



APPLE VALLEY TOWN COUNCIL

1777 N Meadowlark Dr, Apple Valley
Wednesday, October 20, 2021 at 5:00 PM

AGENDA

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Wednesday, October 20, 2021**, commencing at **5:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor | Dale Beddo |

Council Members | Kevin Sair | Paul Edwardsen | Mike McLaughlin | Marty Lisonbee |

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

Zoom Meeting ID: 891 4934 1736

Zoom Link: <https://us02web.zoom.us/j/89149341736>

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

DECLARATION OF CONFLICTS OF INTEREST

MAYOR'S TOWN UPDATE

PUBLIC HEARING

DISCUSSION AND ACTION

1. DISCUSSION AND POSSIBLE ACTION ON JEPSON CANYON DEVELOPMENT AGREEMENT.
2. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR SMITHSONIAN ESTATES, APPLICANT LADD MACDONALD FOR LOT AV-1329-B.
3. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR SMITHSONIAN ESTATES, APPLICANT LADD MACDONALD FOR LOT AV-1329-B.
4. DISCUSSION AND POSSIBLE ACTION ON KNOLLWOOD RV LLC DEVELOPMENT AGREEMENT.
5. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FROM SF-1 TO RE-10, APPLICANT LILETTE WILSON FOR LOT AV-1311-U.
6. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR LOT AV-1-3-5-211, APPLICANT ALLRED HEBER.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

PUBLIC COMMENTS

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

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

CERTIFICATE OF POSTING: I, Jeff Voran, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this meeting notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town Website www.applevalleyut.gov on the October 13, 2021.

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

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

When recorded, mail to:
Little Creek Land Company, LLC
Attn: Hank Isaksen
P.O. Box 1026
St. George, UT 84771

Tax Parcels:

**AV-1337-A-1-A-1-A; AV-1340;
AV-1341; AV-1347; AV-1352;
AV-1353; AV-1338-A-1;
and AV-1338-A-2**

**AMENDMENT TO
DEVELOPMENT AGREEMENT
For the
JEPSON CANYON RESORT PROJECT**

This Amendment to Development Agreement (“Amendment”) is made and entered into as of the ____ day of _____, 2021 (the “Effective Date”) by and between THE TOWN OF APPLE VALLEY, a municipality located in Washington County, Utah and organized under the laws of the State of Utah (the “Town”), and BIG PLAINS WATER AND SEWER SPECIAL SERVICE DISTRICT, a special service district located in Washington County, Utah, and organized under the laws of the State of Utah (the “District”); and LITTLE CREEK LAND COMPANY, LLC, a Utah limited liability company (“LCLC”), and JEPSON CANYON RESORT DEVELOPMENT CO., INC., a Utah corporation (“JCRDC”) (LCLC and JCRDC collectively referred to herein as “Developer”). The Town, District and Developer may each be referred to herein as a “Party” or collectively as the “Parties.”

RECITALS

WHEREAS, Developer owns approximately 313 acres of real property located within the municipal boundaries of the Town of Apple Valley, Washington County, State of Utah as more particularly described in Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Parties having previously entered a Development Agreement for the Property, dated June 12, 2019, and recorded on June 20, 2019, as Doc. No. 20190024367, and a Water and Sewer Agreement, dated June 12, 2019, and recorded on June 20, 2019, as Doc. No. 20190024368, each in the files of the Recorder for Washington County, State of Utah; and

WHEREAS, the Parties having reached certain additional agreements related to the proposed water service and infrastructure for the Property, the Town, District, and Developer desire to enter into this Agreement in order to amend and supplement the agreements previously entered by the parties.

NOW, THEREFORE, in consideration of the recitals and mutual covenants and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1.00 PRIOR AGREEMENTS STILL IN EFFECT: The terms and conditions of all prior agreements between the parties, not otherwise amended, modified, terminated or superseded, or in conflict with the terms and provisions set forth herein, shall remain in full force and effect hereafter. With respect to any such conflicting provisions, this Amendment shall govern.

2.00 ACQUISITION AND DEDICATION OF PHASE 1 WATER BY DEVELOPER: Developer acknowledges it has an obligation to dedicate water to the District sufficient to service the Property. Phase 1 of Developer's master plan for the Property includes approximately 170 single family residential units, and Developer is negotiating with a seller to acquire 100 acre feet of water rights which will be dedicated to the District to service the Phase 1 residential units (the "Phase 1 Water Rights").

2.01 Developer understands that the District's current policy is to permit one new residential connection per 1 acre foot of water dedicated. Developer will therefore be entitled to connections for the initial one hundred (100) units in Phase 1 upon dedication of the Phase 1 Water Rights.

2.02 Developer agrees that it will construct and dedicate to the District, at no cost to the Town or District and as a condition of approval of any residential units beyond the first 100 units in Phase 1, a wastewater treatment facility of minimum sufficient capacity to treat the effluent resulting from use of the Phase 1 Water Rights.

~~2.032~~ The Parties recognize that there will be a benefit available as a result of effluent from the use of the Phase 1 Water Rights, making available additional reuse water which the District does not currently have. The District anticipates that it may make use of such reuse water to provide additional water service to the Property. Therefore, Developer agrees to waive any claim to the effluent or reuse water originating from Phase 1 of the Property, and assign any of its rights or claim to such water to the District, as consideration for receiving an additional seventy (70) residential water connections, making a total of one hundred seventy (170), to service Phase 1 of the Property. As a condition of receipt of said connections, Developer will provide to the Town and District a written opinion of a water engineer, bearing the engineer's professional certification, that the Water Rights, and the treated effluent resulting from the planned use of the Water Rights, are sufficient to service the total 170 equivalent residential connections contemplated herein (the "Engineer's Opinion").

~~2.043~~ Conditioned upon receipt of the Engineer's Opinion, tThe District agrees to grant such additional connections to Developer in return for Developer's assignment of any claims or rights to the use of effluent or reuse water, and the Town consents

to the same. The Parties agree that they will work together in good faith to enter such other agreements or make such other applications as may be necessary to carry out the intent of these terms.

2.054 The District and Town agree that at some date in the future, the Developer may trade other water of similar or better quality to the District in order to receive back the right to the use of effluent and reuse water from the Phase 1 Water Rights, for the purpose of irrigation of the planned golf course or other approved uses.

2.065 All of the agreements set forth in this Section 2.00 are conditioned upon the anticipated acquisition and dedication of the Phase 1 Water Rights to the District, at no cost to the District.

3.00 CONSTRUCTION OF AND ACCESS TO WATER TANK: The Town and District have previously requested that Developer construct a single, concrete 1,000,000 gallon water tank to satisfy the requirement for a Permanent Water Tank to service the Property; the Developer has proposed constructing two 500,000 gallon water tanks, in part because of concerns about the costs of constructing the access required to build a single water tank at the south end of the Property. In order to resolve the question, the Town, District, and Developer agree as follows.

3.01 Developer agrees to build a single 1,000,000 gallon water tank at the site depicted at the southern end of the approved Master Plan for the Property, as part of the required infrastructure improvements for Phase 1 of the Property, but the Town and District agree that Developer may provide a metal tank instead of a concrete one (subject to regular review and approval of construction drawings for the tank).

3.02 As additional incentive for Developer, the Town and District agree that Developer shall not be required to construct the access road to the water tank site to full width, or with full improvements, to facilitate construction of the water tank or as a condition of development of Phase 1; rather, until subdivisions in future phases beyond Phase 1 are approved by the Town, Developer may construct the access road to a temporary partial width of twenty-five feet (25') with an all-weather (gravel) surface, in order to provide access to the water tank and associated water lines for operation and maintenance purposes. The access road (and temporary improvements) will be dedicated to the Town in full width at the time the water tank and system improvements are also dedicated to the District. Future roadway dedications and improvements associated with such roadway shall be made as required by the Town's and District's ordinances governing subdivision improvements, as subdivisions are approved in phases beyond Phase 1.

4.00 AMENDMENT TO RUN WITH THE LAND: The Town or District shall record this Amendment in the Official Records of Washington County, State of Utah. This Amendment, as with the original Agreements between the Parties, shall be deemed to run with the Property and shall be binding on and inure to the benefit of all successors and

assigns of Developer in the ownership or development of any portion of the Property. Notwithstanding the foregoing, upon the sale or development of a subdivided and developed unit or lot to a third party, such unit or lot shall be released from and no longer burdened by the provisions of this Amendment.

5.00 ALL OTHER PROVISIONS INCORPORATED: The Parties agree that all other miscellaneous and general provisions of their prior agreements, specifically including sections 11.00 and 12.00 of the Development Agreement, and sections 6.00 and 7.00 of the Water and Sewer Agreement, are incorporated as if fully set forth herein.

(SIGNATURES CONTAINED ON FOLLOWING PAGES.)

IN WITNESS WHEREOF, the undersigned have caused this Amendment to be executed as of the dates hereafter set forth by their duly authorized officers.

TOWN OF APPLE VALLEY:

By: _____
Dale Beddo, Mayor

ATTEST:

By: _____
Jeff Voran, Recorder

STATE OF UTAH,)
)
) :ss.
County of Washington.)

On the ____ day of _____, 2021, personally appeared before me Dale Beddo and Jeff Voran, who being by me duly sworn, did say that they are the Mayor and Recorder of the Town of Apple Valley, a Utah municipal corporation, and that they executed the foregoing document on behalf of said Town by authority granted by its Town Council, and they did acknowledge to me that the Town executed the same for the uses and purposes stated therein.

Notary Public

(SIGNATURES CONTINUE ON NEXT PAGE)

By: _____
Dale Beddo, Chair

On the ____ day of _____, 2021, personally appeared before me Dale Beddo, who being by me duly sworn, did say that he is the Chair of the Big Plains Water and Sewer Special Service District, and that he executed the foregoing document on behalf of said District by authority granted by its Board, and he did acknowledge to me that the District executed the same for the uses and purposes stated therein.

(SIGNATURES CONTINUE ON NEXT PAGE)



Town of Apple Valley

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

Fee: \$500.00 + Acreage Fee

1 – 100 Acres: \$50.00/Acre

101 – 500 Acres: \$25.00/Acre

501 + Acres: \$10/Acre

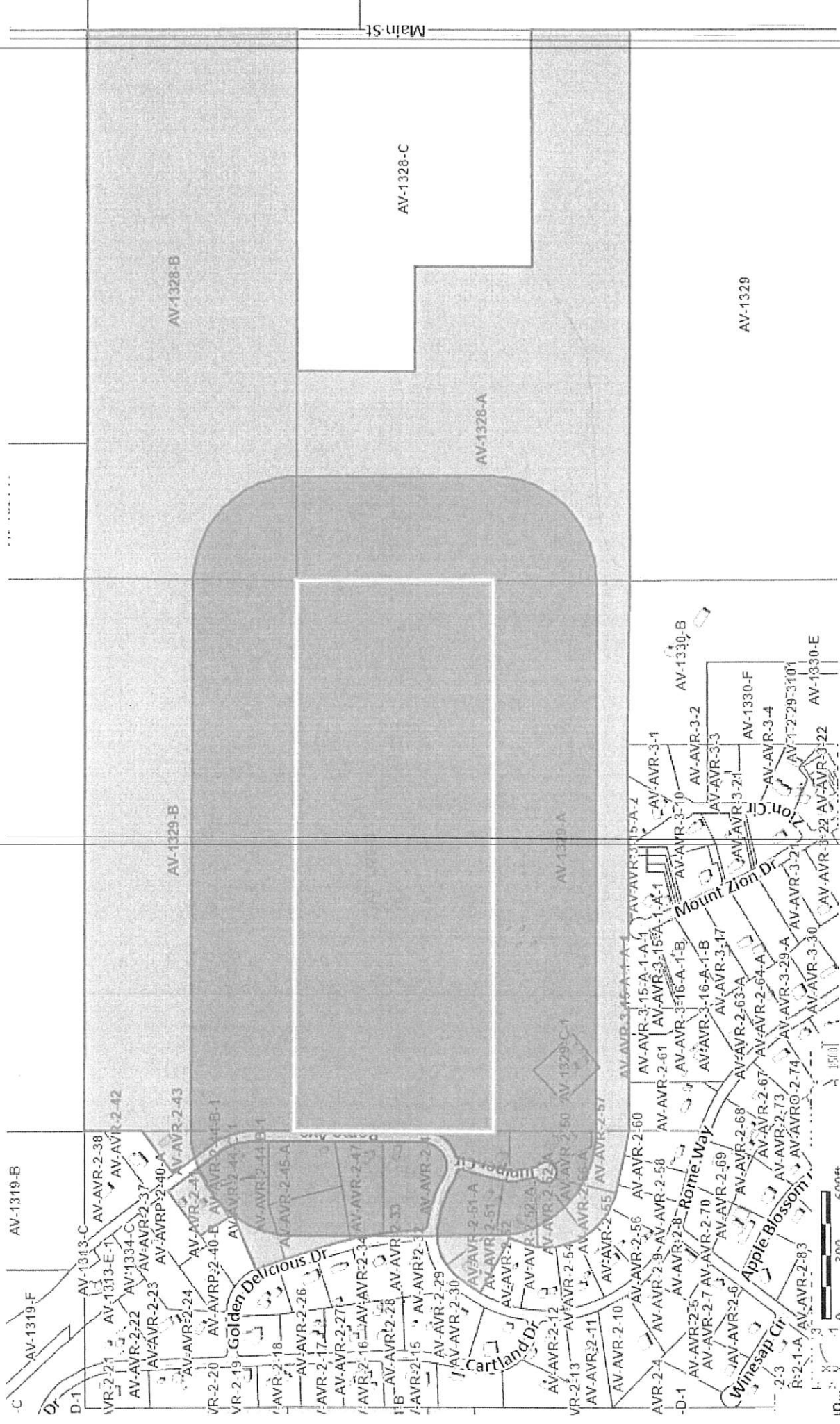
Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting			
Name: <u>LADD MACDONALD</u>		Phone: <u>925-407-5073</u>	
Address:		Email: <u>LADDMAK@GMAIL.COM</u>	
City:	State:	Zip:	
Agent: (If Applicable)		Phone:	
Address/Location of Property: <u>BETWEEN ROME AVE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

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

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

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

Official Use Only <u>paid fee 10/12/21</u>	
Date Received: <u>10/10/21</u>	By: <u>[Signature]</u>
Date Application Deemed Complete: <u>10/12/21</u>	By: <u>[Signature]</u>



PROPERTIES WITHIN 500'

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:

DRL Investments
985 North Shadow Ridge Avenue
Eagle, Idaho 83616

DOC # 20060058754

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

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



WARRANTY DEED

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

CONVEY and WARRANT to

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

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

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

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

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

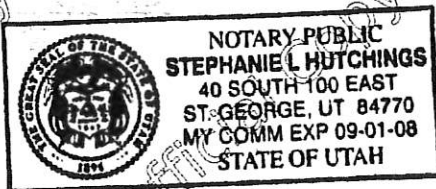
Jana Lyn Musgrave
JANA LYN MUSGRAVE, Member/Manager

Matthew C. Musgrave
MATTHEW C. MUSGRAVE, Member/Manager

NOTARY

STATE OF UTAH)
County of Washington) ss

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



Stephanie L. Hutchings
Notary Public

Notary Public residing at:
My Commission Expires:

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

EXHIBIT "A"

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

PARCEL 1:

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

PARCEL 2:

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

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

Initials



PRELIMINARY PLAT APPLICATION

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

Fee: \$1,500, Lot Split \$250

For Office Use Only:

File No. _____

Receipt No. _____

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

Address: _____ Fax No. _____

Email: laddmac@gmail.com

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

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

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

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

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

- X 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- X a. The proposed name of the subdivision.
 - X b. The location of the subdivision, including the address and section, township and range.
 - X c. The names and addresses of the owner or subdivider, if other than the owner.
 - X d. Date of preparation, and north point.
 - X e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- X 2. Existing Conditions: The preliminary plat shall show:
- X a. The location of the nearest monument.
 - X b. The boundary of the proposed subdivision and the acreage included.
 - X c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - X d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - X e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
 - X f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

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

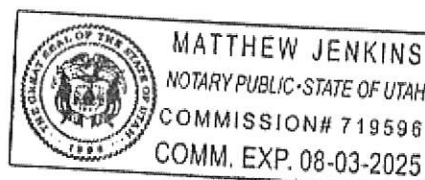
(Preliminary Plat Application – Page 2)

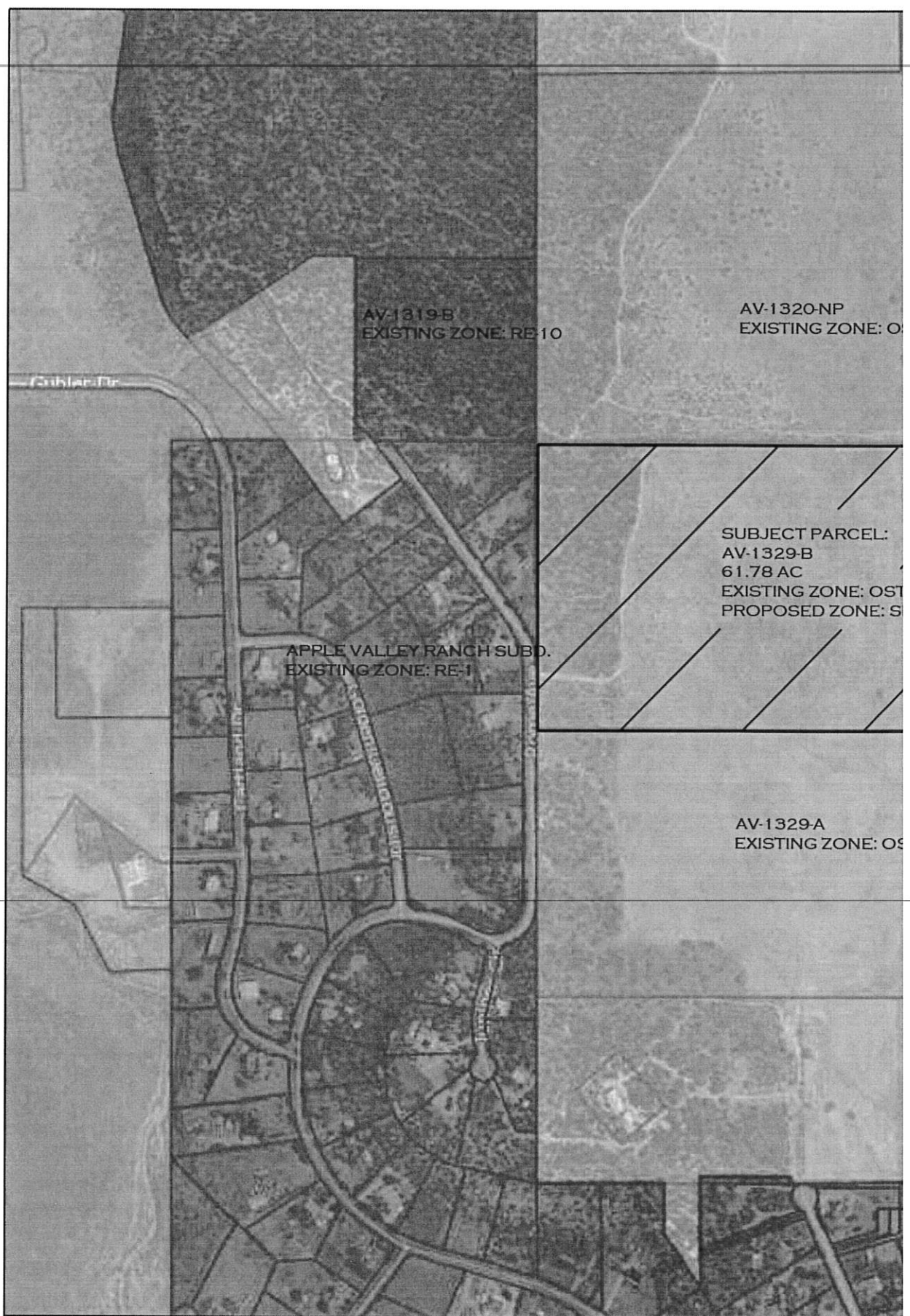
- ☒ 3. Proposed Plan: The subdivision plans shall show:
- ☒ a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.
 - ☒ b. The layout, numbers and typical dimensions of lots.
 - ☒ c. Parcels of land intended to be dedicated or temporarily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

- ☒ 4. Required copies of plans:
- ☒ a. Three copies of all full scale drawings
 - ☒ b. One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).
- ☒ 5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

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

(Office Use Only)





AV-1319-B
EXISTING ZONE: RE-10

AV-1320-NP
EXISTING ZONE: OS

SUBJECT PARCEL:
AV-1329-B
61.78 AC
EXISTING ZONE: OST
PROPOSED ZONE: S

APPLE VALLEY RANCH SUBD.
EXISTING ZONE: RE-1

AV-1329-A
EXISTING ZONE: OS

Developer Agreement

PROJECT: RV Park

ADDRESS: 1354 N. State Street Apple Valey, UT 84737

PARCEL: AV-1334-W

This agreement is between the Town of Apple Valley, 1777 North Meadowlark Drive Apple Valley, Utah 84737 AND Knollwood85, LLC, 1163 N. Main St. Hurricane, Utah 84737.

Purpose of Agreement: Knollwood85, LLC proposes the following terms and conditions as part of their RV Park development within the Town of Apple Valley.

1. Highway Improvement: a right-hand acceleration lane, at the intersection of Apple Valley Way and SR59, will be the responsibility of Knollwood85, LLC unless, future developments create plans to improve the intersection of Apple Valley Way and SR59. If no plans from future developments are in place by the time Knollwood85, LLC has been issued a certificate of occupancy, Knollwood85, LLC has up to 1 calendar year to finish the highway improvement. Knollwood85, LLC acknowledges that it has 1 year from the time UDOT issues a Conditional Access Permit to complete the highway improvement.
2. Sewer Connection: if the Town of Apple Valley moves forward with and completes a town sewer system, Knollwood85, LLC will connect the RV Park's septic system to the Town of Apple Valley's sewer system and provide the RV Park's liquid wastewater. If the Town of Apple Valley requires Knollwood85, LLC to connect the RV Parks's septic system to its sewer system, the Town of Apple Valley will reimburse Knollwood85, LLC the costs for design and construction to connect to the town's sewer system. Reimbursement of these costs will come in the form of credits to Knollwood85, LLC's future sewer utility bills. If the Town of Apple Valley does not move forward with a town sewer system, Knollwood85, LLC's RV Park will continue to use its septic system as approved by the state.
3. Knollwood85, LLC proposes that it will build 87, plus or minus, RV sites as part of its RV Park which meets the density requirements in the Town of Apple Valley's ordinance 0-2020-XX.
4. Knollwood85, LLC proposes that it will build an office building and two bathroom buildings as part of its RV Park.
5. Knollwood85, LLC proposes that it will build a swimming pool and spa as part of its RV Park within 1 year of receiving a certificate of occupancy.
6. Knollwood85, LLC proposes that if necessary it will build suitable sound and privacy walls as part of its RV Park within 1 year of receiving a certificate of occupancy.
7. Knollwood85 LLC proposes that it will use pervious compacted base rock for the RV sites as part of its RV Park.
8. The Town of Apple Valley acknowledges that it has reviewed and approved the following plans from Knollwood85, LLC for its RV Park: site plan, utility plan, grading plan.
9. The Town of Apple Valley acknowledges that it has issued a Notice to Proceed to Knollwood85, LLC to proceed with the construction of its RV Park.

Initials:

We hereby agree to the following terms and conditions as set forth in this Developer Agreement.

Town of Apple Valley

Mayor:

Date:

Knollwood85, LLC

Representative:

Date:

Initials:

Developer Agreement

PROJECT: RV Park

ADDRESS: 1354 N. State Street Apple Valey, UT 84737

PARCEL: AV-1334-W

This agreement is between the Town of Apple Valley, 1777 North Meadowlark Drive
Apple Valley, Utah 84737 AND Knollwood85, LLC, 1163 N. Main St. Hurricane, Utah 84737.

1. Highway Improvement: a right-hand acceleration lane, at the intersection of Apple Valley Way and SR59, will be the responsibility of Knollwood85, LLC unless, future developments create plans to improve the intersection of Apple Valley Way and SR59. If no plans from future developments are in place by the time Knollwood85, LLC has been issued a certificate of occupancy, Knollwood85, LLC has up to 1 calendar year to finish the highway improvement. Knollwood85, LLC acknowledges that it has 1 year from the time UDOT issues a Conditional Access Permit to complete the highway improvement.

Town of Apple Valley

Mayor:

Date:

Knollwood85, LLC

Representative:

Date:

10 ACRES
LOT



Town of Apple Valley

1777 N Meadowlark Dr
Apple Valley UT 84737

T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Application has
been paid in full 7/27/20.
\$ 500 Paid

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

Zone Change Application

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

Name: Lilette Wilson

Phone: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

City: St. George

State: UT

Zip: 84770

Agent: (If Applicable)

Phone: [REDACTED]

Address/Location of Property:

Parcel ID:

AV-1311-U

Existing Zone: Single Family Residential Zone

Proposed Zone: RE / Rural Estates RE-10

Reason for the request

AG - USE - GARDEN

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

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

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

Official Use Only

Date Received: 7/19/2021

By: [Signature]

Date Application Deemed Complete:

By:

WHEN RECORDED MAIL TO:
Lilette Wilson

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY
RECORDED AT THE REQUEST OF DIXIE TITLE COMPANY ORDER # 4-20-10C
MAIL TAX NOTICE TO: SAME AS ABOVE
TAX ID NO: PORTION OF AV-1311-U

WARRANTY DEED

Melroy Robert Vigoren

GRANTOR(S)

OF LA VERKIN, COUNTY OF WASHINGTON, STATE OF UTAH
HEREBY CONVEY AND WARRANT TO

Lilette Wilson

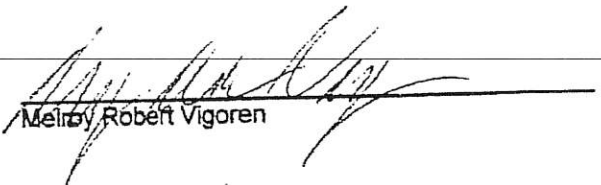
GRANTEE(S)

OF _____, COUNTY OF WASHINGTON, STATE OF UTAH
FOR THE SUM OF FORTY DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION,
THE FOLLOWING DESCRIBED TRACT OF LAND IN WASHINGTON COUNTY, STATE OF UTAH:

See Attached Legal Description

TOGETHER with all improvements and appurtenances thereunto belonging but being SUBJECT to Easements, Rights of Way and
Restrictions of Record. LESS AND EXCEPTING any and all water rights associated herewith.

WITNESS, THE HAND(S) OF SAID GRANTOR(S), THIS 22nd DAY OF APRIL, 2020.

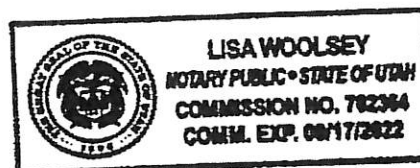

Melroy Robert Vigoren

STATE OF UTAH)

COUNTY OF Weber)
SS

ON APRIL 22nd, 2020. PERSONALLY APPEARED BEFORE ME, MELROY ROBERT VIGOREN, THE SIGNER(S)
OF THE WITHIN INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.


NOTARY PUBLIC





Bush and Gudgeon, Inc.
Engineers • Planners • Surveyors
St. George, Utah
www.bushandgudgeon.com

NORTH PARCEL DESCRIPTION

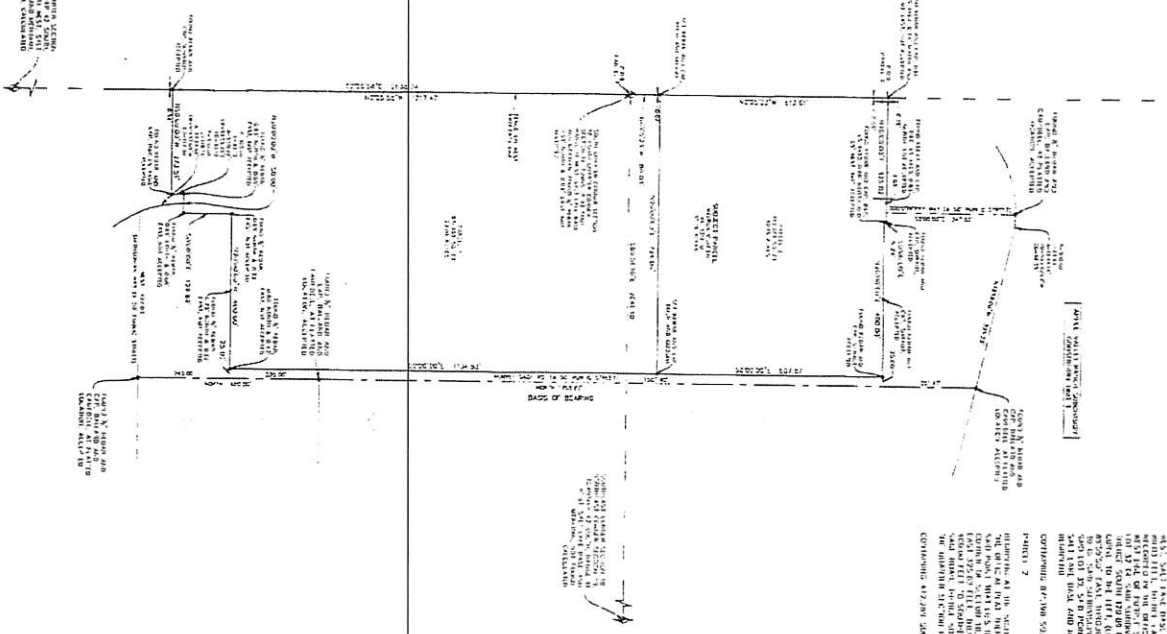
Parcel No. AV-1311-U

Beginning at the Southwest corner of Lot 33, Apple Valley Ranch Subdivision Gooseberry Unit #1, according to the Official Plat thereof, recorded in the office of the Washington County Recorder as Document No. 485280, said point that lies North 00°05'23" West along the Quarter Section line 693.64 feet from the South Quarter Corner of Section 18, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence East 325.02 feet; thence South 5.74 feet to the Southwest corner of Lot 34 of said subdivision, thence East 400.00 feet to Southeast corner of Lot 35 of said subdivision, said point also being the West line of Purple Sage Road, thence South along the West line of Purple Sage Road 607.87 feet; thence West 724.06 feet to the Quarter Section line, thence North 00°05'23" West along said line 613.61 feet to the point of beginning.

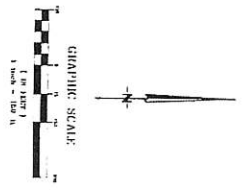
Containing 442,289 square feet or 10.15 acres.

04/14/2020
201072 Apple Valley
By: DGM

THE UNIVERSITY OF CHICAGO

[illegible]

MEMBERSHIP AT THE SOCIETY OF ECONOMIC ENTOMOLOGISTS COMPANY, 75 E. 10TH ST. IN 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 262

[illegible][illegible]

DEED DESCRIPTION

to be written. At the same time, the writing of the text, which was done by the author, was not a simple task. It was a task that required a great deal of time and effort. The author had to write the text in a way that was both clear and concise, and that was also easy to read. This was a task that required a great deal of skill and experience. The author had to write the text in a way that was both clear and concise, and that was also easy to read. This was a task that required a great deal of skill and experience.

MARKETING

[illegible]

NO. 115

1. *THE VARIOUS EFFECTS HAVE A LONG, BUT INADEQUATE HISTORY. IN 1906, COE OBSERVED THAT "THE EFFECTS OF THE VARIOUS FACTORS OF THE ENVIRONMENT UPON THE GROWTH OF PLANTS ARE NOT FULLY UNDERSTOOD."*

LEIGH

4. SPEDIN, I. G. and S. J. GIBSON. 1970. ASPECTS OF THE BIOLOGY OF THE MUD CRAB, *Decapoda*, in the Gulf of Mexico. *U.S. Fish. Bull.* 68: 1-14.

APPLE VALLEY PARK, W-1311-1
LOT SPILT

100 YARD IN
SOUTHEAST 1/4 OF SECTION 18 & NORTHEAST 1/4 OF SECTION 19,
TOWNSHIP 12, 50TH TRL. RANG 11 WEST, SALT LAKE BASE AND MERIDIAN

RETURNED FOR:
DAVID BRIDSON

**AFFIDAVIT
PROPERTY OWNER**

STATE OF UTAH)
)S
COUNTY OF WASHINGTON)

I (We) Lilette Wilson, 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 9 day of June, 2021 by
Lilette Wilson



[Signature]
Notary Public

Residing in: St. George

My Commission Expires: 09/01/2024

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: _____

PRELIMINARY PLAT APPLICATION

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

Fee: \$1,500, Lot Split \$250

For Office Use Only:

File No. _____

Receipt No. _____

Name: Alfred Heber R Telephone: _____

Address: [REDACTED] Fax No. _____

Email: Karl@pv-eng.com

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

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

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

Proposed Use: (Describe, use extra sheet if necessary) Residential 1/2 acre
& tourist commercial

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

- ☒ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
 - ☒ a. The proposed name of the subdivision.
 - ☒ b. The location of the subdivision, including the address and section, township and range.
 - ☒ c. The names and addresses of the owner or subdivider, if other than the owner.
 - ☒ d. Date of preparation, and north point.
 - ☒ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- ☒ 2. Existing Conditions: The preliminary plat shall show:
 - ☒ a. The location of the nearest monument.
 - ☒ b. The boundary of the proposed subdivision and the acreage included.
 - ☒ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - ☒ d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - ☒ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
 - ☒ f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

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

(Preliminary Plat Application – Page 2)

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

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

☒ 4. Required copies of plans:

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

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

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

(Office Use Only)

LOCATED IN SECTION 5, T43S, R11W, S11B1M,
WASHINGTON COUNTY, UTAH

7
تاريخ
رقم
ملاحظات

