensen Washington County Recorder
04/25/2024 03:59:58 PM Fee \$ 40.00
By GEORGE JONATHAN



When recorded mail deed and tax notice to:
Jonathan George
PO Box 824
Springdale, Utah 84767

Tax I.D. No.: AV-1365-N / AV-1365-O

QUIT-CLAIM DEED

Todd Chamberlain and John Carl Izaak McHenry, grantor(s), hereby

QUIT-CLAIMS to

Jonathan George, grantee(s) of Apple Valley, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract in Iron County, State of UTAH:

See Exhibit "A" attached hereto and made a part hereof.

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

WITNESS the hand(s) of said grantor(s), this 15th day of April, 2024.

Todd Chamberlain

John Carl Izaak McHenry

Ohio
State of ~~Utah~~)
Scioto : ss
County of ~~Washington~~)

On the 15th day of April, 2024, personally appeared before me Todd Chamberlain, the signer(s) of the above agreement who duly acknowledge to me that he executed the same.

STATE OF UTAH
COUNTY OF: IRON
ON THE 23rd DAY OF April 2024
PERSONALLY APPEARED BEFORE ME
John Carl Izaak McHenry SIGNER(S) OF THE ABOVE
INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT
HE/SHE/THEY EXECUTED THE SAME

NOTARY PUBLIC

NOTARY PUBLIC
Joshua Lavern Hunt
733943
My Commission Expires
10/31/2027
STATE OF UTAH

JOHN A. MCHENRY
ATTORNEY AT LAW
Notary Public
STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
O.P.C. SECTION 147.03

Exhibit "A"

September 9, 2022

Legal Descriptions
prepared for Jonny George

The north half of parcel AV-1365-O, being more particularly described as follows:

Beginning at a point which lies South 89°55'35" East 2306.25 feet along the center section line from the west quarter corner of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 89°55'35" East 330.45 feet along said line to the center of section; thence South 0°05'42" West 659.45 feet long the center section line; thence North 89°55'22" West 330.45 feet; thence North 0°05'42" East 659.44 feet to the point of beginning. Contains 5.00 acres.

Subject to a public roadway easement per agreement dated March 5th, 2008, (affects the north 50 feet of said parcel).

Together with and subject to the following easement for ingress, egress, utilities and drainage:

Beginning at a point which lies South 0°05'42" West 50.00 feet along the center section line from the center of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 0°05'42" West 621.59 feet along said center section line; thence North 89°55'22" West 282.04 feet to a point on a non-tangent curve, the radius point of which bears North 75°26'43" West 50.00 feet distant; thence southwesterly, northwesterly, northeasterly and southeasterly along the arc of said curve through a central angle of 331°02'42", a distance of 288.89 feet; thence South 89°55'22" East

257.04 feet; thence North 0°05'42" East 596.95 feet to a point on the southerly right of way of a public roadway; thence South 89°55'35" East 25.00 feet along said line to the point of beginning.

The south half of parcel AV-1365-O, being more particularly described as follows:

Beginning at a point which lies South 89°55'35" East 2306.25 feet along the center section line and South 0°05'42" East 659.44 feet from the west quarter corner of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 89°55'22" East 330.45 feet; thence South 0°05'42" West 659.45 feet to a point on the south line of the northeast quarter of the southwest quarter of said section 14; thence North 89°55'12" West 330.45 feet along said line; thence North 0°05'42" East 659.44 feet to the point of beginning. Contains 5.00 acres.

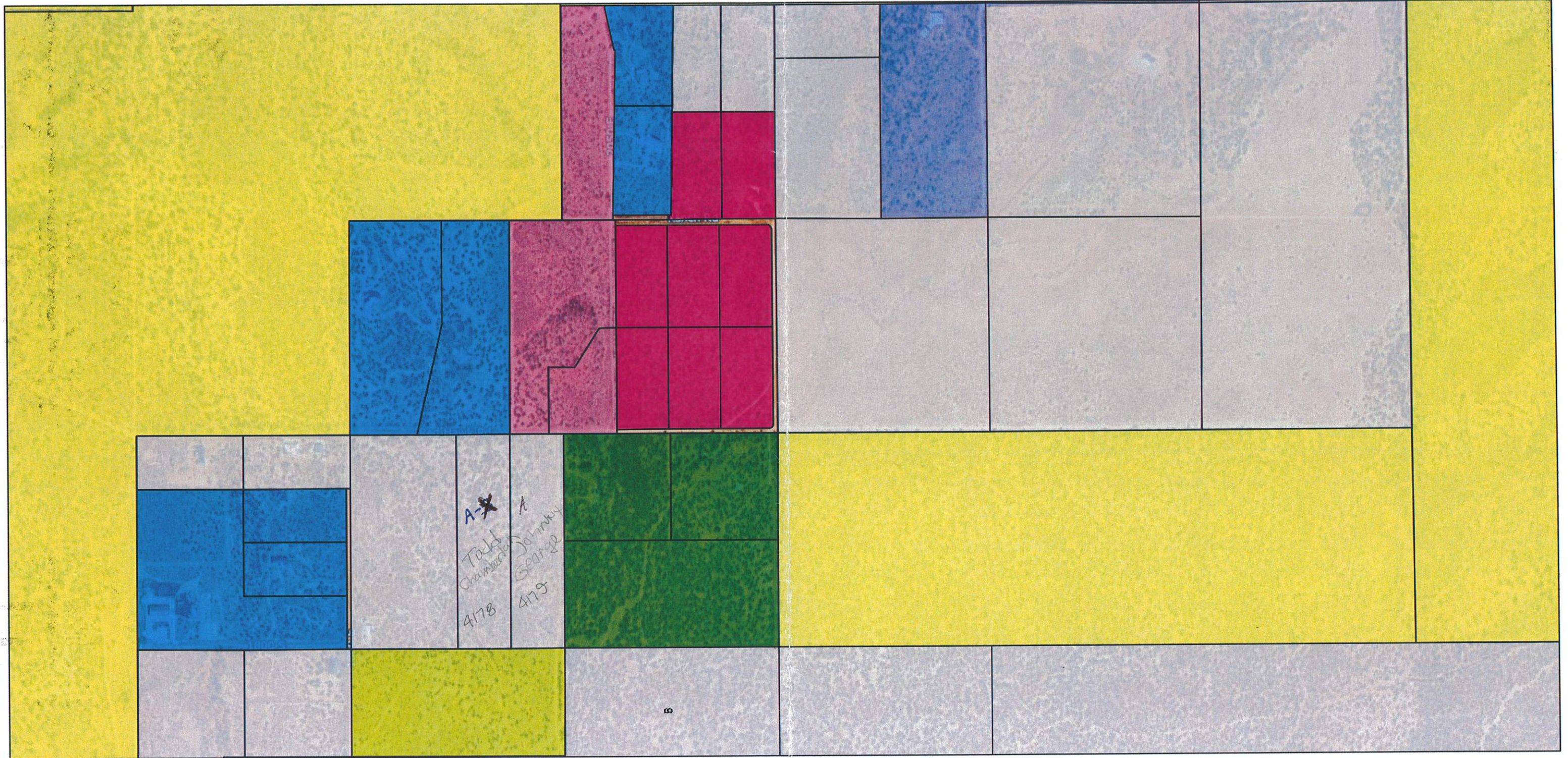
Together with and subject to the following easement for ingress, egress, utilities and drainage:

Beginning at a point which lies South 0°05'42" West 50.00 feet along the center section line from the center of section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian and running thence South 0°05'42" West 621.59 feet along said center section line; thence North 89°55'22" West 282.04 feet to a point on a non-tangent curve, the radius point of which bears North 75°26'43" West 50.00 feet distant; thence southwesterly, northwesterly, northeasterly and southeasterly along the arc of said curve through a central angle of 331°02'42", a distance of 288.89 feet; thence South 89°55'22" East

257.04 feet; thence North 0°05'42" East 596.95 feet to a point on the southerly right of way of a public roadway; thence South 89°55'35" East 25.00 feet along said line to the point of beginning.

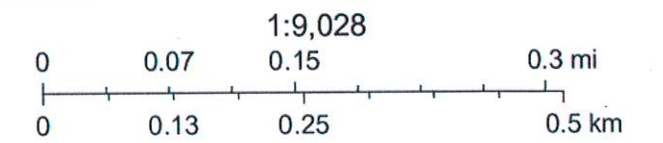
Prepared by Mark A. Schraut, PLS 187849

Apple Valley Zoning Districts



3/7/2024, 2:07:38 PM

- | | | |
|------------------------------|-------------------------------|-------------------------|
| Washington County Parcels | OSC – Open Space Conservation | RE-5 – Rural Estate 5 |
| Future Annexation Boundary | OST – Open Space Transition | RE-10 – Rural Estate 10 |
| Zoning Districts | | |
| A-5 - Agricultural > 5 Acres | PD – Planned Development | RE-20 – Rural Estate 20 |
| RE-1 – Rural Estate 1 | | Town Boundry |





May 21, 2024

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST
Parcel Numbers: AV-1365-N
Located: see map (on backside of this letter)

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space Transition Zone (OST) A-X Agricultural Zone (A-X) for the stated purpose of “Change to Agricultural.” The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder’s office or at the following links:

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05 Temporary Ordinance For Zone Change To A-X Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05%20Temporary%20Ordinance%20For%20Zone%20Change%20To%20A-X%20Agricultural%20Zone)

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020 A Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020%20Agricultural%20Zone)

The hearing will be held **Wednesday, June 5th at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner’s property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

Jenna Vizcardo
Jenna Vizcardo
Town Clerk



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

See Fee Schedule Page 2

Item 15.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: <u>LAND DEVELOPMENT SOLUTIONS, LLC</u>		Phone: <u>801-792-6970</u>	
Address: <u>P.O. Box 71653</u>		Email: <u>pat.melfi@gmail.com</u>	
City: <u>SALT LAKE CITY</u>	State: <u>UTAH</u>	Zip: <u>84121</u>	
Agent: (If Applicable) <u>FRANK TUTTLE, NORTHERN ENGINEERING</u>		Phone: <u>801-380-2114</u>	
Address/Location of Property: <u>2280 EAST CANADIAN WAY</u>		Parcel ID: <u>AV-1378-B; AV-1378-C; AV-1378-D</u>	
Existing Zone: <u>OST ZONE</u>		Proposed Zone: <u>A-5X ZONE</u>	
For Planned Development Purposes: Acreage in Parcel <u>86.97, 52.51, 19.59</u> Acreage in Application <u>159.06</u>			
Reason for the request <u>LAND OWNER WANTS TO CHANGE ZONE BACK TO PREVIOUS AGRICULTURAL ZONE FROM THE CURRENT OST ZONE WHICH WAS CHANGED WITHOUT NOTIFICATION TO THE OWNER</u>			

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

- A. The name and address of owners in addition to above owner.
PAT MELFI IS THE MANAGING MEMBER OF LAND DEVELOPMENT SOLUTIONS
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

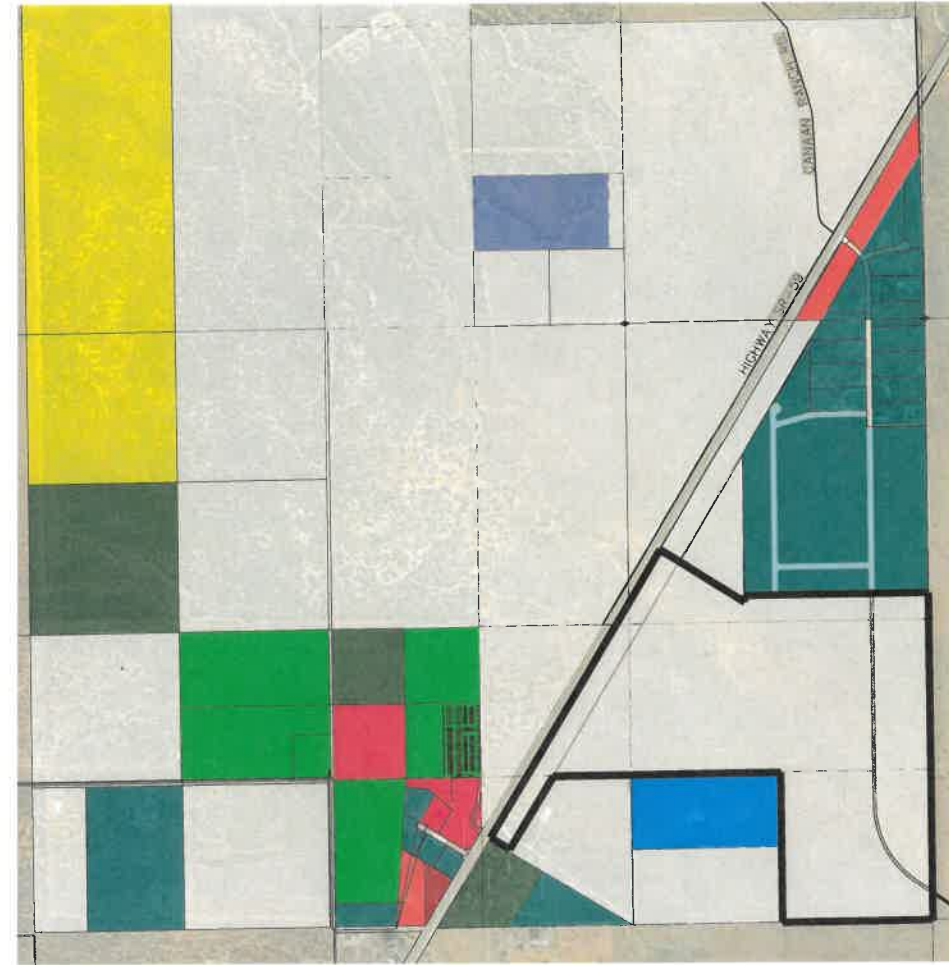
Applicant Signature <u>Frank D. Tuttle, Owner</u>	Date <u>MAY 10, 2024</u>
--	-----------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: <u>May 15, 2024</u>	Date Application Deemed Complete:	
By: <u>[Signature]</u>	By:	

MOUNTAIN VALLEY ESTATES

APPLE VALLEY, UTAH

MAY, 2024



- OST- OPEN SPACE TRANSITION
- C-2 - HIGHWAY COMMERCIAL
- C-1 - CONVENIENCE COMMERCIAL
- RE-5--RURAL ESTATE 5
- OSC- OPEN SPACE CONSERVATION
- PD- PLANNED DEVELOPMENT
- A-X- AGRICULTURAL > 5 ACRES
- RE-1 - RURAL ESTATE 1
- RE-20 - RURAL ESTATE 20
- RE-X - RURAL ESTATE ZONE ANY SIZE

THESE PLANS AND ANY OTHER INSTRUMENTS SHALL NOT BE USED FOR ANY PURPOSES OR EVIDENCE OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

EXISTING ZONING EXHIBIT
SANTAQUIN, UTAH

JOB NO.
3-21-077

SHEET NO.
SP-01

MOUNTAIN VALLEY ESTATES

1640 E 800 N,
CANYON BLVD, SALT LAKE CITY, UT 84087
(801) 502-8932

Northern ENGINEERING INC
CONSTRUCTION MANAGEMENT

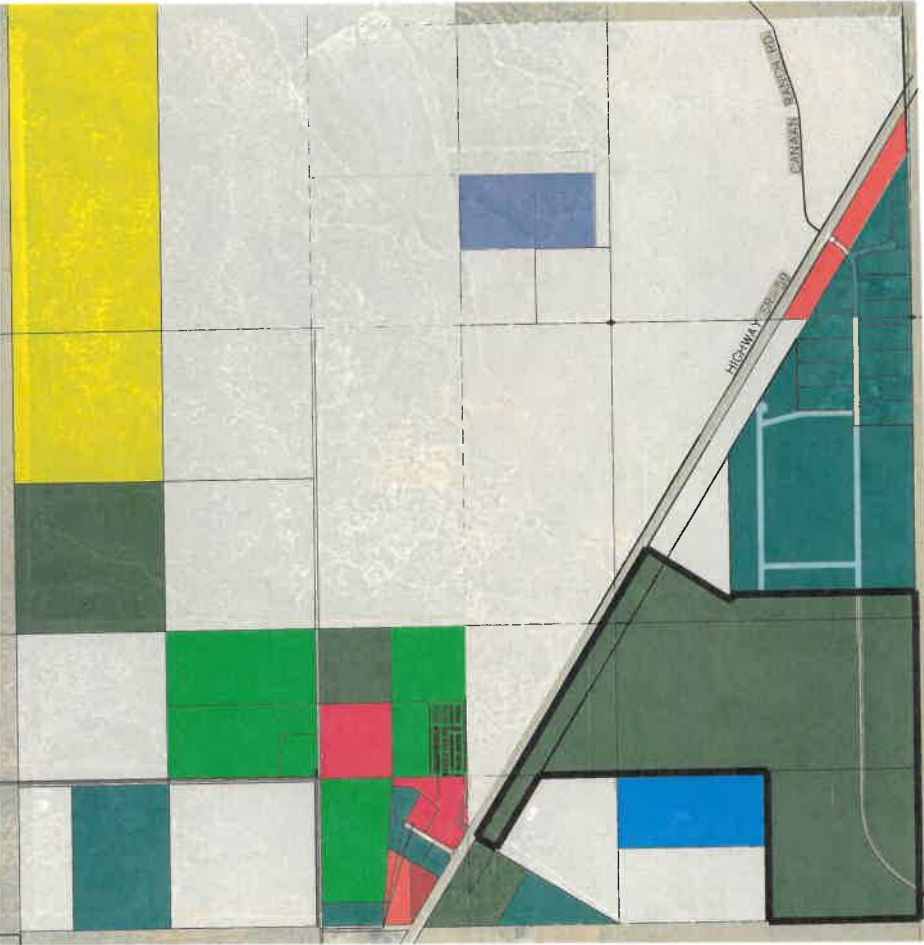


NO.	DATE	DESCRIPTION	BY	CHECKED BY	DATE
1					
2					
3					
4					

MOUNTAIN VALLEY ESTATES

APPLE VALLEY, UTAH

MAY, 2024



- OST- OPEN SPACE TRANSITION
- C-2 - HIGHWAY COMMERCIAL
- C-1 - CONVENIENCE COMMERCIAL
- RE-5-RURAL ESTATE 5
- OSC- OPEN SPACE CONSERVATION
- PD- PLANNED DEVELOPMENT
- A-X- AGRICULTURAL > 5 ACRES
- RE-1 - RURAL ESTATE 1
- RE-20 - RURAL ESTATE 20
- RE-X - RURAL ESTATE ZONE ANY SIZE

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

PROPOSED ZONING EXHIBIT
SANTAQUIN, UTAH

JOB NO.
3-21-077

SHEET NO.
SP-01

1818 E. 800 N.
OPEA, UTAH 84097
(801) 802-8992

Northern
ENGINEERING, INC.
ENGINEERING - PLANNING
CONSTRUCTION MANAGEMENT



NO.	DATE	DESCRIPTION	BY	CHKD.
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				



EXHIBIT A

The Land referred to herein below is situated in the County of Washington, State of Utah, and is described as follows:

PARCEL 1: AV-1378-B

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE NORTH 00°54'49" EAST 1,321.21 FEET ALONG THE SECTION LINE TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°03'03" EAST 2,867.73 FEET ALONG AND BEYOND THE 1/16TH LINE TO THE WESTERLY LINE OF THAT QUIT CLAIM DEED RECORDED AS ENTRY NO. 20170052093 WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE SOUTH 00°57'10" WEST 1,321.36 FEET ALONG SAID QUIT CLAIM DEED TO THE SECTION LINE; THENCE NORTH 89°02'51" WEST 2,866.82 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

PARCEL 2: AV-1378-C

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING SOUTH 89°03'14" EAST 1,319.47 FEET ALONG THE CENTER SECTION LINE FROM THE WEST QUARTER CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE SOUTH 89°03'14" EAST 1,505.16 FEET ALONG SAID CENTER SECTION LINE TO THE WESTERLY LINE OF HIGHWAY 59; THENCE SOUTH 57°36'58" EAST 2,876.08 FEET ALONG SAID WESTERLY LINE OF HIGHWAY 59 TO THE SECTION LINE; THENCE SOUTH 00°55'54" WEST 237.83 FEET ALONG SAID SECTION LINE TO THE NORTHEASTERLY LINE OF CANAAN MOUNTAIN ESTATES AS FOUND ON RECORD AS ENTRY NO. 516877 AT THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE NORTH 57°36'37" WEST 1,370.69 FEET ALONG SAID NORTHEASTERLY LINE OF CANAAN MOUNTAIN ESTATES AND TO AN ALONG THAT QUIT CLAIM DEED RECORDED AS ENTRY NO. 20170052093 WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE WESTERLY THE FOLLOWING (2) COURSES ALONG SAID QUIT CLAIM DEED; THENCE NORTH 89°02'50" WEST 1240.65 FEET; THENCE SOUTH 00°57'10" WEST 298.64 FEET; THENCE NORTH 89°03'03" WEST 1,548.33 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°55'00" EAST 1,321.29 FEET ALONG THE 1/16TH LINE TO THE POINT OF BEGINNING.

PARCEL 3: AY-1378-D

THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN.

LESS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST; THENCE SOUTH 89°59'28" EAST ALONG THE 1/16 SECTION LINE 663.89 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY U-59; THENCE SOUTH 58°32'58" EAST ALONG SAID RIGHT OF WAY LINE 160.80 FEET; THENCE SOUTH

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



36°17'48" WEST 695.79 FEET; THENCE SOUTH 32°40'38" WEST 719.81 FEET TO THE WEST SECTION LINE OF SECTION 23; THENCE NORTH 0°01'31" WEST ALONG SECTION LINE 1250.66 FEET TO THE POINT OF BEGINNING.

ALSO LESS: ANY PORTION THEREOF FOUND LYING WITHIN HIGHWAY U-59.

ALSO LESS: BEGINNING AT THE WEST QUARTER CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 0°01'31" WEST, ALONG THE SECTION LINE 70.57 FEET; THENCE NORTH 32°40'58" EAST 719.81 FEET; THENCE NORTH 36°17'48" EAST, 495.07 FEET; THENCE SOUTH 58°32'58" EAST, 747.19 FEET TO A POINT ON THE 1/16 SECTION LINE; THENCE SOUTH 0°01'18" EAST, 685.90 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4 NW1/4) OF SAID SECTION 23; THENCE NORTH 89°59'14" WEST, ALONG THE QUARTER SECTION LINE, 1319.34 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 00°55'54" WEST ALONG THE SECTION LINE OF SAID SECTION 1,866.76 FEET: THENCE NORTH 89°02'52" WEST 1,705.97 FEET; THENCE SOUTH 00°55'12" WEST 776.44 FEET TO THE CENTER SECTION LINE OF SAID SECTION: THENCE NORTH 89°03'14" WEST ALONG SAID CENTER SECTION LINE 556.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE HIGHWAY U-59; THENCE NORTH 57°36'38" WEST ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE 442.46 FEET TO THE CENTER SECTION LINE OF SAID SECTION: THENCE NORTH 00°55'12" EAST ALONG THE SAID CENTER SECTION LINE 2,412.49 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION: THENCE SOUTH 89°02'52" EAST ALONG THE SECTION LINE 2,639.74 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT THE CENTER 1/16 CORNER, SAID POINT BEING SOUTH 00°55'12" WEST 1,321.65 FEET ALONG THE CENTER SECTION LINE FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 00°55'12" WEST ALONG SAID CENTER SECTION LINE 1,090.84 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE HIGHWAY U-59; THENCE NORTH 57°36'38" WEST, ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE 2,000.78 FEET TO THE NORTH 1/16 SECTION LINE OF SAID SECTION; THENCE SOUTH 89°03'34" EAST ALONG SAID NORTH 1/16 SECTION LINE 1,783.26 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT A POINT BEING SOUTH 0°55'54" WEST 1,866.76 FEET ALONG THE SECTION LINE AND NORTH 89°02'52" WEST 772.59 FEET FROM THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 00°55'12" WEST 776.33 FEET TO THE CENTER SECTION LINE OF SAID SECTION; THENCE NORTH 89°03'14" WEST ALONG THE SAID CENTER SECTION LINE 933.38 FEET; THENCE NORTH 00°55'12" EAST 776.44 FEET; THENCE SOUTH 89°02'52" EAST 933.38 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT A POINT ON THE EAST SECTION LINE, SAID POINT BEING SOUTH 00°55'54" WEST 1,866.76 FEET ALONG SAID EAST SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.
Reprinted under license from the American Land Title Association.



RUNNING; THENCE SOUTH 00°55'54" WEST ALONG SAID SECTION LINE 776.25 FEET TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE NORTH 89°03'14" WEST ALONG THE CENTER SECTION LINE 772.43 FEET; THENCE NORTH 00°55'12" EAST 776.33 FEET; THENCE SOUTH 89°02'52" EAST 772.9 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THAT PORTION OF LAND CONVEYED IN THAT CERTAIN WARRANTY DEED RECORDED DECEMBER 13, 2021 AS ENTRY NO. 20210078467 OF OFFICIAL RECORDS, A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, APPLE VALLEY, UTAH, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH 89°59'10" WEST A DISTANCE OF 1944.87 FEET ALONG THE QUARTER SECTION LINE; THENCE SOUTH A DISTANCE OF 310.63 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF HIGHWAY U59, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING;

THENCE SOUTH 58°32'58" EAST A DISTANCE OF 2279.74 FEET ALONG SAID HIGHWAY RIGHT OF WAY; THENCE SOUTH 00°00'06" EAST A DISTANCE OF 235.08 FEET; THENCE NORTH 58°32'58" WEST A DISTANCE OF 1365.52 FEET; THENCE NORTH 89°59'11" WEST A DISTANCE OF 1293.70 FEET; THENCE NORTH 32°37'32" EAST A DISTANCE OF 826.49 FEET TO A POINT OF CURVATURE OF A 50.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 88°49'31" AND A CHORD THAT BEARS NORTH 77°02'17" EAST A DISTANCE OF 69.98 FEET TO THE POINT OF BEGINNING.

PARCEL 4: *AY-1378-Q*

BEGINNING AT THE SOUTHWEST CORNER OF CANAAN MOUNTAIN ESTATES SUBDIVISION, SAID POINT BEING NORTH 89°59'11" WEST 945.48 FEET ALONG THE SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE NORTH 89°59'11" WEST 1,460.00 FEET ALONG THE SECTION LINE; THENCE NORTH 00°00'49" EAST 1,620.00 FEET; THENCE SOUTH 89°59'11" EAST 1,240.65 FEET; THENCE SOUTH 58°32'58" EAST 1,180.81 FEET TO THE NORTHEAST CORNER OF SAID CANAAN MOUNTAIN ESTATES SUBDIVISION; THENCE SOUTHWESTERLY THE FOLLOWING (4) COURSES ALONG SAID CANAAN MOUNTAIN ESTATES SUBDIVISION; THENCE NORTH 89°59'11" WEST 630.00 FEET; THENCE SOUTH 00°00'49" WEST 494.57 FEET; THENCE NORTH 89°59'11" WEST 141.07 FEET; THENCE SOUTH 00°00'49" WEST 520.00 FEET TO THE POINT OF BEGINNING.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

TAX ID	FIELD5	FIELD6	FIELD7	FIELD8	FIELD9	FIELD10
AV-1378-R	BARLOW CORTNEY	PO BOX 1618	COLORADO CITY	AZ	86021-1618	
AV-1-3-23-240	CIRCLE 9 LLC	2221 E WELDON AVE	PHOENIX	AZ	85016	
AV-1378-A	KENSTAL LLC	2221 E WELDON AVE	PHOENIX	AZ	85016	
AV-1378-B	LAND DEVELOPMENT SOLUTIONS LLC	PO BOX 71653	SALT LAKE CITY	UT	84121	
AV-1378-C	LAND DEVELOPMENT SOLUTIONS LLC	PO BOX 71653	SALT LAKE CITY	UT	84121	
AV-1378-D	LAND DEVELOPMENT SOLUTIONS LLC	PO BOX 71653	SALT LAKE CITY	UT	84121	
AV-1378-J	GROSS MICHAEL JAMES & JENNIFER KAY	2499 S 1740 E	APPLE VALLEY	UT	84737	
AV-1-3-23-241	CIRCLE 9 LLC	2221 E WELDON AVE	PHOENIX	AZ	85016	
AV-1378-F	GROSS MICHAEL JAMES & JENNIFER KAY	2499 S 1740 E	APPLE VALLEY	UT	84737	
AV-1378-E	BARRETT MICHAEL	1749 E 2260 S	APPLE VALLEY	UT	84737	
AV-1378-N	BARLOW CORTNEY	PO BOX 1618	COLORADO CITY	AZ	86021-1618	
AV-1378-Q	LAND DEVELOPMENT SOLUTIONS LLC	PO BOX 71653	SALT LAKE CITY	UT	84121	
AV-1378-K	GROSS MICHAEL JAMES & JENNIFER KAY	2499 S 1740 E	APPLE VALLEY	UT	84737	
AV-1378-P	BARLOW CORTNEY	PO BOX 1618	COLORADO CITY	AZ	86021-1618	
<u>AV-1375</u>	<u>PROPERTY PRIVACY SERVICES</u>	<u>25 W TELEGRAPH ST #769</u>	<u>WASHINGTON</u>	<u>UT</u>	<u>84780</u>	
<u>AV-1378-G</u>	<u>JASON AND HOLLY CORTIS</u>	<u>5455 1530 W</u>	<u>HUNTERCREEK</u>	<u>UT</u>	<u>84737</u>	
<u>AV-1377-B-1</u>	<u>ASHMORE ECKO</u>	<u>2125 S STATE ST</u>	<u>APPLE VALLEY</u>	<u>UT</u>	<u>84737</u>	



Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: First American Title Insurance Company
Issuing Office: 215 South State Street, Suite 280, Salt Lake City, UT 84111
Issuing Office's ALTA® Registry ID: 1123534
Commitment Number: 390-6278588
Issuing Office File Number: 390-6278588
Property Address: AV-1378-B, AV-1378-C, AV-1378-D, AV-1378-Q, Washington County, UT
Revision Number:

ESCROW/CLOSING INQUIRIES should be directed to your Escrow Officer: **Jennifer Beavers at (801)576-8400 located at 10808 S River Front Pkwy, Ste 175, South Jordan, UT 84095.**

SCHEDULE A

1. Commitment Date: June 08, 2023 at 8:00 a.m.

2. Policy to be issued:
 - a. ALTA® Homeowner's (Eagle) Policy
Proposed Insured: TBD
Proposed Amount of Insurance: \$1,000.00 Premium: \$
The estate or interest to be insured: See Item 3 below

 - b. ALTA® Expanded Coverage (Eagle) Loan Policy
Proposed Insured: Lender To Be Determined
Proposed Amount of Insurance: \$1,000.00 Premium: \$
The estate or interest to be insured: See Item 3 below

 - c. Endorsements: 9, 22 and 8.1 Premium: \$Included

3. The estate or interest in the Land at the Commitment Date is:

Fee Simple

4. The Title is, at the Commitment Date, vested in:

Land Development Solutions, LLC, a Wyoming LLC

5. The Land is described as follows:

See Exhibit A attached hereto and made a part hereof

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



Commitment No.: 390-6278588

SCHEDULE B, PART I—Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Provide releases, reconveyances, or other instruments, acceptable to the Company, including payment of any amounts due, removing the encumbrances shown in Schedule B, Part II that are objectionable to the Proposed Insured.
6. Provide us with copies of appropriate agreements, resolutions, certificates, or other evidence needed to identify the parties authorized to execute the documents creating the interest to be insured.
7. Provide us with any information regarding personal property taxes which may have been assessed or are due and payable which could become a lien on the real property.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



Commitment No.: 390-6278588

SCHEDULE B, PART II—Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property, or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interest, or claims which are not shown by the Public Records but that could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances that are not shown by the Public Records.
4. Any encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment (including an encroachment of an improvement across the boundary lines of the Land), that would be disclosed by an accurate and complete land title survey of the Land and that are not shown in Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material, unless such lien is shown by the Public Records at Date of Policy.
7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

Subject to underwriting review and approval, some or all of Exceptions 1-7 may be omitted on extended coverage and Eagle policies

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.
Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



(The following exception affects Parcel 1)

8. Taxes for the year 2023 now a lien, not yet due. General property taxes for the year 2022 were paid in the amount of \$6.92. Tax Parcel No. AV-1378-B.

(The following exception affects Parcel 2)

9. Taxes for the year 2023 now a lien, not yet due. General property taxes for the year 2022 were paid in the amount of \$4.18. Tax Parcel No. AV-1378-C.

(The following exception affects Parcel 3)

10. Taxes for the year 2023 now a lien, not yet due. General property taxes for the year 2022 were paid in the amount of \$2.54. Tax Parcel No. AV-1378-D.

(The following exception affects Parcel 4)

11. Taxes for the year 2023 now a lien, not yet due. General property taxes for the year 2022 were paid in the amount of \$4.67. Tax Parcel No. AV-1378-Q.
12. The land is included within the boundaries of Washington County, a Municipal Corporation of the State of Utah, and is subject to charges and assessments made thereby.
13. The effect of the 1969 Farmland Assessment Act, wherein there is a five (5) year roll-back provision with regard to assessment and taxation, by reason of that certain Application for Assessment and Taxation of Agricultural Land, recorded January 31, 2022 as Entry No. 20220006142 of Official Records.
14. An easement over, across or through the Land for telephone equipment and incidental purposes, as granted to South Central Utah Telephone Association, Inc and to its successors and assigns by Instrument recorded March 21, 2006 as Entry No. 20060009349 of Official Records.

NOTE: The above easement purports to affect the subject property, but the exact location cannot be determined because of a blanket or incomplete legal description.

15. Resolution No. 2011-25 of Apple Valley Town, Washington County, Utah creating and Establishing a Special Service District within Apple Valley; describing the Boundaries thereof, Naming the District, Authorizing and Specifying the Services to be provided, Setting forth the powers, duties and Authority, designating and Appointing the Governing Authority, Providing for the method or methods of Payments for the services to be furnished and Prescribing other matters and detail relating to the Establishment, Operations and Functions Thereof recorded October 18, 2011 as Entry No. 20110031703 of Official Records.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



(The following exception affects Parcel 3, together with other land, not included herein)

16. A Trust Deed with Assignment of Rents dated October 19, 2017 by and between Cortney Barlow and Glenn Johnson as Trustor in favor of Inwest Title Services, Inc as Trustee and Kenstal, LLC, a Utah limited liability company as Beneficiary, to secure an original indebtedness of \$350,946.00 and any other amounts or obligations secured thereby, recorded October 20, 2017 as Entry No. 20170042681 of Official Records.

A Modification of Trust Deed/Note recorded February 15, 2019 as Entry No. 20190005916 in Book NA at Page NA of Official Records provides that the Deed of Trust or the obligation secured thereby has been modified.

17. Resolution No. 2019-01 modifying, limiting and revoking the Delegation of Authority to the Big Plains Water and Sewer Special Services District recorded January 19, 2019 as Entry No. 20190000956 of Official Records.

(The following exception affects Northerly portion of Parcel 3)

18. An Easement for Underground Waterline easement disclosed in that Easement Deed recorded April 10, 2019 as Entry No. 20190013073 of Official Records.

(The following exception affects Parcels 1 and 2)

19. Terms, conditions and provisions contained within Roadway Easement Agreement recorded October 27, 2021 as Entry No. 20210069668 of Official Records.

(The following exception affects all of the Land, together with other land not included herein)

20. A Trust Deed with Assignment of Rents dated December 08, 2021 by and between Land Development Solutions LLC, a Wyoming LLC as Trustor in favor of 1st Liberty Title, LC, a Utah LLC as Trustee and Kenstal, LLC, a Utah LLC as Beneficiary, to secure an original indebtedness of \$2,100,000.00 and any other amounts or obligations secured thereby, recorded December 13, 2021 as Entry No. 20210078386 of Official Records.

(The following exception affects Parcel 2)

21. Terms, conditions and provisions contained within Right-of-Way Easement Agreement recorded December 13, 2021 as Entry No. 20210078597 of Official Records.

(The following exception affects Parcels 1 and 2)

22. Terms, conditions and provisions contained within Roadway Easement Agreement recorded December 13, 2021 as Entry No. 20210078598 of Official Records.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.

Reprinted under license from the American Land Title Association.

Form 50122149 (5-16-22)



23. Mechanics' and/or Materialmen's Lien claims if either work is started, any material delivered or service rendered, prior to the recordation of the Security Instrument to be insured.

LOSS OF PRIORITY under this provision may jeopardize the Company's ability to insure under an ALTA Lenders Policy.

The State Construction Registry discloses the following Preliminary Notice(s): None.

(The following exception affects Parcels 2 and 3)

24. Vehicular access is limited to openings permitted by the Utah State Department of Transportation in accordance with Section 41-6a-714, Utah Code Annotated, as amended 2015.
25. Access to Parcel 1 exists only as a result of the common ownership in Parcel 3.
26. Access to Parcel 4 exists only as a result of the common ownership in Parcel 3.
27. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

Consideration for the deletion of this exception is highly fact intensive. Please contact the underwriter assigned to your file as soon as possible to discuss.

28. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records or are shown in Schedule B.
29. Water rights, claims or title to water, whether or not shown by the Public Records.

The name(s) Land Development Solutions, LLC, has/have been checked for judgments, State and Federal tax liens, and bankruptcies and if any were found, are disclosed herein.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American Title expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



Note: The Eagle owner's policy of title insurance committed to be issued will contain Deductible Amounts and Liability Limits relative to certain Covered Risks found in the policy as follows:

Covered Risk 16 (Subdivision Law Violations) has a deductible of 1% of the Policy Amount or \$2500 whichever is less, and a Maximum Dollar Limit of Liability of \$10,000.

Covered Risk 18 (Building Permits) has a deductible of 1% of the Policy Amount or \$5000 whichever is less, and a Maximum Dollar Limit of Liability of \$25,000.

Covered Risk 19 (Zoning) has a deductible of 1% of the Policy Amount or \$5000 whichever is less, and a Maximum Dollar Limit of Liability of \$25,000.

Covered Risk 21 (Encroachment of Boundary Walls or Fences) has a deductible of 1% of the Policy Amount or \$2500 whichever is less, and a Maximum Dollar Limit of Liability of \$5,000.

Title inquiries should be directed to Mark J. Snyder @ (801)578-8835.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



EXHIBIT A

The Land referred to herein below is situated in the County of Washington, State of Utah, and is described as follows:

PARCEL 1:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE NORTH 00°54'49" EAST 1,321.21 FEET ALONG THE SECTION LINE TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°03'03" EAST 2,867.73 FEET ALONG AND BEYOND THE 1/16TH LINE TO THE WESTERLY LINE OF THAT QUIT CLAIM DEED RECORDED AS ENTRY NO. 20170052093 WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE SOUTH 00°57'10" WEST 1,321.36 FEET ALONG SAID QUIT CLAIM DEED TO THE SECTION LINE; THENCE NORTH 89°02'51" WEST 2,866.82 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

PARCEL 2:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING SOUTH 89°03'14" EAST 1,319.47 FEET ALONG THE CENTER SECTION LINE FROM THE WEST QUARTER CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE SOUTH 89°03'14" EAST 1,505.16 FEET ALONG SAID CENTER SECTION LINE TO THE WESTERLY LINE OF HIGHWAY 59; THENCE SOUTH 57°36'58" EAST 2,876.08 FEET ALONG SAID WESTERLY LINE OF HIGHWAY 59 TO THE SECTION LINE; THENCE SOUTH 00°55'54" WEST 237.83 FEET ALONG SAID SECTION LINE TO THE NORTHEASTERLY LINE OF CANAAN MOUNTAIN ESTATES AS FOUND ON RECORD AS ENTRY NO. 516877 AT THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE NORTH 57°36'37" WEST 1,370.69 FEET ALONG SAID NORTHEASTERLY LINE OF CANAAN MOUNTAIN ESTATES AND TO AN ALONG THAT QUIT CLAIM DEED RECORDED AS ENTRY NO. 20170052093 WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE WESTERLY THE FOLLOWING (2) COURSES ALONG SAID QUIT CLAIM DEED; THENCE NORTH 89°02'50" WEST 1240.65 FEET; THENCE SOUTH 00°57'10" WEST 298.64 FEET; THENCE NORTH 89°03'03" WEST 1,548.33 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°55'00" EAST 1,321.29 FEET ALONG THE 1/16TH LINE TO THE POINT OF BEGINNING.

PARCEL 3:

THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN.

LESS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST; THENCE SOUTH 89°59'28" EAST ALONG THE 1/16 SECTION LINE 663.89 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY U-59; THENCE SOUTH 58°32'58" EAST ALONG SAID RIGHT OF WAY LINE 160.80 FEET; THENCE SOUTH

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



36°17'48" WEST 695.79 FEET; THENCE SOUTH 32°40'38" WEST 719.81 FEET TO THE WEST SECTION LINE OF SECTION 23; THENCE NORTH 0°01'31" WEST ALONG SECTION LINE 1250.66 FEET TO THE POINT OF BEGINNING.

ALSO LESS: ANY PORTION THEREOF FOUND LYING WITHIN HIGHWAY U-59.

ALSO LESS: BEGINNING AT THE WEST QUARTER CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 0°01'31" WEST, ALONG THE SECTION LINE 70.57 FEET; THENCE NORTH 32°40'58" EAST 719.81 FEET; THENCE NORTH 36°17'48" EAST, 495.07 FEET; THENCE SOUTH 58°32'58" EAST, 747.19 FEET TO A POINT ON THE 1/16 SECTION LINE; THENCE SOUTH 0°01'18" EAST, 685.90 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4 NW1/4) OF SAID SECTION 23; THENCE NORTH 89°59'14" WEST, ALONG THE QUARTER SECTION LINE, 1319.34 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 00°55'54" WEST ALONG THE SECTION LINE OF SAID SECTION 1,866.76 FEET: THENCE NORTH 89°02'52" WEST 1,705.97 FEET; THENCE SOUTH 00°55'12" WEST 776.44 FEET TO THE CENTER SECTION LINE OF SAID SECTION: THENCE NORTH 89°03'14" WEST ALONG SAID CENTER SECTION LINE 556.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE HIGHWAY U-59; THENCE NORTH 57°36'38" WEST ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE 442.46 FEET TO THE CENTER SECTION LINE OF SAID SECTION: THENCE NORTH 00°55'12" EAST ALONG THE SAID CENTER SECTION LINE 2,412.49 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION: THENCE SOUTH 89°02'52" EAST ALONG THE SECTION LINE 2,639.74 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT THE CENTER 1/16 CORNER, SAID POINT BEING SOUTH 00°55'12" WEST 1,321.65 FEET ALONG THE CENTER SECTION LINE FROM THE NORTH QUARTER CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 00°55'12" WEST ALONG SAID CENTER SECTION LINE 1,090.84 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE HIGHWAY U-59; THENCE NORTH 57°36'38" WEST, ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE 2,000.78 FEET TO THE NORTH 1/16 SECTION LINE OF SAID SECTION; THENCE SOUTH 89°03'34" EAST ALONG SAID NORTH 1/16 SECTION LINE 1,783.26 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT A POINT BEING SOUTH 0°55'54" WEST 1,866.76 FEET ALONG THE SECTION LINE AND NORTH 89°02'52" WEST 772.59 FEET FROM THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 00°55'12" WEST 776.33 FEET TO THE CENTER SECTION LINE OF SAID SECTION; THENCE NORTH 89°03'14" WEST ALONG THE SAID CENTER SECTION LINE 933.38 FEET; THENCE NORTH 00°55'12" EAST 776.44 FEET; THENCE SOUTH 89°02'52" EAST 933.38 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEGINNING AT A POINT ON THE EAST SECTION LINE, SAID POINT BEING SOUTH 00°55'54" WEST 1,866.76 FEET ALONG SAID EAST SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



RUNNING; THENCE SOUTH 00°55'54" WEST ALONG SAID SECTION LINE 776.25 FEET TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE NORTH 89°03'14" WEST ALONG THE CENTER SECTION LINE 772.43 FEET; THENCE NORTH 00°55'12" EAST 776.33 FEET; THENCE SOUTH 89°02'52" EAST 772.9 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THAT PORTION OF LAND CONVEYED IN THAT CERTAIN WARRANTY DEED RECORDED DECEMBER 13, 2021 AS ENTRY NO. 20210078467 OF OFFICIAL RECORDS, A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, APPLE VALLEY, UTAH, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS:

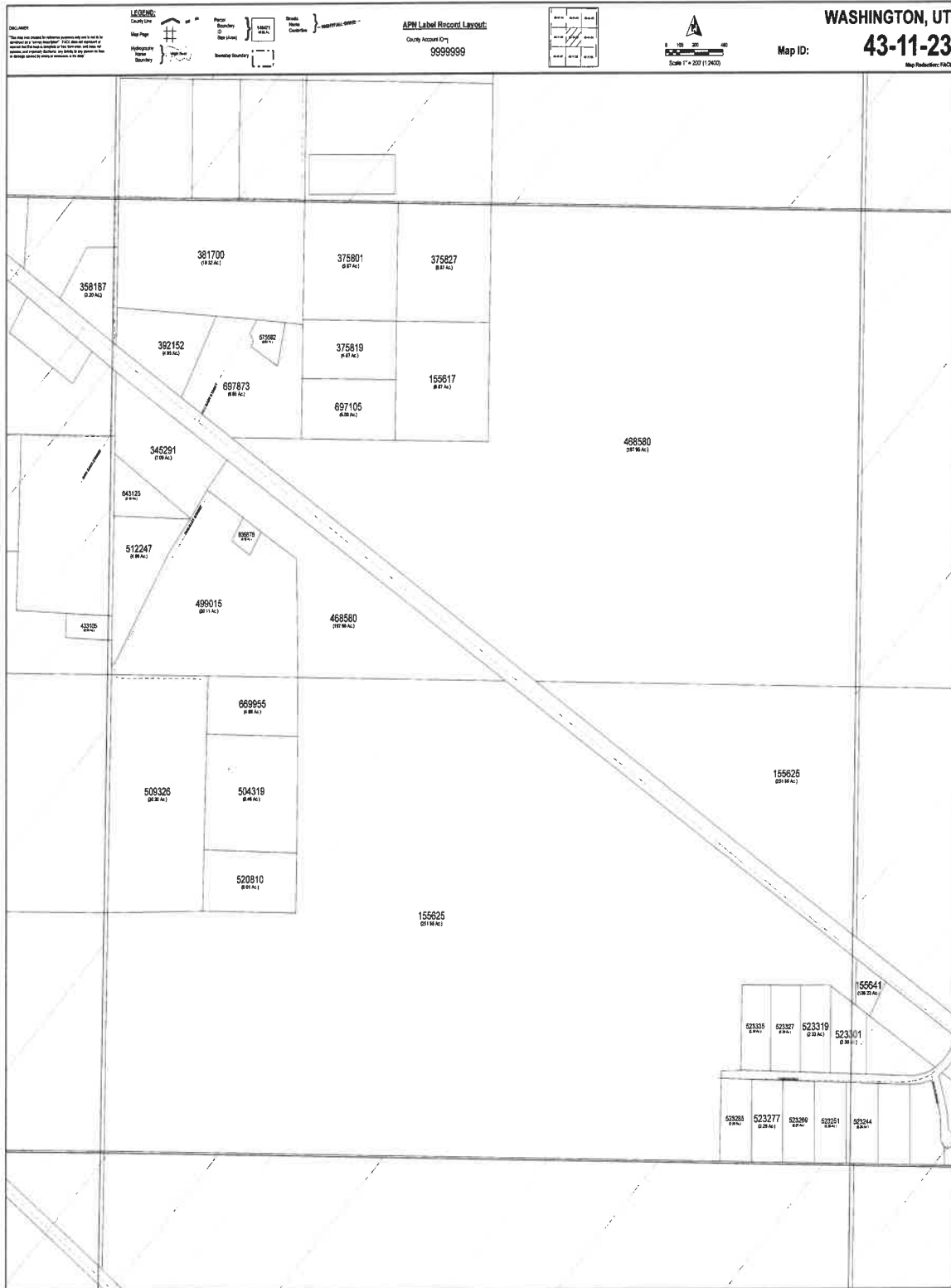
COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH 89°59'10" WEST A DISTANCE OF 1944.87 FEET ALONG THE QUARTER SECTION LINE; THENCE SOUTH A DISTANCE OF 310.63 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF HIGHWAY U59, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING;

THENCE SOUTH 58°32'58" EAST A DISTANCE OF 2279.74 FEET ALONG SAID HIGHWAY RIGHT OF WAY; THENCE SOUTH 00°00'06" EAST A DISTANCE OF 235.08 FEET; THENCE NORTH 58°32'58" WEST A DISTANCE OF 1365.52 FEET; THENCE NORTH 89°59'11" WEST A DISTANCE OF 1293.70 FEET; THENCE NORTH 32°37'32" EAST A DISTANCE OF 826.49 FEET TO A POINT OF CURVATURE OF A 50.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 88°49'31" AND A CHORD THAT BEARS NORTH 77°02'17" EAST A DISTANCE OF 69.98 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

BEGINNING AT THE SOUTHWEST CORNER OF CANAAN MOUNTAIN ESTATES SUBDIVISION, SAID POINT BEING NORTH 89°59'11" WEST 945.48 FEET ALONG THE SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE NORTH 89°59'11" WEST 1,460.00 FEET ALONG THE SECTION LINE; THENCE NORTH 00°00'49" EAST 1,620.00 FEET; THENCE SOUTH 89°59'11" EAST 1,240.65 FEET; THENCE SOUTH 58°32'58" EAST 1,180.81 FEET TO THE NORTHEAST CORNER OF SAID CANAAN MOUNTAIN ESTATES SUBDIVISION; THENCE SOUTHWESTERLY THE FOLLOWING (4) COURSES ALONG SAID CANAAN MOUNTAIN ESTATES SUBDIVISION; THENCE NORTH 89°59'11" WEST 630.00 FEET; THENCE SOUTH 00°00'49" WEST 494.57 FEET; THENCE NORTH 89°59'11" WEST 141.07 FEET; THENCE SOUTH 00°00'49" WEST 520.00 FEET TO THE POINT OF BEGINNING.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



pany. This
chedule B,

Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.
The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.
Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



**ALTA COMMITMENT FOR TITLE INSURANCE
issued by
FIRST AMERICAN TITLE INSURANCE COMPANY**

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, First American Title Insurance Company, a Nebraska Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
Kenneth D. DeGiorgio, President

By: 
Lisa W. Cornehl, Secretary

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



COMMITMENT CONDITIONS

1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.

Reprinted under license from the American Land Title Association.



3. The Company's liability and obligation is limited by and this Commitment is not valid without:
 - a. the Notice;
 - b. the Commitment to Issue Policy;
 - c. the Commitment Conditions;
 - d. Schedule A;
 - e. Schedule B, Part I—Requirements; and
 - f. Schedule B, Part II—Exceptions; and
 - g. a counter-signature by the Company or its issuing agent that may be in electronic form.

4. **COMPANY'S RIGHT TO AMEND**

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. **LIMITATIONS OF LIABILITY**
 - a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
 - b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
 - c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
 - d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
 - e. The Company is not liable for the content of the Transaction Identification Data, if any.
 - f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
 - g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)



- 6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM**
- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
 - b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
 - c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
 - d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
 - e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
 - f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
- 7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT**
The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.
- 8. PRO-FORMA POLICY**
The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.
- 9. CLAIMS PROCEDURES**
This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.
- 10. CLASS ACTION**
ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.

Reprinted under license from the American Land Title Association.

Form 50122149 (5-16-22)



11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.
Form 50122149 (5-16-22)

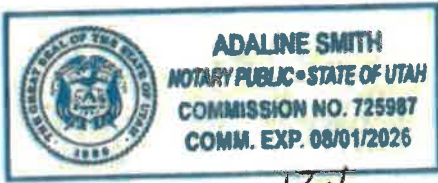
SUBDIVISION APPROVAL PROCESS

AFFIDAVIT PROPERTY OWNER

Item 15.

STATE OF UTAH)
)s
COUNTY OF WASHINGTON)

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



[Signature]
Property Owner

Property Owner

Subscribed and sworn to me this 13th day of July, 2023.

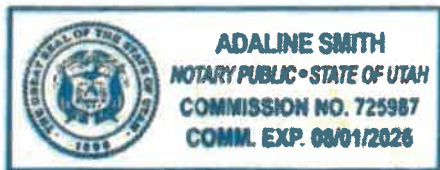
[Signature]
Notary Public

Residing in: ogden Utah My

Commission Expires: 08/01/26

AGENT AUTHORIZATION

I (We), LAND DEVELOPMENT SOLUTIONS, LLC; PAT MELI, MANAGER, the owner(s) of the real property described in the attached application, do authorize as my(our) agent(s) PAT TITTLE, NOTARY PUBLIC to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.



[Signature]
Property Owner

Property Owner

Subscribed and sworn to me this 13th day of July, 2023.

[Signature]
Notary Public

Residing in: ogden Utah My

Commission Expires: 08/01/26



May 22, 2024

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST
Parcel Numbers: AV-1378-B, AV-1378-C, AV-1378-D
Located: see map (on backside of this letter)

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space Transition Zone (OST) A-X Agricultural Zone (A-X) for the stated purpose of “Change to Agricultural.” The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder’s office or at the following links:

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05 Temporary Ordinance For Zone Change To A-X Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05%20Temporary%20Ordinance%20For%20Zone%20Change%20To%20A-X%20Agricultural%20Zone)

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020 A Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020%20Agricultural%20Zone)

The hearing will be held **Wednesday, June 5th at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner’s property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

Jenna Vizcardo
Jenna Vizcardo
Town Clerk




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


See Fee Schedule Page 2

Zone Change Application			
Applications Must Be Submitted By The First Wednesday Of The Month			
Owner: Farrar Family Trust		Phone: (951) 897-7857	
Address: 900 East Mountain Drive		Email: farrarbradley@yahoo.com	
City: Apple Valley	State: Utah	Zip: 84737	
Agent: (If Applicable)		Phone:	
Address/Location of Property: 900 East Mountain Drive		Parcel ID: AV-1390, AV-1366-A-1, AV-1369-A	
Existing Zone: OST		Proposed Zone: A-X	
For Planned Development Purposes: Acreage in Parcel _____ Acreage in Application ²¹⁸ _____			
Reason for the request Switch from OST to AG			

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

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature 	Date 5/16/24
---	------------------------

Official Use Only	RECEIVED MAY 16 2024	Amount Paid: \$	Receipt No:
Date Received:	RECEIVED MAY 6 1 2024	Date Application Deemed Complete:	
By: 	By:		



Parcels (1)

☆ Account Summary



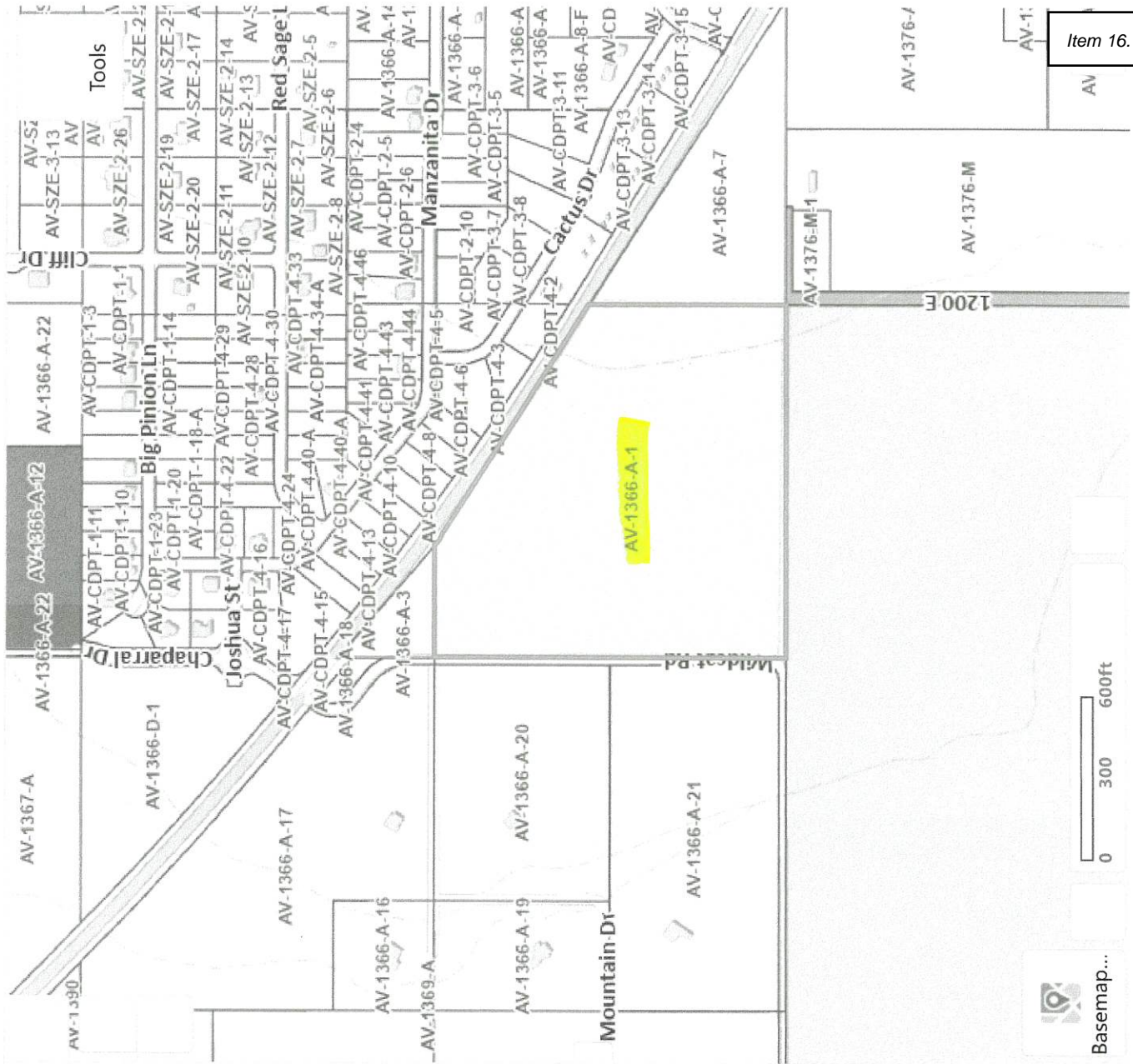
Account Number: 0155443
 Parcel Number: AV-1366-A-1
 Owner Name: FARRAR MICHAEL LEE & KARALE ROBYN
 TRS
 Subdivision Name:
 Situs Address:

- [Account Overview](#)
- [Create a Property Report](#)
- [Property Images](#)
- [Property Sketches](#)
- [Email Us About This Account](#)

Displaying 1 - 1 (Total: 1)

Search...

Sign in



Item 16.



Parcels (1)

☆ Account Summary



Account Number: 0155492
 Parcel Number: AV-1369-A
 Owner Name: FARRAR MICHAEL LEE & KARALE ROBYN
 TRS
 Subdivision Name:
 Situs Address:

- [Account Overview](#)
- [Create a Property Report](#)
- [Property Images](#)
- [Property Sketches](#)
- [Email Us About This Account](#)

Displaying 1 - 1 (Total: 1)

◀ ▶ Page 1 of 1 ▶▶

Welcome! Layers Parcels (1)

Search...

Sign in



Basemap...

0 300 600ft

Item 16.



Parcels (1)

★ Account Summary



Account Number: 1196769
 Parcel Number: AV-1390
 Owner Name: FARRAR MICHAEL LEE TR, FARRAR
 KARALE ROBYN TR
 Subdivision Name:
 Situs Address:

- [Account Overview](#)
- [Create a Property Report](#)
- [Property Images](#)
- [Property Sketches](#)
- [Email Us About This Account](#)

Displaying 1 - 1 (Total: 1)

Page 1 of 1

Welcome! Layers Parcels (1)

Search...

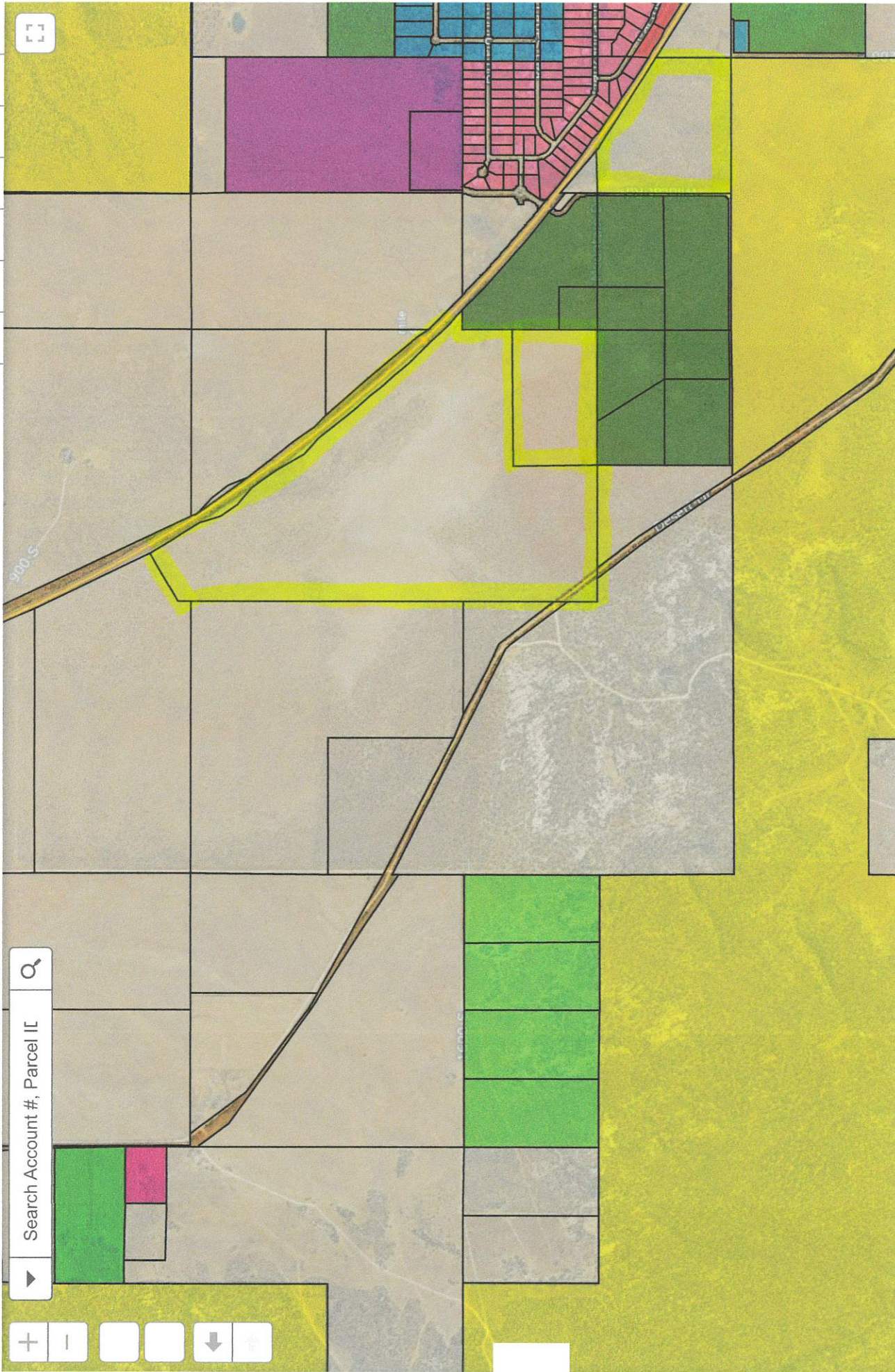
Sign in



Apple Valley Zoning Districts Viewer



Search Account #, Parcel ID



113.059001 37.056717 Degrees

DOC # 20230031762

Quit Claim Deed Page 1 of 3
Gary Christensen Washington County Recorder
10/24/2023 10:24:58 AM Fee \$ 40.00
By TRANSIT PRODUCTS AND SERVICES



When recorded mail deed and tax notice to:
Michael and Karale Farrar
900 Mountain Drive
Apple Valley, UT 84737

TAX ID NO. AV-1390

For Recorder's use only

QUIT-CLAIM DEED

THE MICHAEL AND KARALE ROBYN FARRAR FAMILY TRUST DATED SEPTEMBER 27, 2019, MICHAEL LEE FARRAR AND KARALE ROBYN FARRAR, AS TRUSTEES, of Apple Valley, County of Washington, State of Utah, grantor(s).

Hereby QUIT CLAIMS to:

THE MICHAEL AND KARALE FARRAR FAMILY TRUST DATED SEPTEMBER 27, 2019, MICHAEL LEE FARRAR AND KARALE ROBYN FARRAR, AS TRUSTEES, of Apple Valley, County of Washington, State of Utah, grantee.

For the sum on TEN AND NO/100 (and other good and valuable considerations) DOLLARS the following described tract of land, located in Washington County, State of Utah.

PARCELS: AV-1390

See attached Legal Descriptions on Exhibits, "A"

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2023 taxes and thereafter.

*****THIS DEED IS BEING RECORDED TO CORRECT THE TRUSTEES NAME OF THE GRANTEE FROM THE ORIGINAL DEED RECORDED AS DOC# 20230022856.**

*Notary Acknowledgments are on the following page.

“EXHIBIT A”**LEGAL DESCRIPTION OF OUIT CLAIM PARCEL**

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 43 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°06'54"W ALONG THE QUARTER LINE OF SECTION 9, 121.78 FEET; THENCE N59°16'01"E 542.19 FEET TO THE RIGHT-OF-WAY OF UTAH STATE ROUTE 59; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING NINE (9) COURSES: SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT A DISTANCE OF 577.30 FEET, HAVING A RADIUS OF 14262.60 FEET AND A RADIAL BEARING OF N59°53'18"E, THROUGH A CENTRAL ANGLE OF 02°19'09" (LONG CHORD BEARS: S31°16'17"E 577.26 FEET); THENCE S18°52'10"E 207.26 FEET; THENCE S33°37'04"E 201.38 FEET; THENCE S48°23'28"E 207.09 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT A DISTANCE OF 301.05 FEET, HAVING A RADIUS OF 14374.00 FEET AND A RADIAL BEARING OF N55°10'41"E, THROUGH A CENTRAL ANGLE OF 01°12'00" (LONG CHORD BEARS: S35°25'19"E 301.04 FEET); THENCE S31°57'45"E 302.34 FEET; THENCE S44°42'58"E 202.42 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT A DISTANCE OF 1615.61 FEET, HAVING A RADIUS OF 14374.00 FEET AND A RADIAL BEARING OF N51°58'41"E, THROUGH A CENTRAL ANGLE OF 06°26'24" (LONG CHORD BEARS: S41°14'31"E 1614.76 FEET); THENCE SOUTHEASTERLY ALONG THE ARC OF A 14374.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT A DISTANCE OF 251.55 FEET, THROUGH A CENTRAL ANGLE OF 01°00'10", (LONG CHORD BEARS: S44°57'48"E 251.55 FEET); THENCE DEPARTING SAID RIGHT-OF-WAY AND RUNNING N89°57'56"W ALONG THE QUARTER SECTION LINE OF SECTION 15, 177.66 FEET TO THE EAST QUARTER (1/4) CORNER OF SECTION 16; THENCE S00°01'11"E ALONG THE QUARTER SECTION LINE OF SECTION 16, 495.85 FEET; THENCE S89°52'17"W 1321.28 FEET; THENCE S00°00'42"W 825.00 FEET; THENCE S89°52'17"W 1321.73 FEET TO THE QUARTER SECTION LINE OF SECTION 16; THENCE N00°02'36"E ALONG SAID LINE, 3960.63 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 6,969,649 SQUARE FEET OR 160.001 ACRES.

Warranty Deed Page 1 of 2

Gary Christensen Washington County Recorder
 03/26/2021 03:36:43 PM Fee \$40.00 By INFINITY
 TITLE

Recording requested by:
 Infinity Title Insurance Agency LLC

After Recording Return To:
 KARALE FARRAR and MIKE FARRAR
 14620 South Highland Home Road
 Banning, CA 92220

File Number: 2021-4891
 Parcel ID: AV-1366-A-1

Warranty Deed

Know All Men By These Presents that

KARALE FARRAR and MIKE FARRAR

(henceforth referred to as "Grantor") of 14620 South Highland Home Road, Banning, CA 92220, for consideration paid, hereby CONVEY(s) and WARRANTS to:

MICHAEL LEE FARRAR AND KARALE ROBYN FARRAR, TRUSTEES OF THE MICHAEL AND KARALE FARRAR FAMILY TRUST, DATED SEPTEMBER 27, 2019

(henceforth referred to as "Grantee") of 14620 South Highland Home Road, Banning, CA 92220, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the following tract(s) of land in WASHINGTON County and State of UTAH described as follows:

All of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 15, Township 43 South, Range 11 West, Salt Lake Base and Meridian, State of Utah.

Less and Excepting any portion of the above described property lying within and North of the bounds of State Highway U-59.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2021 and thereafter.

ACCOMMODATION RECORDING ONLY. INFINITY TITLE, A UTAH TITLE INSURANCE AGENCY, MAKES NO REPRESENTATION AS TO CONDITION OF TITLE, OR DOES IT ASSUME ANY RESPONSIBILITY FOR VALIDITY, SUFFICIENCY OR EFFECTS OF DOCUMENT.

WARRANTY DEED

File No.: 2021-4891

Page 1 of 2

In Witness Whereof, the said Grantor, hereunto set by hands and seals this 23rd day of March, 2021.

Karale Farrar
KARALE FARRAR

Mike Farrar
MIKE FARRAR

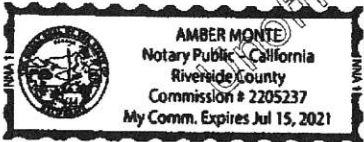
STATE OF California

COUNTY OF Riverside

On this 23rd day of March, 2021, before me Amber Monte, a notary public, personally appeared KARALE FARRAR and MIKE FARRAR, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged he/she they executed the same.

Witness my hand and official seal

Amber Monte
Notary Public



WARRANTY DEED

Warranty Deed Page 1 of 2
Gary Christensen Washington County Recorder
09/20/2021 03:29:02 PM Fee \$40.00 By GT TITLE
SERVICES

MAIL TAX NOTICES TO GRANTEE(S) AT:
(ADDRESS UNASSIGNED)
SANTA CLARA, UT 84765



Property Reference Information:
Tax Parcel No(s): AV-1369-A
Property Address(es) (if any):
(ADDRESS UNASSIGNED), SANTA CLARA, UT 84765

WARRANTY DEED

JAMES L. MARTIN AND RHONDA L. MARTIN AND THE PHILLIP M. JENSEN AND DEBRA R. JENSEN REVOCABLE LIVING TRUST ("Grantor(s)"),

in exchange for good and valuable consideration, hereby conveys and warrant(s) to

MICHAEL LEE FARRAR AND KARALE ROBYN FARRAR AS TRUSTEES OF THE MICHAEL KARALE FARRAR FAMILY TRUST U/A/D SEPTEMBER 27, 2019 ("Grantee(s)")

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

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 60 RODS; THENCE WEST 80 RODS; THENCE SOUTH 50 RODS; THENCE EAST 80 RODS; MORE OR LESS TO THE POINT OF BEGINNING.

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

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

Information for reference purposes:

GT Title File No.: **W45275**

Tax Parcel No(s): **AV-1369-A**

Property Address(es) (if any):

(ADDRESS UNASSIGNED), SANTA CLARA, UT 84765

~~Signature Page to Warranty Deed~~

Witness the hand of Grantor(s) this 17 day of **SEPTEMBER, 2021**.



JAMES L. MARTIN

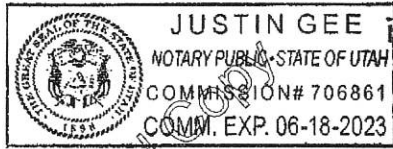



RHONDA L. MARTIN

STATE OF UTAH

COUNTY OF Washington

On this 17 day of **September, 2021**, personally appeared before me **JAMES L. MARTIN and RHONDA L. MARTIN**, the named Grantor(s) of the within instrument, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and duly acknowledged that he/she/they executed this instrument. Witness my hand and official seal.





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



May 21, 2024

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST
Parcel Numbers: AV-1390, AV-1366-A-1, AV-1369-A
Located: see map (on backside of this letter)

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space Transition Zone (OST) A-X Agricultural Zone (A-X) for the stated purpose of “Change to Agricultural.” The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder’s office or at the following links:

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05 Temporary Ordinance For Zone Change To A-X Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.05%20Temporary%20Ordinance%20For%20Zone%20Change%20To%20A-X%20Agricultural%20Zone)

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020 A Agricultural Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020%20Agricultural%20Zone)

The hearing will be held **Wednesday, June 5th at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

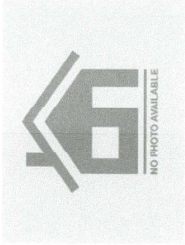
Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner’s property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

Jenna Vizcardo
Town Clerk



Parcels (1)
★ Account Summary



Account Number: 1196769
Parcel Number: AV-1390
Owner Name: FARRAR MICHAEL TR, FARRAR KARALE ROBYN TR
Subdivision Name:
Situs Address:

- Account Overview
- Create a Property Report
- Property Images
- Property Sketches
- Email Us About This Account

Displaying 1 - 1 (Total: 1)
◀ Page 1 of 1 ▶



https://geocortex.washoe.nv.gov/html5/Viewer/index.html?Viewer=AssessorReport

Sign In

Search...



1/1



Parcels (1)
★ Account Summary



Account Number: 0155443
Parcel Number: AV-1366-A-1
Owner Name: FARRAR MICHAEL LEE & KARALE ROBYN TRS
Subdivision Name:
Situs Address:

- Account Overview
- Create a Property Report
- Property Images
- Property Sketches
- Email Us About This Account

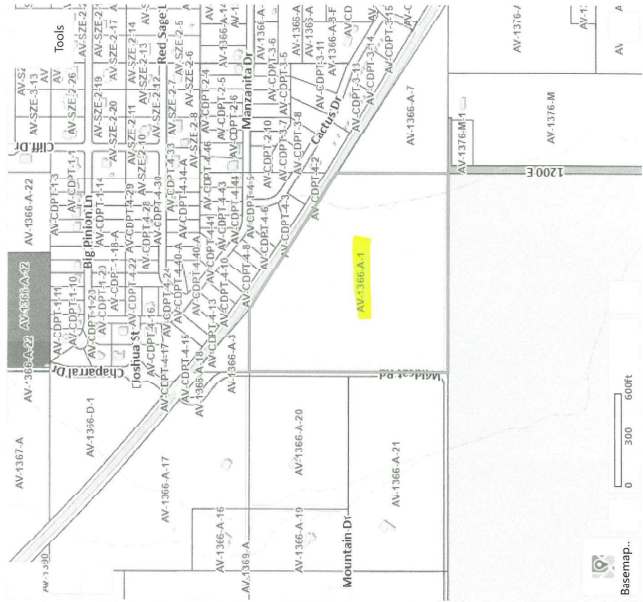
Displaying 1 - 1 (Total: 1)
◀ Page 1 of 1 ▶



https://geocortex.washoe.nv.gov/html5/Viewer/index.html?Viewer=AssessorReport

Sign In

Search...



1/1



Parcels (1)
★ Account Summary



Account Number: 0155492
Parcel Number: AV-1369-A
Owner Name: FARRAR MICHAEL LEE & KARALE ROBYN TRS
Subdivision Name:
Situs Address:

- Account Overview
- Create a Property Report
- Property Images
- Property Sketches
- Email Us About This Account

Displaying 1 - 1 (Total: 1)
◀ Page 1 of 1 ▶



https://geocortex.washoe.nv.gov/html5/Viewer/index.html?Viewer=AssessorReport

Sign In

Search...



1/1



PLANNING COMMISSION MEETING AND HEARING (RESCHEDULED FROM APRIL 3, 2024)

1777 N Meadowlark Dr, Apple Valley
Wednesday, April 10, 2024 at 6:00 PM

MINUTES

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Becky Wood

CALL TO ORDER- Chairman Farrar called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Bradley Farrar

Commissioner Lee Fralish

Commissioner Richard Palmer

ABSENT

Commissioner Garth Hood

Commissioner Becky Wood

CONFLICT OF INTEREST DISCLOSURES

None declared.

HEARING ON THE FOLLOWING

1. Recommendation of Approval to Amend Title 10.10.020 A Agricultural Zone, Ordinance-O-2024-14.
Chairman Farrar opened the public hearing.
No public comments.
Chairman Farrar closed the public hearing.
2. Recommendation of Approval to Adopt Title 10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone, Ordinance-O-2024-15.
Chairman Farrar opened the public hearing.
No public comments.
Chairman Farrar closed the public hearing.
3. Recommendation of Approval to Amend Title 10.10.121 Purpose and Objectives of the Planned Development Overlay Zone, Ordinance-O-2024-16.
Chairman Farrar opened the public hearing.
No public comments.



PLANNING COMMISSION MEETING AND HEARING (RESCHEDULED FROM APRIL 3, 2024)

1777 N Meadowlark Dr, Apple Valley
Wednesday, April 10, 2024 at 6:00 PM

MINUTES

Chairman Farrar closed the public hearing.

DISCUSSION AND POSSIBLE ACTION ITEMS

4. Recommendation of Approval to Amend Title 10.10.020 A Agricultural Zone, Ordinance-O-2024-14.

Chairman Farrar reviewed the ordinance amendment in the agenda packet. This amendment waives the fee to apply for agricultural zoning if you have a parcel with 5 or more acres. This zoning allows for many more uses than being zoned Open Space Transitional or Residential. With agricultural zoning, you have more freedom with livestock, you are able to build a house on it, you can put a barn on it, it helps with taxes, and most importantly, it helps preserve the agricultural lifestyle here in Apple Valley.

Commissioner Palmer raised the issue of item G regarding the mud pit, questioning what a mud bog is. There was also a discussion about using troughs for cooling pigs. Palmer mentioned misconceptions about pig farms, noting that pigs don't stink and explaining how one farmer used a shallow pool of water to help pigs cool off. The discussion concluded with the decision to potentially amend the verbiage in the future to address these concerns.

There were no further questions or comments from the other commissioners on this matter.

MOTION: Commissioner Fralish motioned we recommend approval to amend Title 10.10.020 A Agricultural Zone, Ordinance-O-2024-14.

SECOND: The motion was seconded by Commissioner Plamer.

VOTE: Chairman Farrar called for a vote:

Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

5. Recommendation of Approval to Adopt Title 10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone, Ordinance-O-2024-15.

Chairman Farrar discussed the ordinance amendment in the agenda packet. This topic had also been discussed in the previous day's work meeting. The temporary ordinance would involve a temporary fee schedule change for anyone changing to an agricultural zone, open for four months for 5 acres or more. It was emphasized that this change was not guaranteed, as the process of zone changes still needed to be followed. The purpose of this temporary waiver was to promote rural growth. Chairman



PLANNING COMMISSION MEETING AND HEARING (RESCHEDULED FROM APRIL 3, 2024)

1777 N Meadowlark Dr, Apple Valley
Wednesday, April 10, 2024 at 6:00 PM

MINUTES

Farrar explained that the mayor's suggestion was to leave the temporary waiver at four months for now and revisit the decision, if necessary, in the future.

MOTION: Commissioner Fralish motioned we Adopt Title 10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone, Ordinance-O-2024-15.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

6. Recommendation of Approval to Amend Title 10.10.121 Purpose and Objectives of the Planned Development Overlay Zone, Ordinance-O-2024-16.

Chairman Farrar discussed the ordinance amendment in the agenda packet. This amendment was described as a housekeeping item to better protect the town. It stated that the plan development overlay zone would not be considered complete until a final development agreement was signed and executed between the town and the developer.

Mayor Farrar expressed concern about remembering to include this requirement in the motion and decided to include it in the ordinance for safety.

MOTION: Commissioner Palmer motioned to recommend approval to amend Title 10.10.121 Purpose and Objectives of the Planned Development Overlay Zone, Ordinance-O-2024-16.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.



PLANNING COMMISSION MEETING AND HEARING (RESCHEDULED FROM APRIL 3, 2024)

1777 N Meadowlark Dr, Apple Valley
Wednesday, April 10, 2024 at 6:00 PM

MINUTES

APPROVAL OF MINUTES

7. Minutes: March 6, 2024.

MOTION: Commissioner Fralish motioned we approve the draft minutes of the Planning Commission Meeting and Hearing 3/6/24.

SECOND: The motion was seconded by Chairman Farrar.

VOTE: Chairman Farrar called for a vote:

- Chairman Farrar - Aye
- Commissioner Palmer - Aye
- Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

- Chairman Farrar - Aye
- Commissioner Palmer - Aye
- Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 6:10 p.m.

Date Approved: _____

Approved BY: _____

Chairman | Bradley Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, May 01, 2024 at 6:00 PM

MINUTES

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Becky Wood

CALL TO ORDER- Chairman Farrar called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Bradley Farrar

Commissioner Lee Fralish

Commissioner Richard Palmer

Commissioner Garth Hood

ABSENT

Commissioner Becky Wood

CONFLICT OF INTEREST DISCLOSURES

None declared.

HEARING ON THE FOLLOWING

1. Recommendation of Approval to Amend Title 10.02.070 Site Plan Required, Ordinance-O-2024-18.

Chairman Farrar opened the hearing.

No public comments.

Chairman Farrar closed the public hearing.

2. Recommendation of Approval to Amend Title 10.14.020 Short Term Vacation Rental Rules and Regulations, Ordinance-O-2024-19.

Chairman Farrar opened the public hearing.

Janet Prentice, Apple Valley resident commented. How we are going to enforce people that do not have licenses.

Chairman Farrar closed the public hearing.

DISCUSSION AND POSSIBLE ACTION ITEMS

3. Recommendation of Approval to Amend Title 10.02.070 Site Plan Required, Ordinance-O-2024-18.

Chairman Farrar discussed amending title 10.0 2.070 to update site plan requirements. The updates were based on recommendations from the fire chief, with additional items added. The amendments include new requirements such as specifying the distance to the nearest fire hydrant, identifying any



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, May 01, 2024 at 6:00 PM

MINUTES

wells on the property, outlining safety measures, specifying property lines, setbacks, construction limits, parking, surrounding streets, driveways, fire hydrants, easements, and landscaped areas.

Town Clerk/Recorder Jenna Vizcardo clarified that the amendments are recommendations to guide the public on site plan requirements and that they did not change any building codes. She also mentioned that discussions about building permits would be addressed separately.

Chairman Farrar noted that most of the requirements are already standard and should already be included in any site plan.

Commissioner Palmer emphasized the importance of accurately indicating the location of all wells on the property due to potential health hazards from contaminated water.

The commissioners agreed on the importance of these updates.

MOTION: Commissioner Hood motioned that we recommend approval to amend Title 10.02.070, Ordinance-O-2024-18.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

4. Recommendation of Approval to Amend Title 10.14.020 Short Term Vacation Rental Rules and Regulations, Ordinance-O-2024-19.

Chairman Farrar discussed amending Title 10.14.020 Short Term Vacation Rental Rules and Regulations. Some changes were described as housekeeping, while others were to align with new state laws. Was noted that some adjustments included raising the fee for violations from \$750 to \$1,000.

The commissioners agreed with the proposed amendments.

MOTION: Commissioner Palmer motioned to recommend for approval to Town Council, Title 10.14.020 Short Term Vacation Rental Rules, Ordinance-O-2024-19.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, May 01, 2024 at 6:00 PM

MINUTES

Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES

5. Minutes: March 27, 2024.

MOTION: Commissioner Fralish motioned we approve the minutes of 3/27/24 of the Planning Commission.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, May 01, 2024 at 6:00 PM

MINUTES

The meeting was adjourned at 6:07 p.m.

Date Approved: _____

Approved BY: _____

Chairman | Bradley Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo

DRAFT