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**PUBLIC NOTICE**

Notice is hereby given that the Tooele City Council will meet in a Business Meeting on Wednesday, February 20, 2019 at the hour of 7:00 P.M. The meeting will be held in the Tooele City Hall Council Room, located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Comment Period**
4. **Parks, Arts and Recreation (P.A.R.) Tax Special Funding**  
Presented by Chairman Pruden
5. **Year One: Library Free Policy**  
Presented by Jami Carter, Library Director
6. **Resolution 2019-16** A Resolution of the Tooele City Council Consenting to the Mayor's Appointment of Alan K. Jeppesen to the Tooele Valley Museum Advisory Board  
Presented by Mayor Debbie Winn
7. **Subdivision Preliminary Plan** for the Overlake Estates 1L Subdivision, Phases 2-6, Located at Approximately 500 West 2000 North for a 125-Lot Single-Family Residential Development on Approximately 30.5 Acres  
Presented by Jim Bolser
8. **Resolution 2019-12** A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Providence at Overlake Phase 2 Subdivision  
Presented by Jim Bolser
9. **Resolution 2018-35** A Resolution of the Tooele City Council Approving a Lease Agreement with Tooele County for the Middle Canyon Toll Booth Project  
Presented by Roger Baker
10. **Minutes**
11. **Invoices**
12. **Adjourn**

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Michelle Y. Pitt  
Tooele City Recorder

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 843-2110 or [michellep@tooelecity.org](mailto:michellep@tooelecity.org), Prior to the Meeting.

**TOOELE CITY CORPORATION**

**RESOLUTION 2019-16**

**A RESOLUTION OF THE TOOELE CITY COUNCIL CONSENTING TO THE MAYOR'S APPOINTMENT OF ALAN K. JEPPESEN TO THE TOOELE VALLEY MUSEUM ADVISORY BOARD.**

WHEREAS, Tooele City Code Chapter 2-2 governs the Mayor's appointments to the Tooele Valley Museum Advisory Board ("Board") and prescribes, among other things: a Board of 7 to 14 members, one of whom is the Mayor (or designee); Board members being appointed for terms of three years; and, Council consent to the Mayor's Board appointments; and,

WHEREAS, the Mayor has appointed Alan K. Jeppesen to the Board for a three-year term ending December 31, 2021, and seeks the Council's consent; and,

WHEREAS, attached as Exhibit A is a letter of interest from Mr. Jeppesen:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that consent is hereby given to Mayor Winn's appointment of Alan K. Jeppesen to the Tooele Valley Museum Advisory Board, who shall serve a three-year term effective immediately and ending December 31, 2021.

This Resolution is necessary for the peace, health, safety, and welfare of the residents of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(For)

(Against)

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

**Exhibit A**

**Letter of Interest**

*Alan Jeppesen*  
468 South 300 West  
Tooele, Utah 84074-2944  
Cell Phone: 435-840-4512  
akjintoolee@outlook.com  
Thursday, January 31, 2019

The Honorable Debbie Winn  
TOOELE CITY MAYOR  
90 North Main Street  
Tooele, Utah 84074

RE: Tooele City Museum Advisory Board

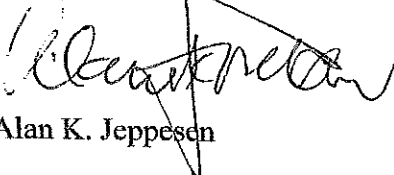
Dear Mayor Winn;

Pursuant to our conversation on this date, I herewith submit my name for appointment to the Museum Advisory Board. As I explained when we met, I am the president elect of the Settlement Canyon Chapter of the Sons of the Utah Pioneers, and would like to have the opportunity of serving on the Museum Board so as to keep the Sons of Pioneers advised as to the activities and business conducted by the Board and to make what ever contribution I might be able to add to the expertise of the Board.

As you are aware, the Settlement Canyon Chapter of the Sons of the Utah Pioneers has been operating a very interesting and unique Pioneer Museum, now denominated the Jim Bevan Pioneer Museum. The Museum is located in the former city library building. We have approximately 80 members of our local chapter and the museum is staffed most days of the week and on Saturday for the general public. Our chapter also holds monthly dinner meetings on the first Thursday of the month and have an expert in some aspect of Tooele City, County or Utah history make a presentation.

I have been a Tooele City resident since 1973 and was appointed City Attorney at that time and served part time in that position for five years. At the end of that term, I practiced law privately in Tooele City, and as a public defender for Tooele County. I have also served as a Tooele County prosecutor for eight years. The last fourteen years of my practice was as a Senior Attorney with the Social Security Administration in Salt Lake City. I have been retired for approximately three years and now have the time to dedicate to volunteer public service in our great community as a member of the Museum Advisory Board.

Very truly yours,



Alan K. Jeppesen

**STAFF REPORT**

February 2, 2019

**To:** Tooele City Planning Commission  
Business Date: February 13, 2019

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Overlake Estates IL Phases 2-6 – Preliminary Plan Request**

Application No.: P18-587  
Applicant: Dan Reeve, representing Perry Homes Utah, Inc.  
Project Location: Approximately 500 West 2000 North  
Zoning: R1-7 Residential Zone  
Acreage: 30.5 Acres (Approximately 1,329,451 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Plan in the R1-7 Residential zone regarding the creation of a 125 lot single-family residential subdivision.

**BACKGROUND**

This application is a request for approval of a Preliminary Plan for approximately 30.5 acres located at approximately 500 West 2000 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan be approved to allow for the development of the currently vacant site as 125 single-family residential lots. The Preliminary Plan divides the 125 lots into 5 phases consisting of 25 to 30 lots.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Single-family Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately 5 dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Single-family Residential land use designation. The property is surrounded on all sides by properties assigned the R1-7 zoning district. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Subdivision Layout.* The proposed subdivision phases, 2-6 will be constructed west of the existing Overlake Estates Phase 1L and will connect into the existing stub streets of that subdivision. A new connection will be constructed to 2000 North as well as a new stub at the south west corner for future connection. Lots within the subdivision will have access to 400 West by 2000 North and through the existing 1L subdivision. All lots within the subdivision meet or exceed the minimum lot standards as set

forth by the R1-7 Residential zoning code for lot sizes, lot frontages and lot widths. All roads within the subdivision will be public streets.

There are 11 double fronting lots along 200 North. When double fronting lots occur Tooele City code requires that the park strip receive landscaping treatments that include trees, permanent landscaping in the park strip and 6 foot solid masonry fencing at the rear of the lots. A landscape plan has been provided demonstrating that ordinance requirements for these double fronting lots will be satisfied. It should also be noted that trees and landscaping along these lots will be maintained by a development HOA.

This preliminary plan will be phased into 5 phases consisting of 18 lots (Phase 5) to 31 lots (Phase 2). Each phase will be required to obtain final plat subdivision approval.

Fencing. The only fencing required by code is along 2000 North next to the double fronting lots. The applicant has indicated the fencing will be installed as per city code.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

## **REVIEWS**

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Plan submission and has issued a recommendation for approval for the request.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Plan submission and have issued a recommendation for approval for the request.

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Plan by Dan Reeve, representing Perry Homes Utah, Inc., application number P18-587, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general

- welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
  5. The public services in the area are adequate to support the subject development.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Overlake Estates IL Phases 2-6 Preliminary Plan Request by Dan Reeve, representing Perry Homes Utah, Inc, for the creation of 125 single-family residential lots at approximately 500 West 2000 North, application number P18-587, based on the findings and subject to the conditions listed in the Staff Report dated February 2, 2019:”

1. List findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Overlake Estates IL Phases 2-6 Preliminary Plan Request by Dan Reeve, representing Perry Homes Utah, Inc. for the creation of 125 single-family residential lots at approximately 500 West 2000 North, application number P18-587, based on the following findings:”

1. List findings...



**EXHIBIT A**

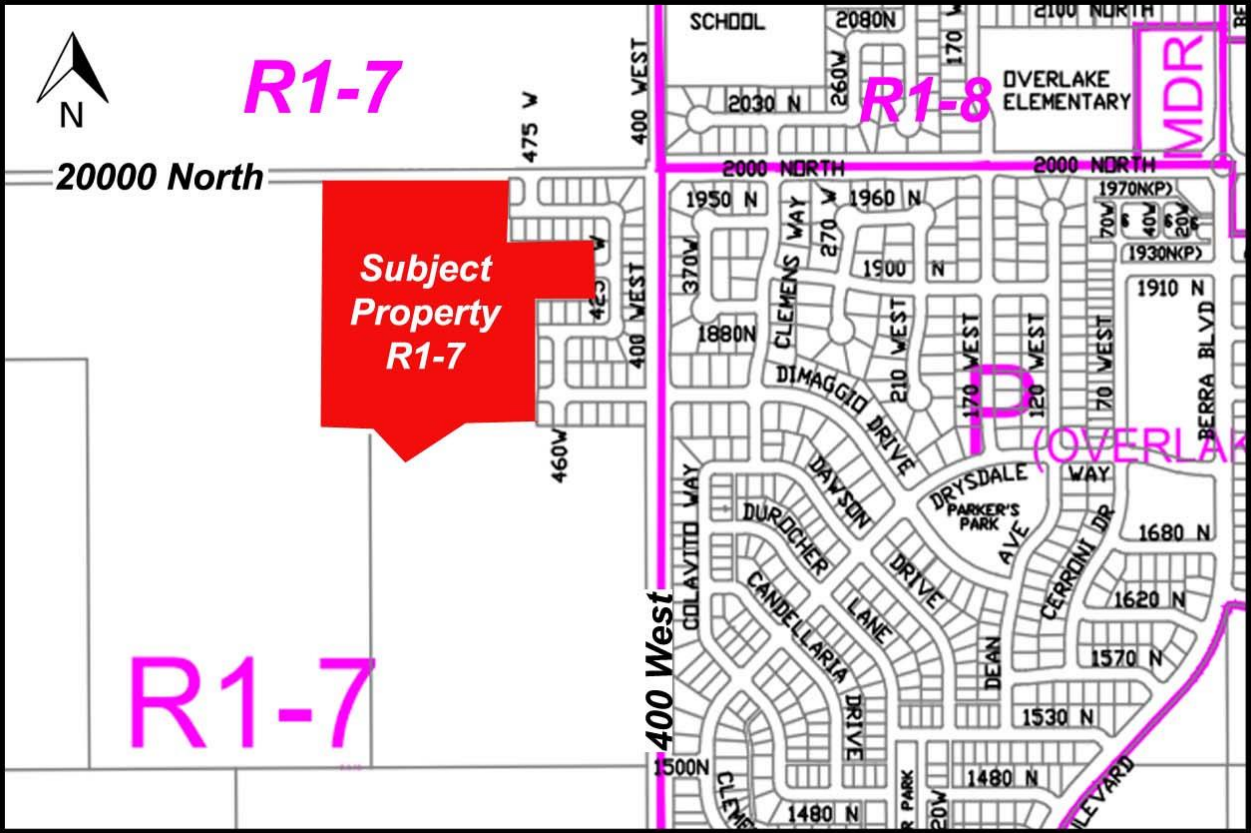
**MAPPING PERTINENT TO THE OVERLAKE ESTATES II PHASES 2-6  
PRELIMINARY PLAN**

***Overlake 1L Phases 2-6 Preliminary Plan***



***Aerial View***

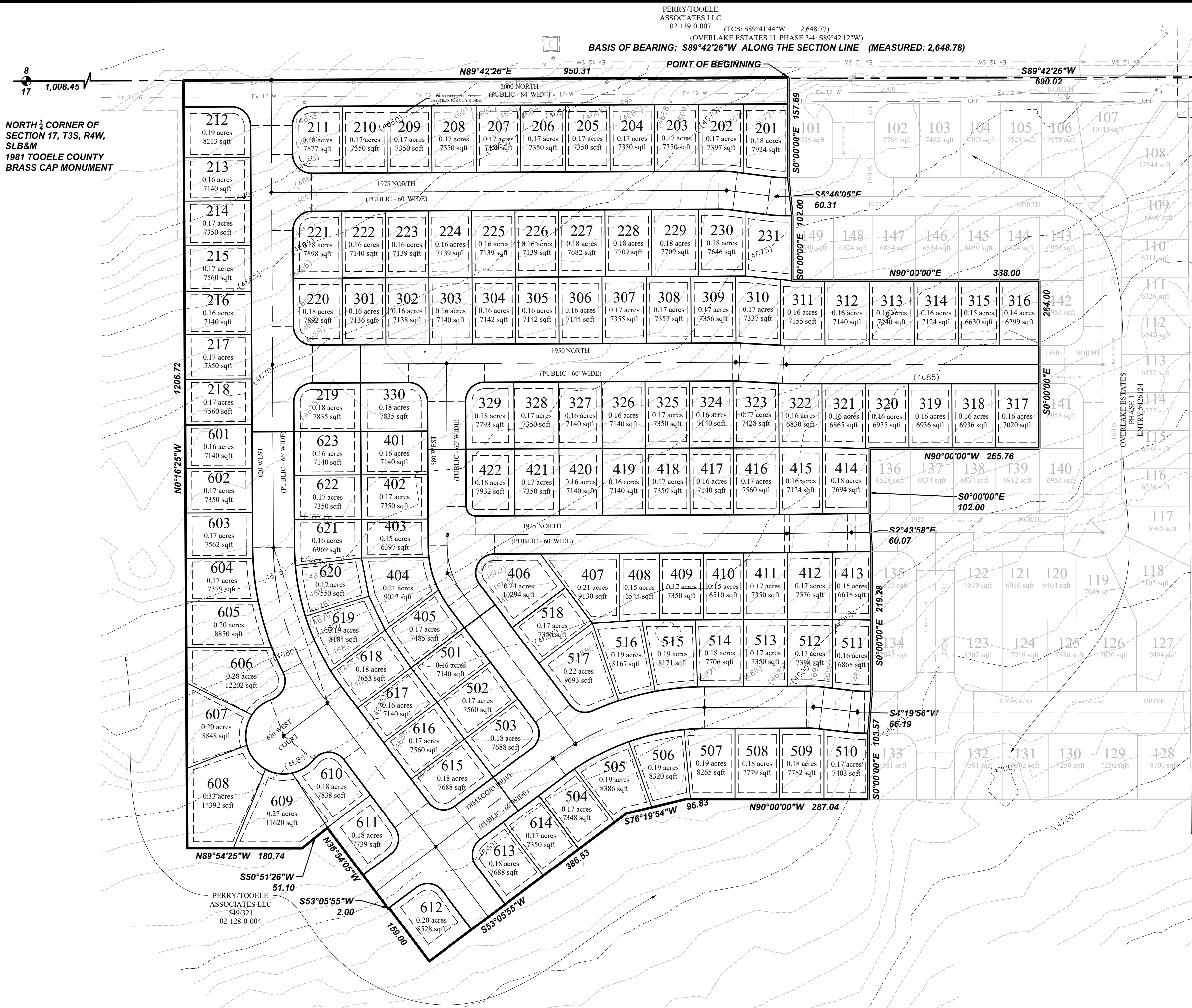
Overlake 1L Phases 2-6 Preliminary Plan



Current Zoning

**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS**



NORTHEAST CORNER OF SECTION 17, T3S, R4W, SLB&M 2000 TOOLEE COUNTY FLAT BRASS MONUMENT (RING & LID)

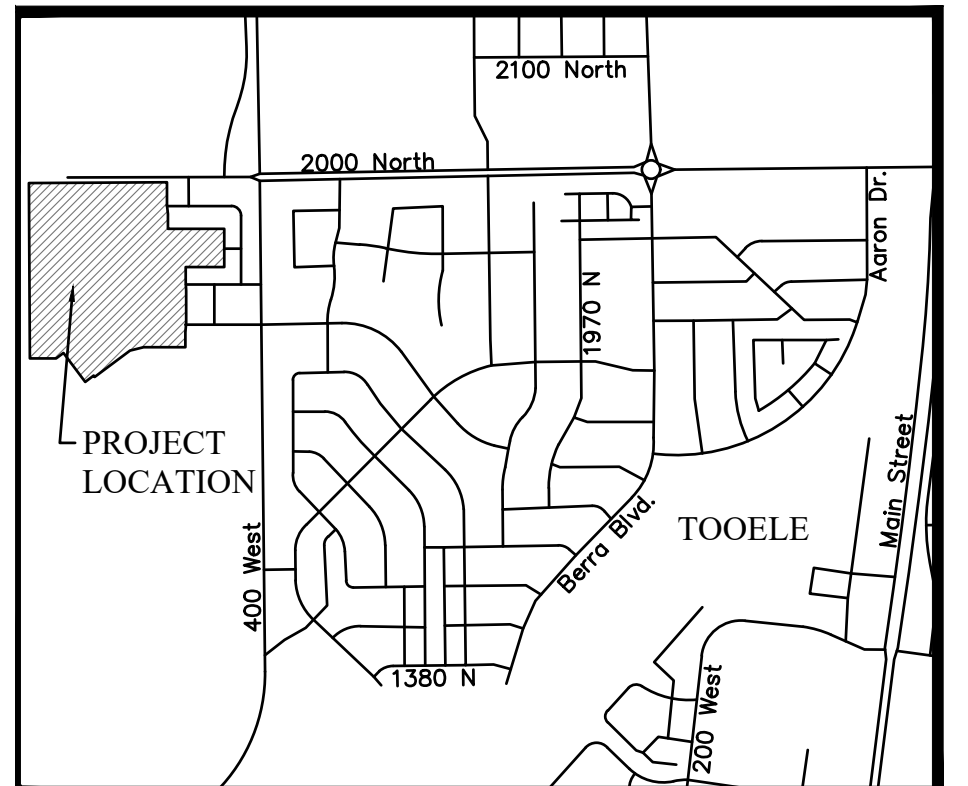
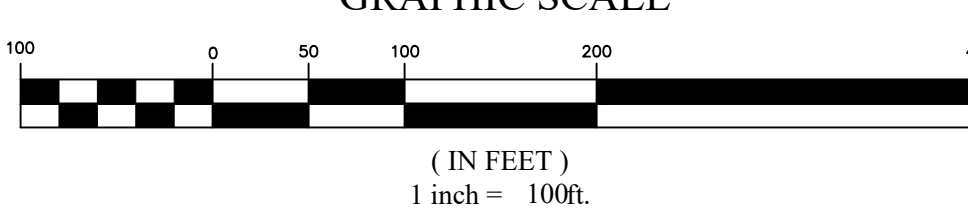
EAST 1/4 CORNER OF SECTION 17, T3S, R4W, SLB&M 2009 4" BRASS CAP MONUMENT

SECTION CORNER TO STREET MONUMENT S01°42'E 100.51' BETWEEN SECTION CORNERS: S01°42'E 254.88' OVERLAKES ESTATES PHASE 1 (C.S. 01/12/2016)

# PRELIMINARY PLAT

## NOT TO BE RECORDED OVERLAKE ESTATES 1L PHASES 2-6

LOCATED IN THE NE 1/4 OF SECTION 17, T 3 S, R 4 W, SLB&M  
TOOLEE CITY



VICINITY MAP  
N.T.S.

### SURVEYOR'S CERTIFICATE

I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owners(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have also subdivided said tract of land into lots, streets, and easements, hereafter to be known as:

### OVERLAKE ESTATES 1L PHASES 2-6

and that the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

Spencer W. Llewellyn  
Professional Land Surveyor  
Certificate No. 10516507

### BOUNDARY DESCRIPTION

A portion of the NE 1/4 of Section 17, Township 3 South, Range 4 West, Salt Lake Base & Meridian, located in Tooele, Utah, more particularly described as follows:  
Beginning at the northwest corner of Phase 1L, OVERLAKE ESTATES Subdivision, according to the Official Plat thereof on file in the Office of the Tooele County Recorder, said corner being located S89°42'46"W along the Section line 690.02 feet from the Northeast Corner of Section 17, T3S, R4W, S.L.B.& M; thence along said plat the following 11 (eleven) courses and distances: South 157.69 feet; thence S05°46'05"E 60.31 feet; thence South 102.00 feet; thence East 388.00 feet; thence South 264.00 feet; thence West 265.76 feet; thence South 102.00 feet; thence S02°43'58"E 60.07 feet; thence South 219.28 feet; thence S04°19'56"W 66.19 feet; thence South 103.57 feet; thence West 287.04 feet; thence S76°19'54"W 96.83 feet; thence S53°05'55"W 303.53 feet; thence N36°54'05"W 12.00 feet; thence S53°05'55"W 73.00 feet; thence N36°54'06"W 250.00 feet; thence S53°05'55"W 63.06 feet; thence N89°54'25"W 180.74 feet; thence N00°16'25"W 1,206.72 feet; thence N89°42'26"E 950.31 feet to the point of beginning.

Contains: 30.52 acres +/-

### OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TOGETHER WITH EASEMENTS TO BE HEREAFTER KNOWN AS

### OVERLAKE ESTATES 1L PHASES 2-6

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL STREETS AND OTHER PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO TOOLEE CITY AND TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY AND DRAINAGE EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR DRAINAGE AND FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNER ALSO HEREBY CONVEYS ANY OTHER EASEMENTS AS SHOWN AND/OR NOTED ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

### ROCKY MOUNTAIN POWER

ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF ELECTRICAL UTILITIES SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT ROCKY MOUNTAIN POWER AT 1-800-469-3981.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_  
ROCKY MOUNTAIN POWER  
BY - \_\_\_\_\_  
TITLE - \_\_\_\_\_

### DOMINION ENERGY

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_  
DOMINION ENERGY  
BY - \_\_\_\_\_  
TITLE - \_\_\_\_\_

### LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH  
S.S.  
COUNTY OF \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AN FOR THE COUNTY OF \_\_\_\_\_, IN SAID STATE OF UTAH, \_\_\_\_\_, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE \_\_\_\_\_ OF \_\_\_\_\_ L.L.C., A UTAH L.L.C. AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.  
MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC  
RESIDING IN \_\_\_\_\_ COUNTY  
MY COMMISSION No. \_\_\_\_\_ PRINTED FULL NAME OF NOTARY

### PLANNING COMMISSION

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE CITY PLANNING COMMISSION.

TOOLEE CITY PLANNING COMMISSION MEMBER  
TOOLEE CITY PLANNING COMMISSION MEMBER  
TOOLEE CITY PLANNING COMMISSION MEMBER  
TOOLEE CITY PLANNING COMMISSION MEMBER  
TOOLEE CITY PLANNING COMMISSION MEMBER

### COMCAST

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY COMCAST CABLE.

COMCAST

### CHIEF OF POLICE

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE CITY CHIEF OF POLICE.

TOOLEE CITY CHIEF OF POLICE

### FIRE CHIEF

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE CITY FIRE DEPARTMENT.

TOOLEE CITY FIRE CHIEF

### TOOLEE COUNTY SURVEY DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ ROS MAP # \_\_\_\_\_

TOOLEE COUNTY SURVEY DEPARTMENT

### CITY ATTORNEY

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

TOOLEE CITY ATTORNEY

### CENTURY LINK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY CENTURY LINK.

CENTURY LINK

### CITY ENGINEER

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

TOOLEE CITY ENGINEER

PREPARED BY  
**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047 PHE (801) 353-0075  
www.focusllc.com

PREPARED FOR  
**PERRY HOMES**  
17 EAST WINCHESTER STREET,  
SUITE 200  
MURRAY, UTAH 84107  
PH: 801-264-8800

NOTES:  
1. #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS, NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.  
2. ALL LOTS SUBJECT TO THE OVERLAKE HOME OWNERS ASSOCIATION C.C.&R.'S P.U. & D.E.-PUBLIC UTILITY AND DRAINAGE EASEMENT

### HEALTH DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE COUNTY HEALTH DEPARTMENT.

TOOLEE COUNTY HEALTH DEPARTMENT

### SCHOOL DISTRICT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE COUNTY SCHOOL DISTRICT.

TOOLEE COUNTY SCHOOL DISTRICT

### COMMUNITY DEVELOPMENT

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

TOOLEE CITY COMMUNITY DEVELOPMENT

### POST MASTER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE POST MASTER.

POST MASTER

### COUNTY RECORDER

REVIEWED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.

TOOLEE COUNTY RECORDER

### PARKS DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE CITY PARKS DEPARTMENT.

TOOLEE CITY PARKS DEPARTMENT

### CITY COUNCIL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOLEE CITY COUNCIL.

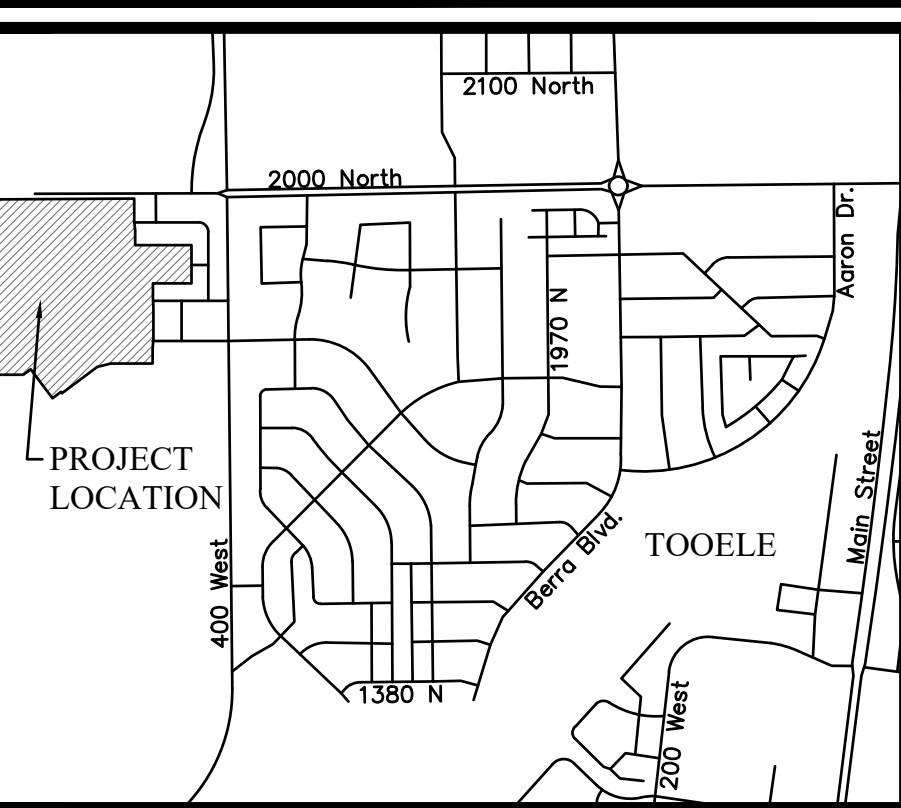
CHAIRMAN TOOLEE CITY COUNCIL

## OVERLAKE ESTATES 1L

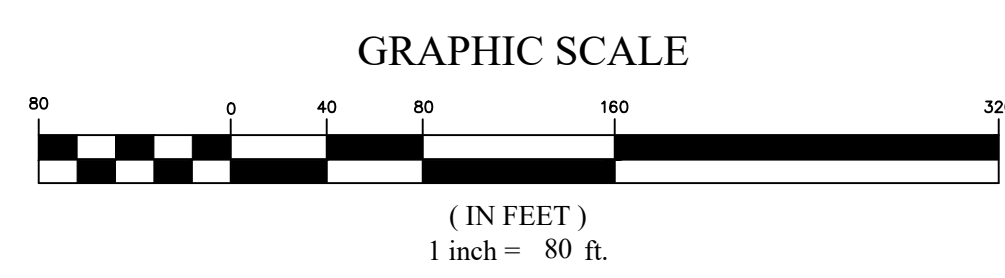
### PHASES 2-6 PRELIMINARY

LOCATED IN THE NE 1/4 OF SECTION 17, T 3 S, R 4 W, S.L.B.&M.  
TOOLEE CITY, TOOLEE COUNTY, UTAH





VICINITY MAP  
N.T.S.

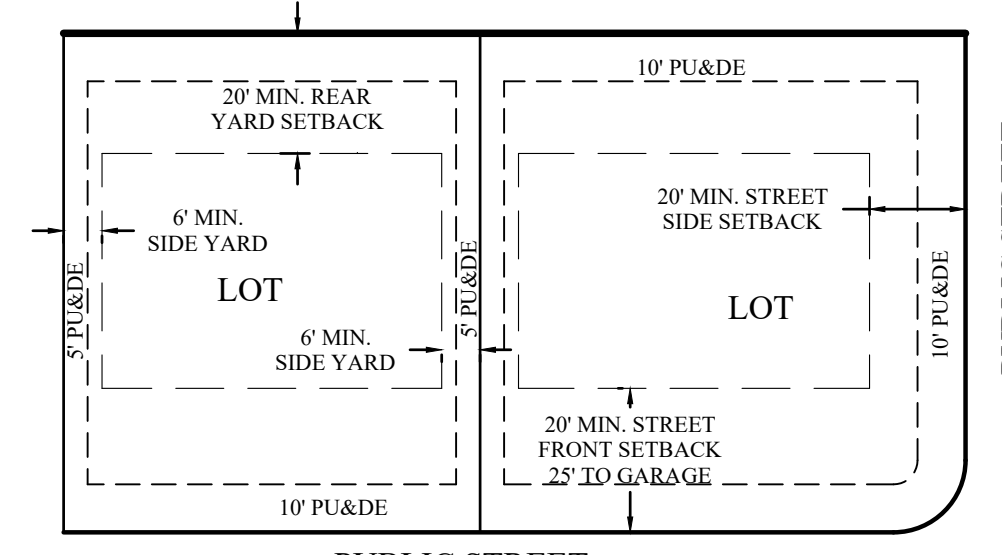


- NOTES:
- #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS, NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.
  - ALL LOTS SUBJECT TO THE OVERLAKE HOME OWNER'S ASSOCIATION C.C.&R.'S
  - P.U. & D.E.=PUBLIC UTILITY AND DRAINAGE EASEMENT

PREPARED BY  
**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047 PH: (801) 352-0073  
www.focusnh.com

PREPARED FOR  
**PERRY HOMES**  
17 EAST WINCHESTER STREET,  
SUITE 200  
MURRAY, UTAH 84107  
PH: 801-264-8800

**PRELIMINARY PLAT**  
NOT TO BE RECORDED  
OVERLAKE ESTATES 1L  
PHASES 2-6  
LOCATED IN THE NE 1/4 OF SECTION 17, T 3 S, R 4 W, SLB&M  
TOOELE CITY



PUBLIC STREET  
TYPICAL BUILDING SETBACKS  
N.T.S.

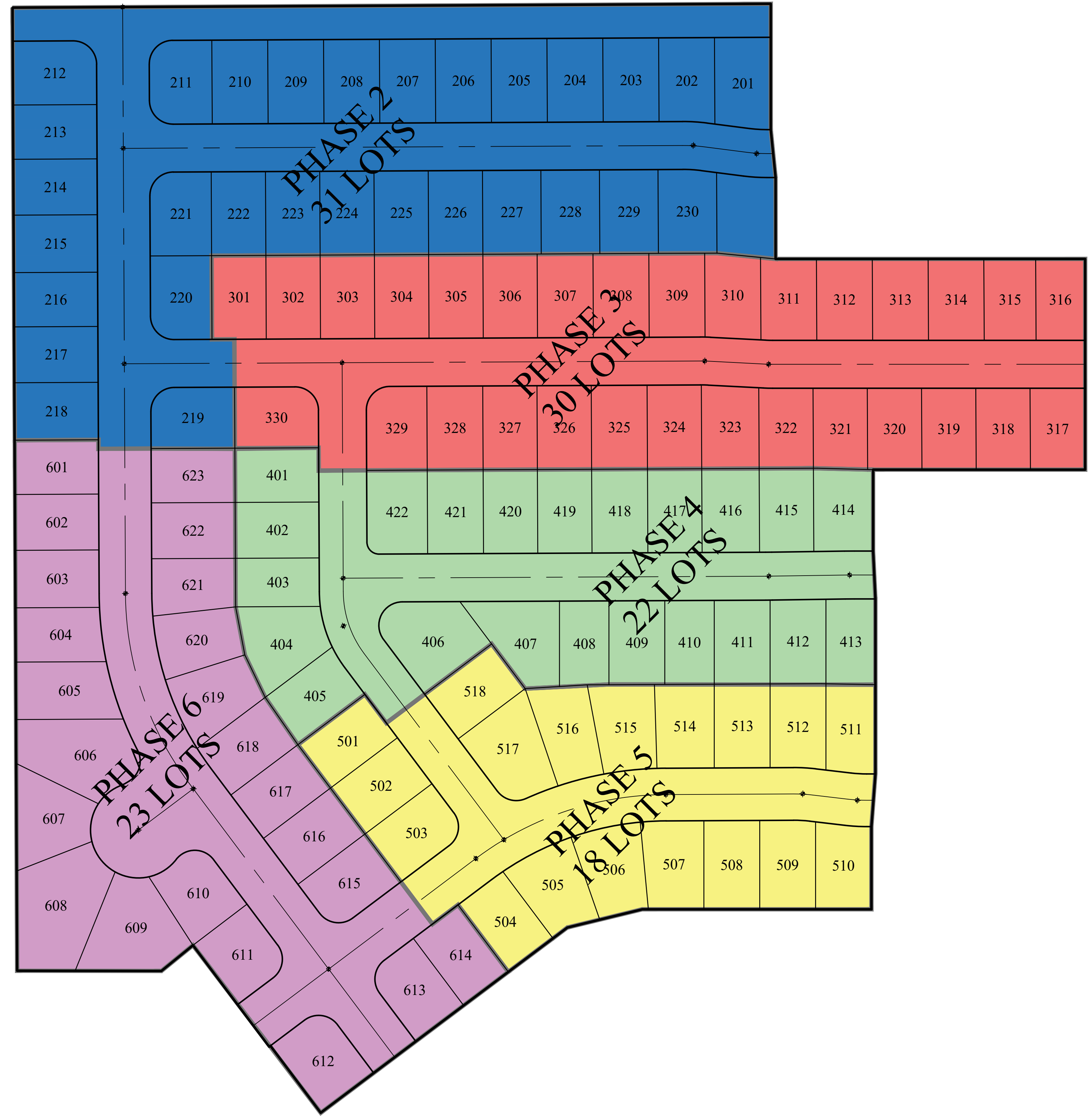
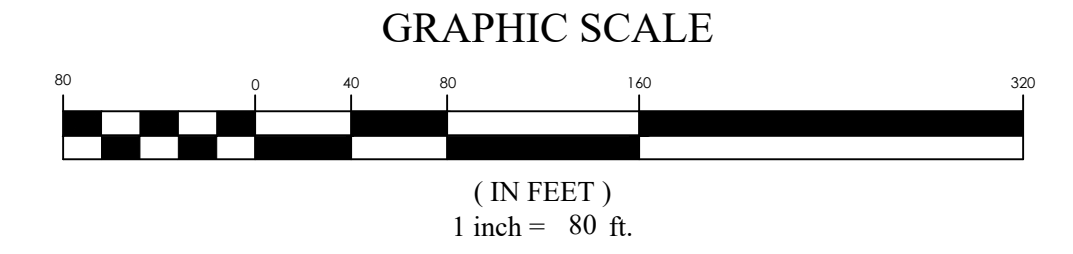
**OVERLAKE ESTATES 1L**  
PHASES 2-6  
LOCATED IN THE NE 1/4 OF SECTION 17,  
T 3 S, R 4 W, S.L.B.&M.  
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

RECORDED NO. \_\_\_\_\_  
STATE OF UTAH, COUNTY OF TOOELE, RECORDED & FILED AT THE  
REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

FEE \$ \_\_\_\_\_ TOOELE COUNTY RECORDER

SHEET  
3 OF 3



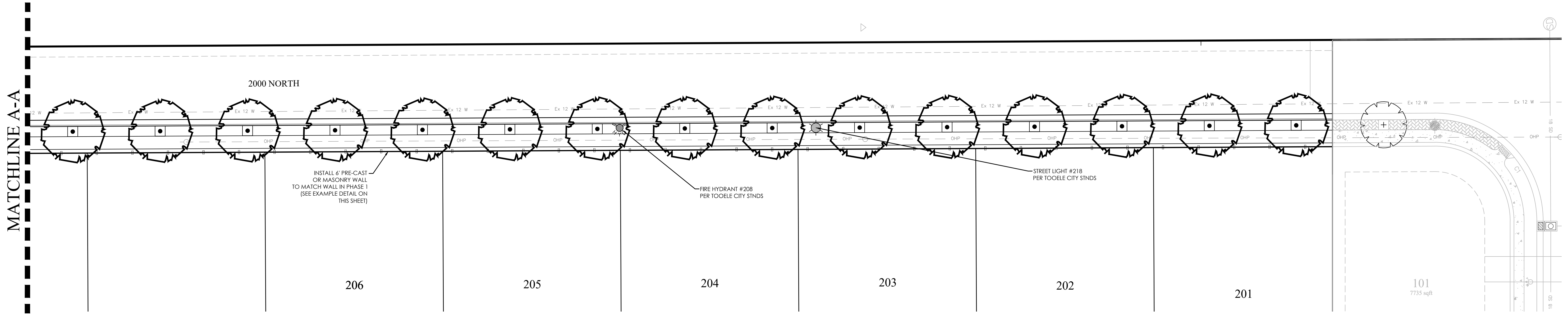
**Overlake Estates 1L Phases 2-6**  
 Tooele City, Utah  
**PHASING PLAN**

REVISION BLOCK	
#	DESCRIPTION
1	
2	
3	
4	
5	
6	

PHASING PLAN	
Scale: 1"=80'	Drawn: AWS
Date: 1/2/2019	Job #: 14-247
Sheet:	C6

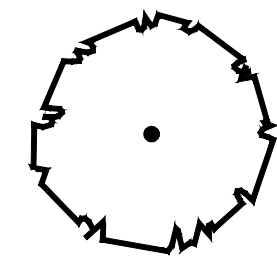
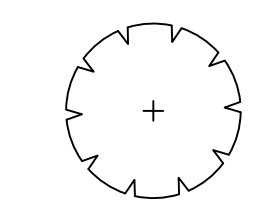


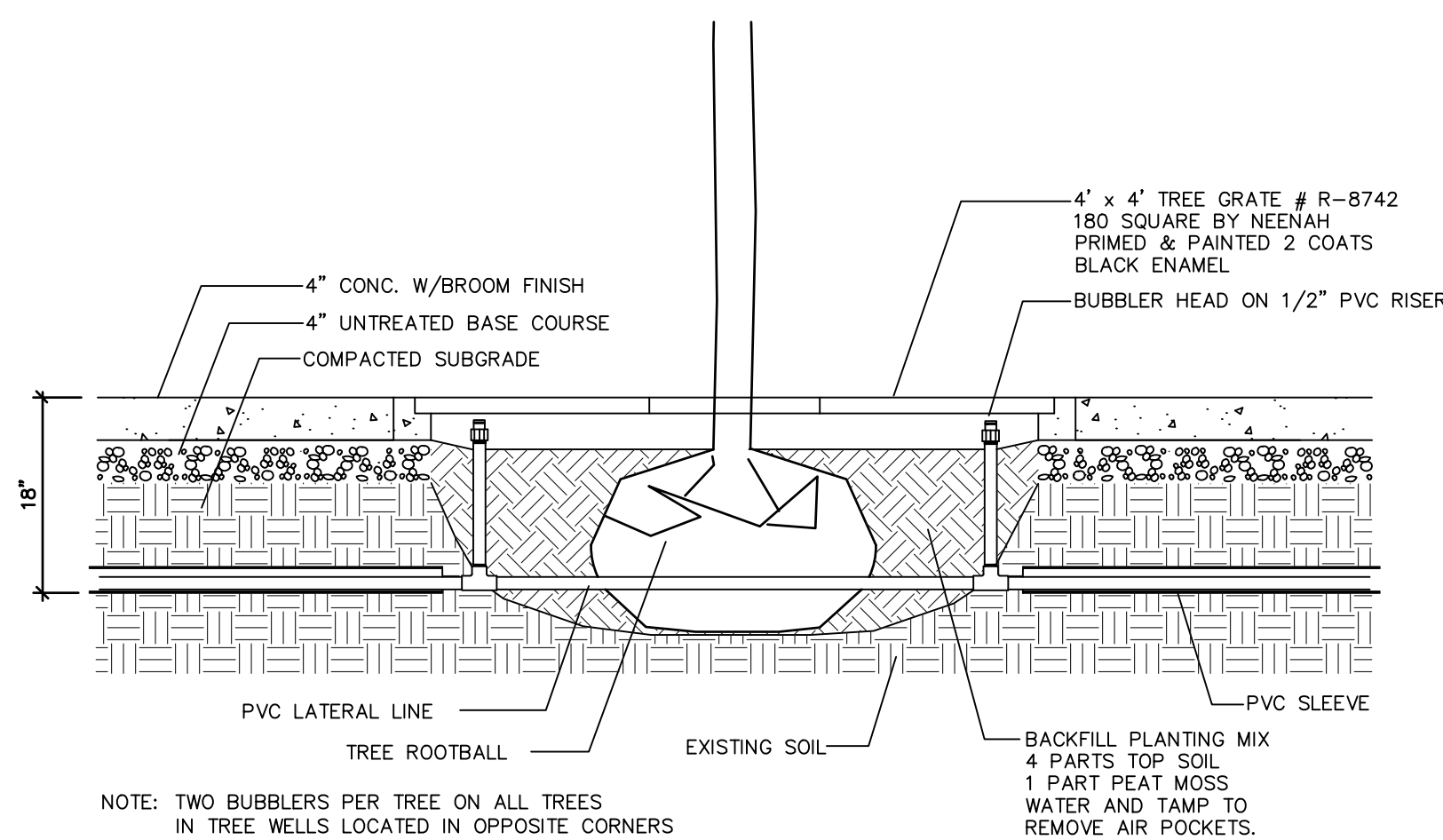
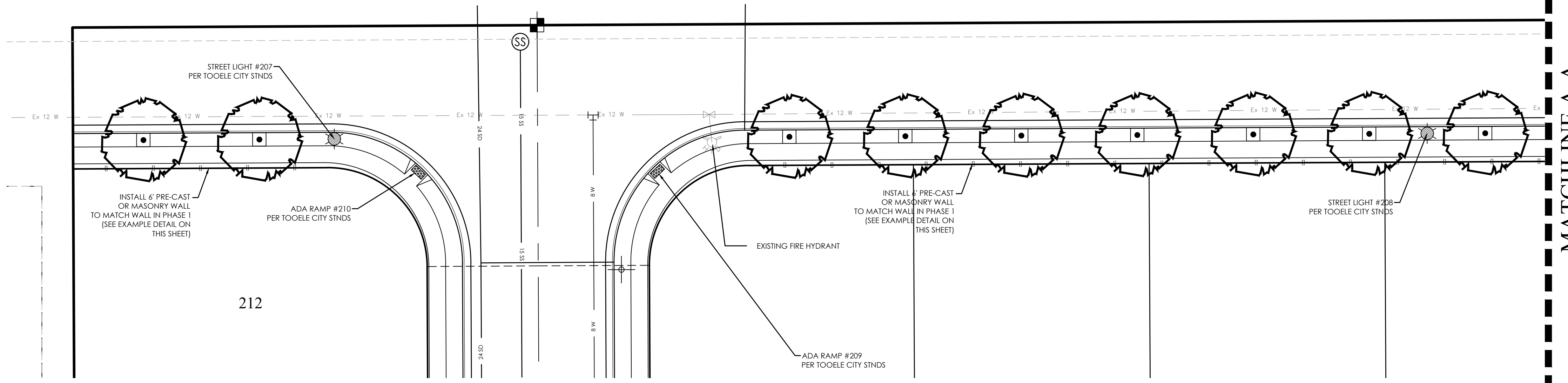
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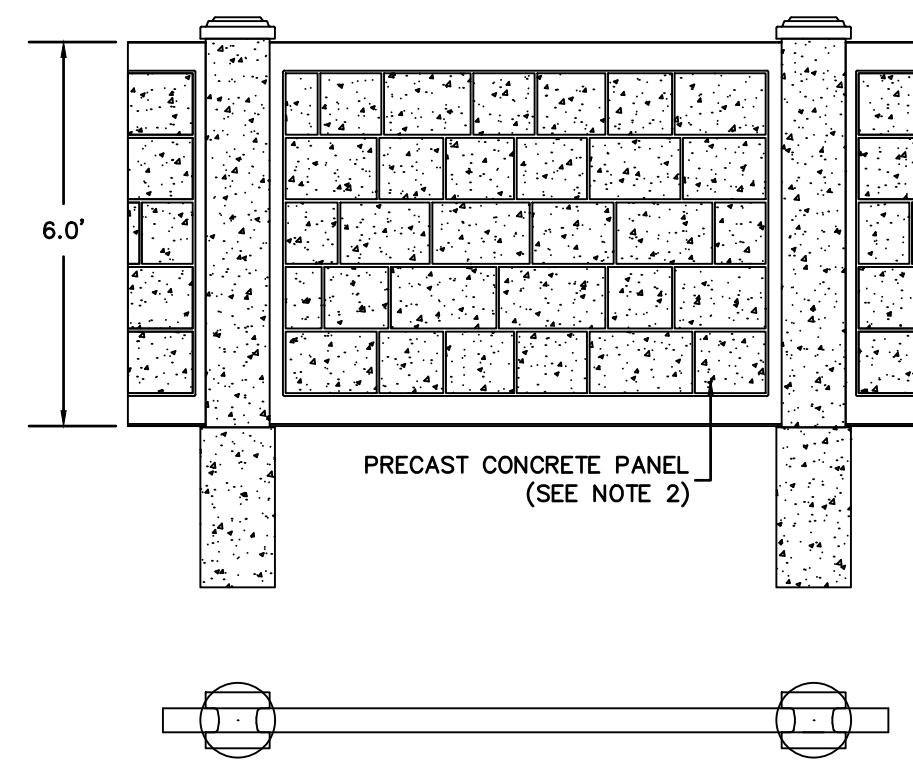
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**TREE LEGEND**

-  Match Existing Tree from Phase 1 (2" cal.) (24 total trees)
-  Existing Tree from Phase 1



**(A) TREE PLANTING DETAIL**  
NOT TO SCALE



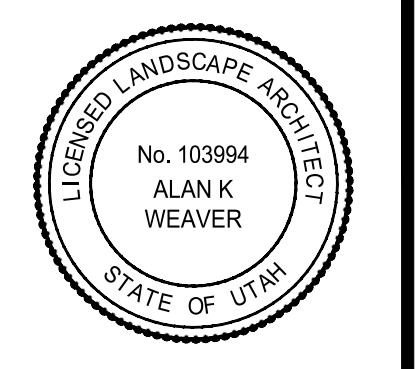
**EXAMPLE DETAIL FOR PRE-CAST OR MASONRY WALL**

- CONSTRUCTION NOTES**
- CONTRACTOR SHALL PROVIDE MASONRY OR PRE-CAST WALL SUBMITTAL AND CUT SHEET TO ENGINEER FOR APPROVAL PRIOR TO ORDERING MASONRY OR PRE-CAST WALL MATERIALS.
  - WALL PANEL PATTERN SHALL MATCH THE PATTERN AND COLOR THAT WAS APPROVED AND INSTALLED WITH PHASE 1 OF OVERLAKE 1L.

THIS DETAIL IS FOR INFORMATIONAL AND REFERENCE PURPOSES ONLY. NOT TO BE USED IN CONSTRUCTION DRAWING PLANS.



**GRAPHIC SCALE**  
(IN FEET)  
1 inch = 20 ft.



**Overlake Estates 1L Phases 2-6**  
Tooele City, Utah  
**LANDSCAPE PLAN**

REVISION BLOCK	
#	DESCRIPTION
1	
2	
3	
4	
5	
6	

**LANDSCAPE PLAN**

Scale: 1"=20'	Drawn: AW
Date: 1/2/2019	Job #: 14-247
Sheet: <b>L1</b>	

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**TOOELE CITY CORPORATION**

**RESOLUTION 2019-12**

**A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING THE COMPLETED PUBLIC IMPROVEMENTS ASSOCIATED WITH THE PROVIDENCE AT OVERLAKE PHASE 2 SUBDIVISION.**

WHEREAS, Tooele City previously approved a subdivision final plat for the Providence at Overlake phase 2 subdivision (the "Subdivision"); and,

WHEREAS, Tooele City Code §7-19-35 requires that public improvements constructed in connection with an approved subdivision be accepted by Resolution of the City Council following verification by the City Engineer or the Director of Public Works that all the public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications and City standards; and,

WHEREAS, H and K Schmidt Investments LLC has provided a proper bond agreement with Tooele City for the portion of the Subdivision's public improvements located within existing public rights-of-way, dated June 25, 2018, in the amount of \$46,954.80; and,

WHEREAS, H and K Schmidt Investments LLC has provided a proper bond agreement with Tooele City for the portion of the Subdivision's public improvements located within the Subdivision that are not yet completed, dated \_\_\_\_\_, in the amount of \$63,979.72, for the purpose of allowing the Subdivision plat to be recorded and individual residential lots sold; and,

WHEREAS, both of the above-referenced bond agreements contain the following language:

*under the Tooele City Code, the Improvements must be completed, inspected, and accepted prior to the issuance of a building permit for the land use approval or prior to the recordation of a subdivision final plat, as the case may be, except that a subdivision final plat may be recorded prior to the completion, inspection, and acceptance of the Improvements where the Applicant has completed an approved bond agreement and provided an associated bond*

[emphasis added]; and,

WHEREAS, the required verification that a portion of the Subdivision's public improvements have been completed has been provided by way of the Certificate of Completion of Public Works attached as Exhibit A; and,

WHEREAS, other required public improvements in the Subdivision remain to be

completed; and,

WHEREAS, at such time as the remaining Subdivision public improvements are completed, a second resolution will be presented to the City Council to accept those improvements:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL as follows:

1. the completed public improvements associated with the Subdivision are hereby accepted, those improvements being reflected in the Certificate of Completion of Public Works attached hereto as Exhibit A; and,
2. the incomplete public improvements associated with the Subdivision are hereby not accepted, those improvements being reflected in the Certificate of Completion of Public Works attached hereto as Exhibit A; and,
3. the one-year warranty period on all accepted public improvements shall begin as of the date of approval of this Resolution.

This Resolution shall become effective immediately on the date of passage, without further publication, by authority of the Tooele City Charter.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(For)

(Against)

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ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt  
Tooele City Recorder

S E A L

Approved as to Form: \_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

## Exhibit A

### Certificate of Completion of Public Works (Partial Completion)

TOOELE CITY CORPORATION  
 90 NORTH MAIN  
 TOOELE, UTAH 84074  
 (435) 843-2130



## Certificate of Completion of Public Works

(Start of One-Year Warranty)

Date: 01/28/2019

Permit No: P18-245	Public Work Elements*	Completed	Not Complete	Not Required
Project Name: Providence @ Overlake, Phase 2	Culinary Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Secondary Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Address: 400 West Clemente Way Tooele, Utah 84074	Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Storm Drain / Pond	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Owner/Developer: Howard Schmidt PO Box 95410 South Jordan, Utah 84095	Roads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curb & Gutter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sidewalk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Street Lights	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Landscaping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Other / Comments: Public improvement landscaping not completed due to winter weather conditions, bonded for completion. Although not for the purposes of occupancy the City mimicked the provision of Section 7-22-4 for public landscaping in new developments to allow building permit issuance

Note: \* The above Public Work Elements are general in nature. See Public Works for detailed descriptions and comments:

Based upon review of documentation provided by the Developer/Owner, inspection records on file with the Community Development Department and upon site review, the above referenced public improvements for this project have been satisfactorily completed in accordance with the approved construction plans and specifications and Tooele City Standards.

Recommended By	Title	Date
	Civil Inspector	1/28/2019
	City Engineer	1-29-19
	Public Works	01-31-19
	Community Development	1/31/19

Acknowledged and Accepted \_\_\_\_\_  
 City Council, Chair \_\_\_\_\_  
 Date \_\_\_\_\_

Scheduled Date for End of Warranty Final inspection: 01/28/2020

TOOELE CITY CORPORATION  
90 NORTH MAIN  
TOOELE, UTAH 84074  
(435) 843-2130



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***Certificate of Completion of Public Works***  
**(Start of One-Year Warranty)**

Permit No: P18-245  
Page 2 of 2

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Providence Way



Providence Way



Lauren Lane



Lauren Lane



400 West

**TOOELE CITY CORPORATION**

**RESOLUTION 2018-35**

**A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A LEASE AGREEMENT WITH TOOELE COUNTY FOR THE MIDDLE CANYON TOLL BOOTH PROJECT.**

WHEREAS, Utah Code §10-8-1 (2008) authorizes municipalities to control city-owned property; and,

WHEREAS, Tooele County (hereafter the "County") is establishing a trail system within Tooele Valley to be used by the public for recreational purposes, a portion of which trail system includes Middle Canyon road; and,

WHEREAS, the County has requested the ability to lease two small parcels of Tooele City-owned property for parking and a turnaround in association with a toll booth being installed within the Middle Canyon road right-of-way located in unincorporated Tooele County; and,

WHEREAS, by Resolutions 2009-11 and 2009-26 the City Council approved leases with Tooele County of Tooele City-owned land for trailheads on Rogers Street and Vine Street, respectively; and,

WHEREAS, the terms and conditions of the proposed lease, as well as illustrations of the leased property, are contained in the lease agreement attached hereto as Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the lease agreement attached hereto as Exhibit A is hereby approved and that the Mayor is hereby authorized to sign the same.

This Resolution is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2018.

TOOELE CITY COUNCIL

(For)

(Against)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ABSTAINING: \_\_\_\_\_

TOOELE CITY MAYOR

(For)

(Against)

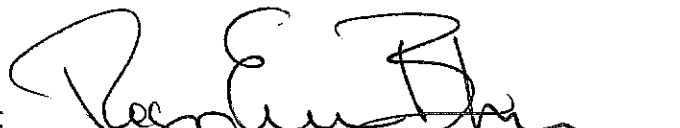
_____	_____
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ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt  
Tooele City Recorder

SEAL

Approved as to Form:

  
\_\_\_\_\_  
Roger-Evans Baker, Tooele City Attorney



## Exhibit A

### Lease Agreement, with Illustrations

## LEASE AGREEMENT

This Lease Agreement ("Agreement") is entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_ ("Effective Date"), by and between Tooele City Corporation, a charter city and municipal corporation established under the laws of the State of Utah ("City") and Tooele County, a political subdivision of the State of Utah ("County") (collectively "Parties").

WHEREAS, the County has established a trail system within the Tooele Valley to be used by the public for recreational purposes, and Middle Canyon road is part of that trail system; and,

WHEREAS, the County has established public campgrounds in Settlement Canyon and Middle Canyon; and,

WHEREAS, the County has decided to control access to Middle Canyon, camping areas, trail areas, and Butterfield Pass through the placement of a toll booth in Middle Canyon Road and the implementation of a toll/fee for entry to Middle Canyon, similar to the toll booth and toll/fee for Settlement Canyon; and,

WHEREAS, the County's design for the toll booth and surrounding area calls for the utilization of small areas of land owned by the City on either side of the narrow, prescriptive Middle Canyon Road right-of-way for parking and a turn-around; and,

WHEREAS, the County requests the ability to utilize these small areas through a lease agreement, similar to the lease agreements between the City and the County for the trailheads on Rogers Street and Vine Street/Droubay Road; and,

WHEREAS, the Parties desire to formalize a lease arrangement with a written lease agreement:

NOW, THEREFORE, for good and valuable consideration, described below, the sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Property. The City hereby leases to the County the following Property:
  - a. Parking Area: the parking area illustrated in Exhibit A and described in the surveyed legal description contained in Exhibit A as West Side of Middle Canyon Road, consisting of 0.148 acres; and,
  - b. Turnaround Area: the turnaround area illustrated in Exhibit A and described in the surveyed legal description contained in Exhibit A as East Side of Middle Canyon Road, consisting of 0.035 acres.
2. Term. This Agreement shall commence on the Effective Date and shall continue for a period of 25 years unless terminated earlier pursuant to the terms of this Agreement. The term of this Agreement may be extended in writing at any time with the mutual agreement of both Parties.
3. Consideration. As consideration for the lease of the Property, the County agrees to do the following prior to beginning toll booth operation:

- a. place jersey barriers on the perimeter of the Property parcels, as illustrated in Exhibit A;
- b. identify and take measures to protect the City waterline in Middle Canyon Road;
- c. take measures to identify and protect a private waterline and box within the parking area;
- d. perform no excavation on the Property except for the toll booth structure and protection bollards;
- e. remove and dispose of existing fencing along Middle Canyon Road and install new fencing on the exterior perimeter portions of the Property not fronting Middle Canyon Road;
- f. remove and dispose of dead or dying trees on the Property; and,
- g. provide rip-rap stabilizing structures where the jersey barriers meet the top of the historic Middle Canyon drainage, as deemed necessary by the City's engineer.

4. Development and Operation. The County shall be solely responsible for the development, operation, and maintenance of the toll booth area, including installation of the toll booth structure, placement of fencing and jersey barriers, site grading, and road improvements.

5. Non-Exclusive Use. The County acknowledges the presence of a City waterline and a private waterline, and associated facilities, (the "Water Facilities") across and under the Property, and agrees that the City shall continue to have access to and use of the Property for purposes related to the Water Facilities. Should the City's needs for the property become incompatible with the public's use of the toll booth parking and turnaround areas, as determined by the City in its discretion, the City shall have the right to terminate this Agreement for good cause.

6. Regulation of Use. The County, with the City's consent, shall establish rules and regulations governing the public's use of the Property and the toll booth area, and shall enforce said rules and regulations.

7. Termination.

- a. Mutual Consent. The Parties may terminate this Agreement during its term or any extension by mutual consent.
- b. Breach. The City may terminate this Agreement upon a breach thereof. The City shall first provide written notice of the breach and 30 days to cure the breach.
- c. Good Cause. The City may terminate this Agreement for good cause upon 90 days written notice. Good cause shall include the City's decision, in the discretion of the City, to utilize the Property for public purposes in conflict with the parking or turnaround purposes contemplated under this agreement.
- d. Upon termination of this Agreement, the County shall remove all improvements it constructed or placed on the property, at County expense, within 90 days of termination.

8. Indemnification. The County shall defend, hold harmless, and indemnify the City and its employees, officers, directors, and agents (each an "Indemnified Party") from and against all damages, liabilities, losses, costs, disputes, suits, claims, demands, penalties, and expenses, including reasonable attorney's fees and costs and investigations costs, imposed upon or claimed

against an Indemnified Party caused by or in relation to (a) the public's use of the Property or (b) the acts of the County and its agents upon the Property.

9. Dispute Resolution. If any dispute arises under this Agreement, the aggrieved party shall give the other party written notice of the dispute. The Parties shall attempt to resolve the dispute within 30 days of the notice. If no resolution is reached, the Parties agree to submit the dispute to mediation through a third-party neutral mediator. The costs of mediation shall be divided equally between the Parties. If resolution is not reached after mediation, the Parties may resort to any legal remedy, subject to the terms of this Agreement.

10. Attorney's Fees. If any dispute under this Agreement is litigated, the prevailing party shall be entitled to recover all of its costs and expenses, including reasonable attorney's fees (excepting the cost of the Parties' salaried attorneys), incurred in enforcing or attempting to enforce or defend any of the terms or conditions of this Agreement.

11. No Jury Trial. The Parties hereby irrevocably waive any right to a trial by jury in any litigation arising from this Agreement.

12. Amendment. All modifications, amendments, and extensions shall be in writing and signed by the Parties.

13. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force and effect.

14. Integration. This Agreement is an integrated agreement and constitutes the entire agreement between the Parties pertaining to the subject matter hereof, and no representation, warranty, condition, understanding, or agreement of any kind shall be binding upon the Parties unless incorporated herein or added hereto pursuant to amendment in accordance with Paragraph 12.

15. Authority. The individuals executing this Agreement represent and warrant that they are authorized to execute this Agreement on behalf of the applicable entity and that this Agreement constitutes a legally binding obligation of each entity.

TOOELE CITY CORPORATION

TOOELE COUNTY

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Debra E. Winn, Mayor

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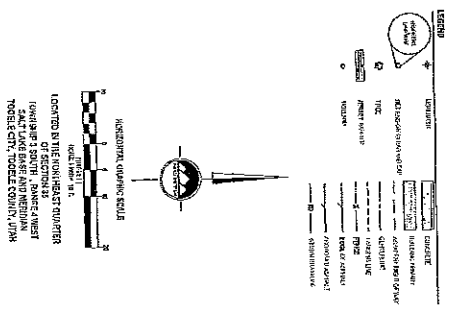
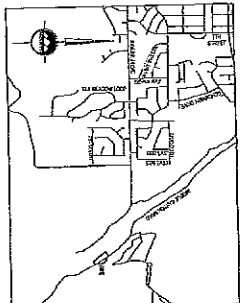
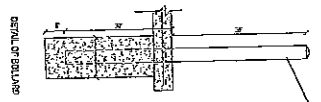
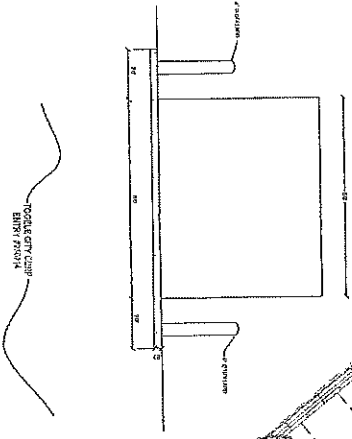
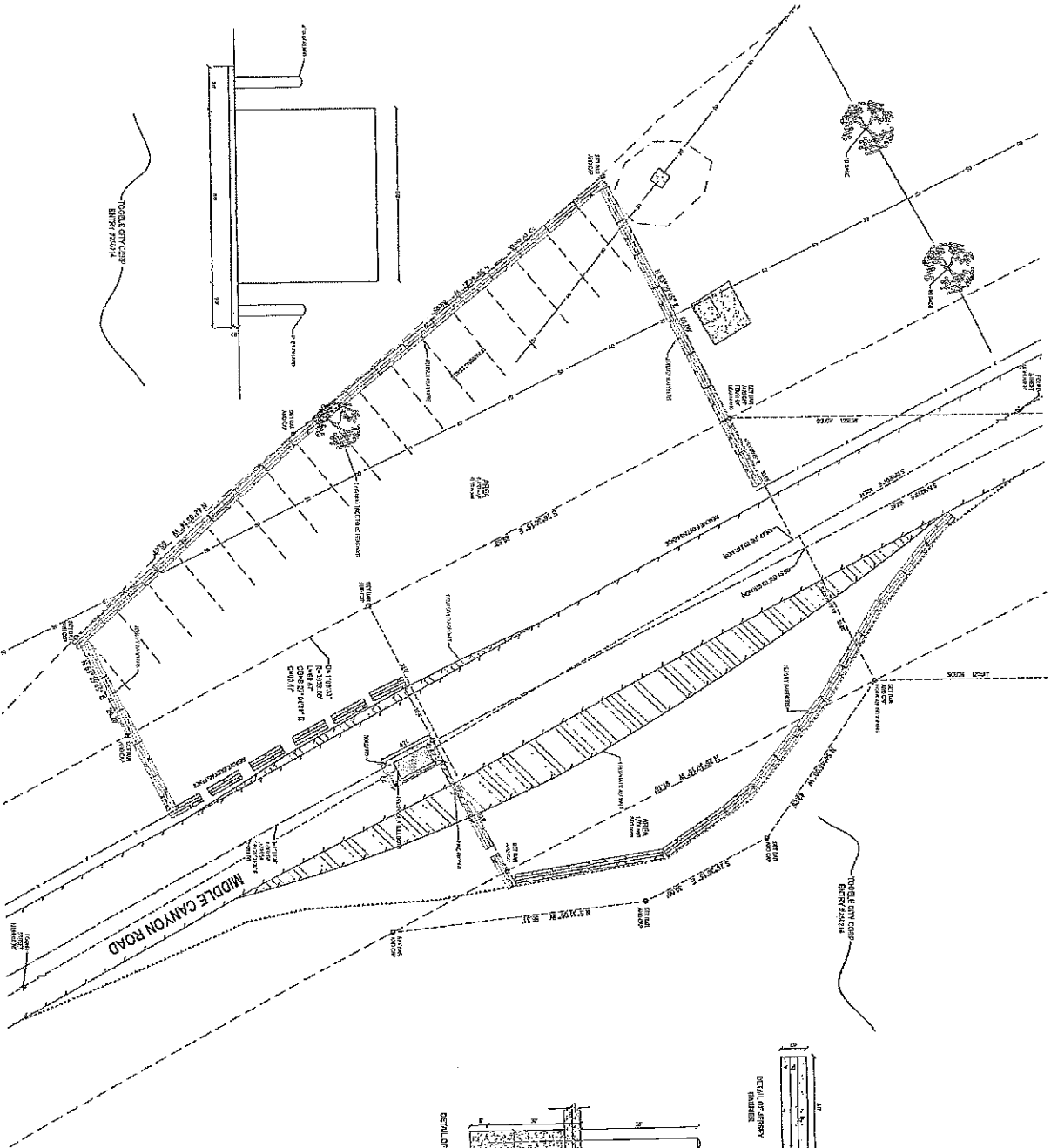
County Commissioner

ATTEST

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Roger Evans Baker, City Attorney



**MIDDLE CANYON TOLL BOTH**  
1880 EAST MIDDLE CANYON ROAD  
TOOELE, UTAH

**ENSGN**  
THE SPANISH WELLS BUILDING  
1000 SOUTH 100 WEST  
SALT LAKE CITY  
UTAH 84143  
PHONE: 325.1100  
FAX: 325.1100  
WWW.ENSGN.COM

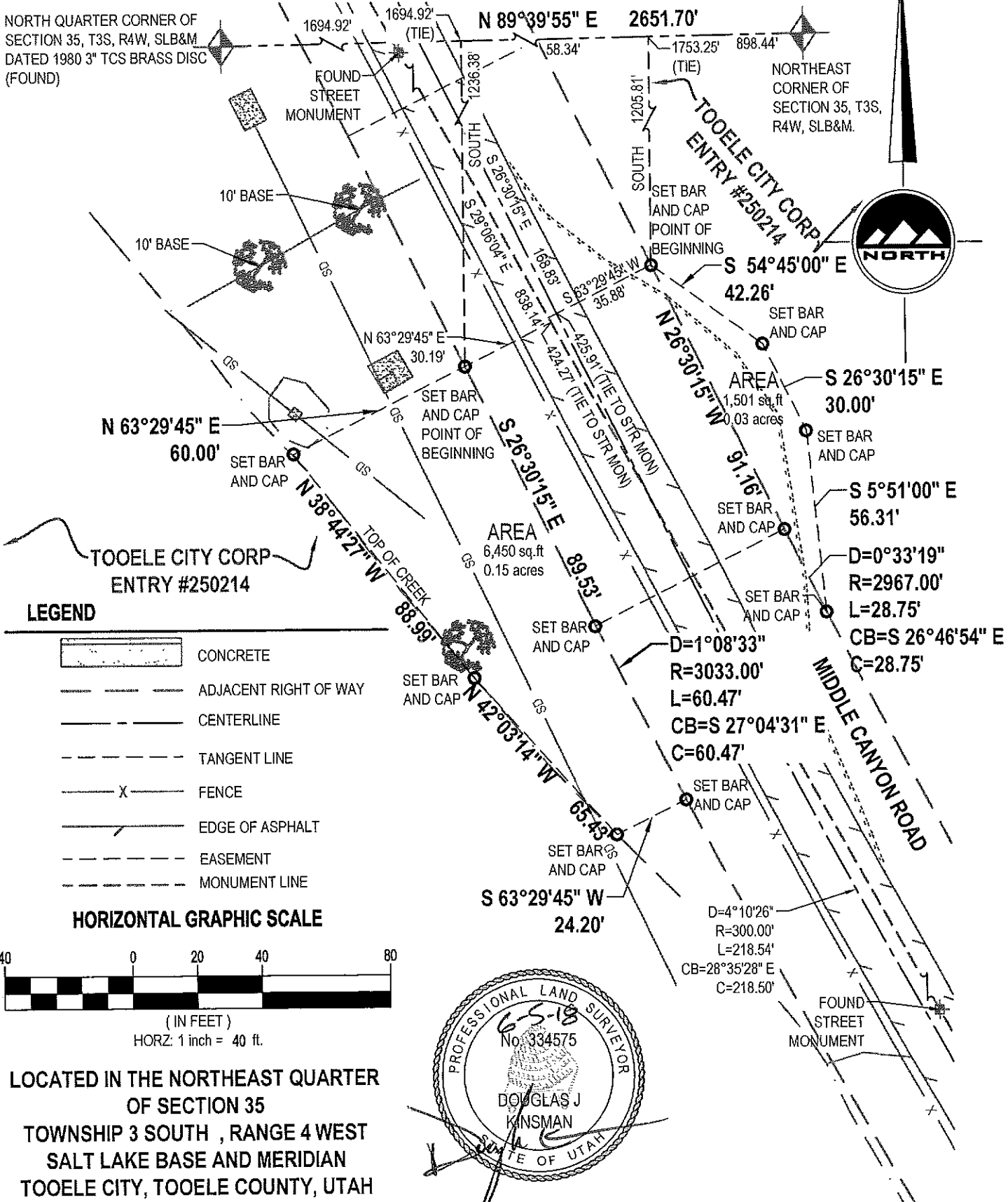
PROJECT NO. 1880 EAST MIDDLE CANYON ROAD  
 SHEET NO. 1880 EAST MIDDLE CANYON ROAD  
 DATE: 08/15/01  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

TOOELE CITY CORP  
 1880 EAST MIDDLE CANYON ROAD  
 TOOELE, UTAH 84601

DATE: 08/15/01  
 SCALE: AS SHOWN  
 1 of 1

NORTH QUARTER CORNER OF SECTION 35, T3S, R4W, SLB&M DATED 1980 3" TCS BRASS DISC (FOUND)

NORTHEAST CORNER OF SECTION 35, T3S, R4W, SLB&M.



**LEGEND**

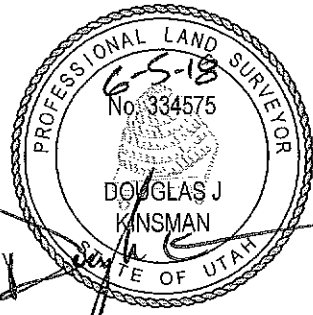
- CONCRETE
- ADJACENT RIGHT OF WAY
- CENTERLINE
- TANGENT LINE
- FENCE
- EDGE OF ASPHALT
- EASEMENT
- MONUMENT LINE

**HORIZONTAL GRAPHIC SCALE**



(IN FEET)  
HORZ: 1 inch = 40 ft.

LOCATED IN THE NORTHEAST QUARTER OF SECTION 35  
TOWNSHIP 3 SOUTH , RANGE 4 WEST  
SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH



PROJECT# 8269 DATE 6/5/18  <b>1 of 1</b>  <small>FILE FA</small>	<b>EXHIBIT "B"</b>  MIDDLE CANYON ROAD TOLLBOOTH TOOELE, UTAH 84074	FOR: TOOELE COUNTY PARKS AND RECREATION DEPARTMENT 47 SOUTH MAIN STREET TOOELE, UTAH 84074 PHONE: 435-843-4001	169 N. Main Street, Unit 1 Tooele, Utah 84074 Phone: 435.843.3590 Fax: 435.578.0108 www.ensigneng.com
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**EASEMENT DESCRIPTIONS**  
**West Side of Middle Canyon Road**

A parcel of land, situate in the Northeast Quarter of Section 35, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Tooele City, more particularly described as follows:

Beginning at a point on the Westerly line of Middle Canyon Road (a 66.00-foot wide right-of-way), which is located North 89°39'55" East 1694.92 feet along the measured Section line, and South 1236.38 feet from the found monument at the North Quarter Corner of Section 35, Township 3 South, Range 4 West, Salt Lake Base and Meridian, (said point is also located North 29°06'04" West 424.27 feet along the measured street monument line and South 63°29'45" West 30.19 feet from the found PC monument in the centerline of said Middle Canyon Road), and running:

thence South 26°30'15" East 89.53 feet along said Westerly line;  
thence Southeasterly 60.47 feet along the arc of a 3033.00-foot radius tangent curve to the left (center bears North 63°29'45" East, and the long chord bears South 27°04'31" East 60.47 feet, through a central angle of 1°08'33"), along said Westerly line;  
thence South 63°29'45" West 24.20 feet, to the top of the stream channel;  
thence North 42°03'14" West 65.43 feet along the top of said channel;  
thence North 38°44'27" West 88.99 feet along the top of said channel;  
thence North 63°29'45" East 60.00 feet, to the Point of Beginning.

Parcel contains: 6,450 square feet, or 0.148 acres.

**East Side of Middle Canyon Road**

A parcel of land, situate in the Northeast Quarter of Section 35, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Tooele City, more particularly described as follows:

Beginning at a point on the Easterly line of Middle Canyon Road (a 66.00-foot wide right-of-way), which is located North 89°39'55" East 1753.25 feet along the measured Section line, and South 1205.81 feet from the found monument at the North Quarter Corner of Section 35, Township 3 South, Range 4 West, Salt Lake Base and Meridian, (said point is also located North 29°06'04" West 425.91 feet along the measured street monument line and North 63°29'45" East 35.88 feet from the found PC monument in the centerline of said Middle Canyon Road), and running:

thence South 54°45'00" East 42.26 feet;  
thence South 26°30'15" East 30.00 feet;  
thence South 5°51'00" East 56.31 feet, to the Easterly line of said Middle Canyon Road;  
thence Northwesterly 28.76 feet along the arc of a 2967.00-foot radius non-tangent curve to the right (center bears North 62°56'26" East, and the long chord bears North 26°46'54" West 28.76 feet, through a central angle of 0°33'19"), along said Easterly line;  
thence North 26°30'15" West 91.16 feet along said Easterly line, to the Point of Beginning.

Parcel contains: 1,501 square feet, or 0.035 acres.

