

PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, July 17, 2019 at the hour of 7:00 p.m. The meeting will be held at 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. **Violence Against Women Act (VAWA) Grant Update**
Presented by Lynne Smith
5. **Victims of Crime Act (VOCA) Grant Update**
Presented by Lynne Smith
6. **Resolution 2019-54** A Resolution of the Tooele City Council Approving Poll Workers and Polling Locations Within Tooele City Limits
Presented by Michelle Pitt
7. **Resolution 2019-53** A Resolution of the Tooele City Council Approving a Change Order with Triex Construction Corporation for Installation of a New Culinary Waterline on 1400 East
Presented by Steve Evans
8. **Subdivision Final Plat for Phase 1 of Lexington Greens** at Overlake by Zenith Tooele LLC for the Purpose of Creating 113 Single-Family Residential Lots at Approximately 600 West 1200 North in the R1-7 Zone
Presented by Jim Bolser
9. **Resolution 2019-42** A Resolution of the Tooele City Council Approving the Tooele City Fee Schedule for Cemetery Fees
Presented by Darwin Cook
10. **Resolution 2019-52** A Resolution of the Tooele City Council Approving and Ratifying a Modification to the Third-Party Public Improvement Inspection Requirement for Overlake 1L Phase 2
Presented by Roger Baker
11. **Minutes**
 - June 19 - City Council Business
 - June 19 - City Council & RDA Work Session
12. **Invoices**
13. **Adjourn**

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 435-843-2113 or michellep@tooelecity.org, Prior to the Meeting.

TOOELE CITY CORPORATION

RESOLUTION 2019-54

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING POLL WORKERS AND POLLING LOCATIONS WITHIN TOOELE CITY LIMITS

WHEREAS, Utah Code Annotated (UCA) Chapter 20a-5 mandates that an election officer shall designate poll workers and polling locations for each voting precinct in a jurisdiction; and,

WHEREAS, UCA Chapter 20a-5 also mandates that the election officer shall obtain the approval of the county or municipal legislative body or local district governing board for those poll workers and polling locations; and,

WHEREAS, several poll workers have been designated, and are attached as part of Exhibit 1; and

WHEREAS, Tooele County has elected to vote by mail, however, several polling locations, or voting centers have been designated, and are attached as part of Exhibit 1:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Tooele City poll workers and polling places as shown on Exhibit 1, which is attached hereto and made a part hereof, are hereby approved.

This Resolution shall be 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

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to form:

Roger Evans Baker, City Attorney

EXHIBIT 1

**DESIGNATED POLL WORKERS
AND
DESIGNATED POLLING LOCATIONS**

Designated Poll Workers:

Philip Parish
Chris Holland
Cheryl Caldwell
Katie Redmond
Valerie Shumway
Tamara Hutchins
Carla Chamberlain
Lindsay Critchlow
Joan Parkinson
RaNae Blaisure
Tammy Wright
Sherlene Lawton
Susan Howard
Barbara Lemmon
Amber Greenup
Roseann Crabtree
Lee Lemmon
Margie Jensen
Ruth Mott
Caroline Shields
Judy Fowler
Kathy Gilson
Colleen Johnson
Susan Kroff
Debbie Smart
Marilyn Christiansen
Aubrey Taron
Kathy Gilson
Linda McBeth

Designated Polling Locations/Vote Centers:

Tooele County Clerk's Office, 47 South Main, Tooele, Utah
Tooele County Building, 47 South Main, Tooele, Utah
Middle Canyon Elementary, 751 East 1000 North, Tooele, Utah
Stansbury High School, 5300 North Stallion Way, Stansbury Park, Utah

TOOELE CITY CORPORATION

RESOLUTION 2019-53

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A CHANGE ORDER WITH TRIEX CONSTRUCTION CORPORATION FOR INSTALLATION OF A NEW CULINARY WATERLINE ON 1400 EAST.

WHEREAS, the City Administration has determined that it is necessary to install an additional 10-inch diameter waterline along 1400 East, south of Skyline Drive, for the purpose of maintaining functionality and efficiency of the culinary water system; and,

WHEREAS, the City has a roadway improvement project for the same segment of 1400 East scheduled for completion summer 2019; and,

WHEREAS, it is the best interest of the City to install the waterline prior to the roadway improvement project to avoid cutting and patching a newly-improved road; and,

WHEREAS, by Resolution 2019-43 Tooele City recently entered into a contract with Triex Construction for the 2019 Culinary Water Improvement Project; and,

WHEREAS, Triex has provided a cost estimate of Sixty-six Thousand Three Hundred Thirty-three Dollars and Seventy-one Cents (\$66,333.71) for installation of the 1400 East waterline (see attached Exhibit A); and,

WHEREAS, the City Administration requests an additional appropriation of 5% of the bid amount, approximately Three Thousand Three Hundred Dollars (\$3,300.00), as contingency for change orders for changed conditions that may arise during the Project, as reviewed and authorized by the Mayor; and,

WHEREAS, the Project is to be funded using Tooele City water revenue sources:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Mayor is hereby authorized to sign a change order attached hereto as Exhibit B with Triex Construction Corporation for the 1400 East waterline scope of work for a sum not to exceed Sixty-six Thousand Three Hundred Thirty-three Dollars and Seventy-one Cents (\$66,333.71), plus an additional Three Thousand Three Hundred Dollars (\$3,300.00) contingency (5%), which may be used as necessary for changed conditions at the direction of the Mayor.

This Resolution 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 _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

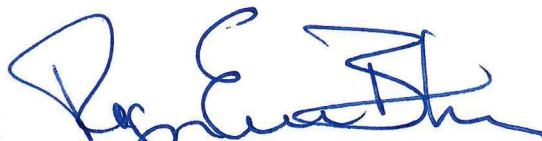
_____	_____
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ATTEST:

Michelle Y. Pitt, City Recorder

SEAL

Approved as to Form:



Roger Evans Baker, Tooele City Attorney

Exhibit A

Cost Estimate



Quote

We Organize and Empower Quality Solutions in a Sustainable and Safe Environment

Date: 6/28/2019
Estimate: 19-051
Expiration Date: 7/28/2019

Estimator	Job	Payment Terms	Due Date
John Belcher	Tooele - 1400 East Water Main 10"		

Qty	Description	Unit Price	Line Total
1	Mobilization	\$ 4,600.00	4,600.00
800	10" Culinary Waterline (Finish to to Road Base Road Surface - No Asphalt)	\$ 56.94	45,550.40
1	10" Mainline Connections	\$ 1,109.71	1,109.71
1	10" Mainline Hot Tap Connection	\$ 3,611.85	3,611.85
2	Furnish and Install 10" Diameter Gate Valve	\$ 2,864.85	5,729.70
300	Asphalt T-Patch - Main Line (At Connections in Main Road)	\$ 5.25	1,575.00
5	Soil Testing	\$ 360.01	1,800.05
300	Asphalt Prep	\$ 1.73	519.00
100	Saw Cut Asphalt	\$ 3.23	323.00
1	Traffic Control	\$ 1,515.00	1,515.00
		Subtotal	
		Sales Tax	
		Total	66,333.71

This is a quotation on the goods named, subject to the conditions noted below: Excludes: All Concrete Paving or patching, vapor barrier, Asphalt Paving or Patching, Base for Asphalt, Landscaping, Topsoil, Natural Gas Line, Shoring, Testing, Special Inspections, Engineering, Staking, Layout, Fee's and Permitting. Only items and quantities listed are included in the estimate. Upon acceptance, this estimate will become part of the final contract documents.
To accept this quotation, sign here and return:

Thank you for your business!

Exhibit B

Change Order No. 1

DOCUMENT 00530

CHANGE ORDER

No. 01

PROJECT: 2019 Culinary Water Improvement Project DATE OF ISSUANCE: July 18, 2019
OWNER: Tooele City Corporation OWNER's Project No. 2019-53
CONTRACTOR: Triex Construction Corporation

You are directed to make the following changes in the Contract Documents.

Description: Install Estimated 800 L.F. 10" dia. culinary waterline within 1400 East

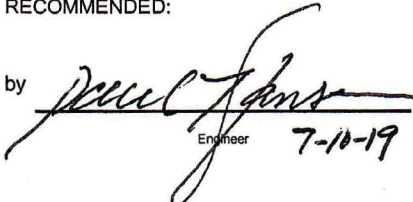
Purpose of Change Order: Maintain system functionality and efficiency of the culinary water system

Attachments: (List of documents supporting change) See Attached Exhibit A

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price \$569,113.62	Original Contract Time Substantial - 9/30/19 Final 10/4/19
Previous Change Orders No. <u>0</u> to No. <u>0</u>	Net Change from Previous Change Orders 0
Contract Price Prior to this Change Order \$569,113.62	Contract Time Prior to this Change Order Substantial - 9/30/19 Final 10/4/19
Net Increase (Decrease) of this Change Order \$66,333.71	Net Increase (Decrease) of this Change Order 7
Contract Price with all Approved Change Orders \$635,447.33	Contract Time with all Approved Change Orders Substantial - 10/7/19 Final 10/11/19 days or date

RECOMMENDED:

by


Engineer 7-10-19

APPROVED:

by

Owner

APPROVED:

by

Contractor

STAFF REPORT

July 3, 2019

To: Tooele City Planning Commission
Business Date: July 10, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Lexington Greens Phase 1 – Final Plat Subdivision Request

Application No.: P19-350
Applicant: Zenith Tooele LLC
Project Location: Approximately 600 West 1200 North
Zoning: R1-7 Residential Zone
Acreage: 86.3 Acres (Approximately 3,759,228 ft²)
Request: Request for approval of a Final Plat Subdivision in the R1-7 Residential zone regarding the creation of 113 single-family residential lots.

BACKGROUND

This application is a request for approval of a Final Plat Subdivision for approximately 86.3 acres located at approximately 600 West 1200 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Final Plat Subdivision be approved to allow for the subdivision and subsequent development of the 86 acre parcel into 113 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five 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 Residential land use designation. Properties to the north, south, and east are currently zoned R1-7 and are largely vacant properties. Properties to the east are zoned R1-7 and P (Overlake) and are developed as single-family lots or in process of developing. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. Phase 1 of Lexington Greens at Overlake proposes the creation of 113 new single-family residential lots. Each lot meets or exceeds the zoning requirements of the R1-7 Residential zone regarding lot size, lot width and lot frontages.

Access to the new subdivision will be primarily from 400 West and Franks Drive, existing public rights-

of-way. There will stubs for future connections with neighboring developments at the north west corner of the subdivision and at the south near the park.

Landscaping. The proposed subdivision phase will contain various open space parcels ranging in size from 3.9 acres down to .23 acres. Some of the landscaping will be occurring along 400 West and Franks Drive. The parcels will be predominantly landscaped with Buffalo Sod, a more drought tolerant and heat hardy grass with trees and shrubs scatters in key junctions, entries and exits of the parcels. The areas will include an in-ground irrigation system. All open spaces within the proposed development shall be maintained by a development HOA.

A Conditional Use Permit was approved by the Planning Commission permitting the large 3.9 acre “private” park on Wednesday, May 8, 2019.

There is a .77 acre storm water detention basin at the north west corner of the subdivision. This detention basin will be landscaped, irrigated and maintained in similar manner as other open space parcels within the development.

Fencing. At the April 24, 2019 Planning Commission meeting where the Lexington Greens Preliminary Plan was recommended for approval, the Planning Commission was concerned about fencing lot adjacent to 400 West and Franks Drive, considering these lots to be double frontage lots. Staff’s position was, due to the depth of the landscaping buffers between the property lines and the right-of-way lines that these lots did not constitute double fronting lots. The Planning Commission still determined that fencing on these lots adjacent to 400 West and Franks Drive was necessary and appropriate and added a condition requiring “**fencing for the project along 400 West for continuity of fencing with other subdivisions and within the City Code requirements for fencing.**” Dominant fencing along 400 West is 6 foot solid vinyl fencing. It should be noted that Providence Phase 2 will also be installing 6 foot solid vinyl fencing. Therefore, in order to be compliant with conditions of the preliminary plan approval all lots with frontage along 400 West shall include 6 foot solid vinyl fencing. All fencing associated with the Lexington Greens At Overlake Subdivision shall be privately owned and maintained.

Previous Conditions of Approval. During the Preliminary Plan review stage for this subdivision request, the Planning Commission & City Council placed conditions on that approval of the request. Those conditions were as follows:

1. Fencing for the project along 400 West for continuity of fencing with other subdivisions and within the City Code requirements for fencing

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 7-19-10 and 11 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Final Plat Subdivision submission and has issued a recommendation for approval for the request with the following proposed conditions:

1. The Developer shall submit a revised site plan to Tooele City that includes fencing details and specifications for all lots with double frontages onto 400 West as per Planning Commission and City Council condition of approval. Those fencing details have not been provided as of the date the staff report was written.

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

STAFF RECOMMENDATION

Staff recommends approval of the request for a Final Plat Subdivision by Zenith Tooele LLC, application number P19-350, 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.
5. The Developer shall install 6 foot solid vinyl fencing on all double fronting lots adjacent to 400 West that shall be privately owned and maintained. The Developer shall also submit a revised site plan to Tooele City that includes fencing details and specifications for all lots with double frontages onto 400 West.

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 Lexington Greens Phase 1 Final Plat Subdivision Request by Zenith Tooele LLC for the purpose of creating 113 single-family residential lots near 600 West 1200 North, application number P19-350, based on the findings and subject to the conditions listed in the Staff Report dated July 3, 2019:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Lexington Greens Phase 1 Final Plat Subdivision Request by Zenith Tooele LLC for the purpose of creating 113 single-family residential lots near 600 West 1200 North application number P19-350, based on the following findings:”

1. List any findings...

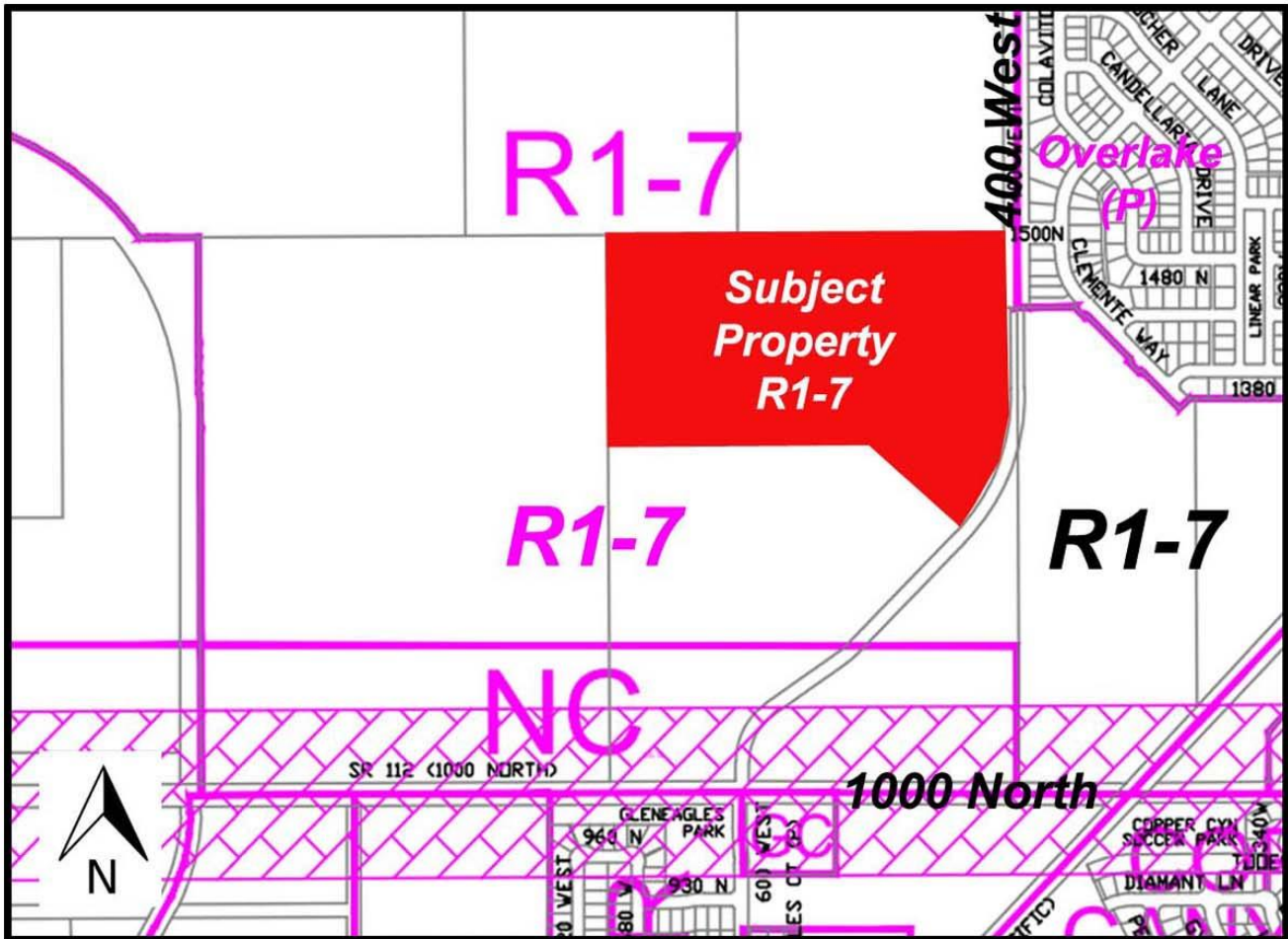
EXHIBIT A
MAPPING PERTINENT TO THE LEXINGTON GREENS PHASE 1 FINAL PLAT
SUBDIVISION

Lexington Greens at Overlake Phase 1 Final Plat Subdivision



Aerial View

Lexington Greens at Overlake Phase 1 Final Plat Subdivision



Current Zoning

Lexington Greens at Overlake Phase 1 Final Plat Subdivision



Existing 400 West Fencing

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

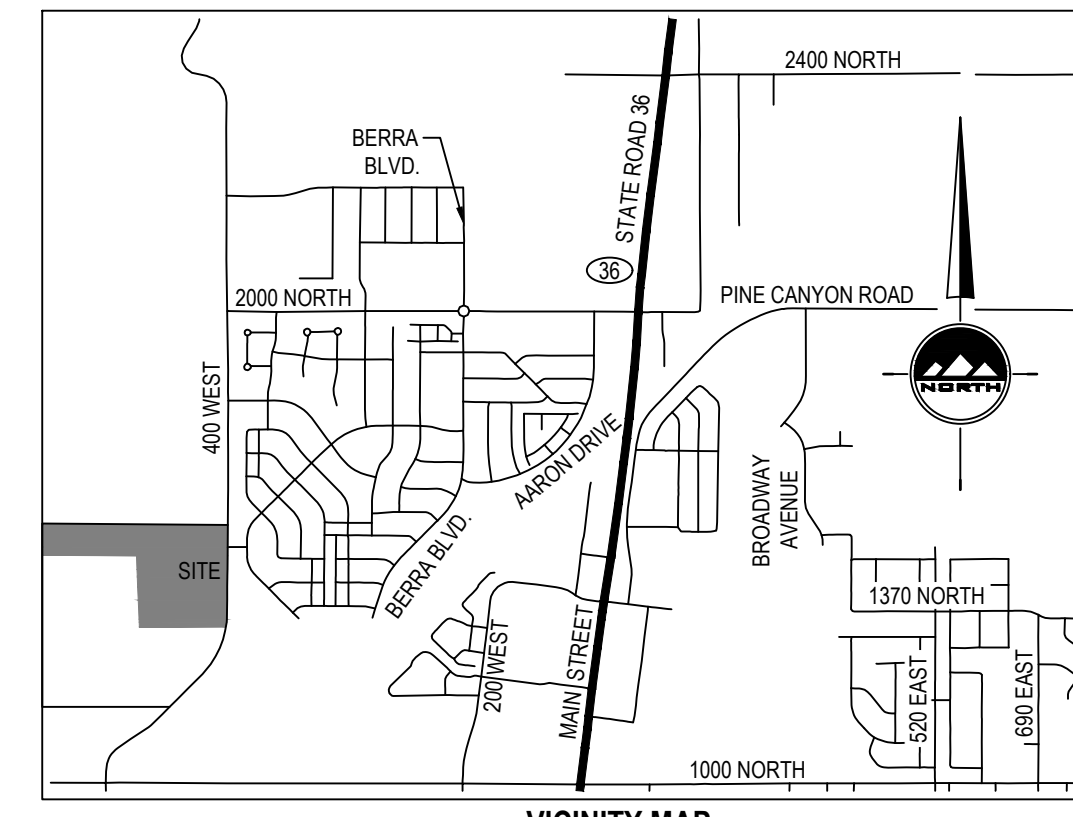
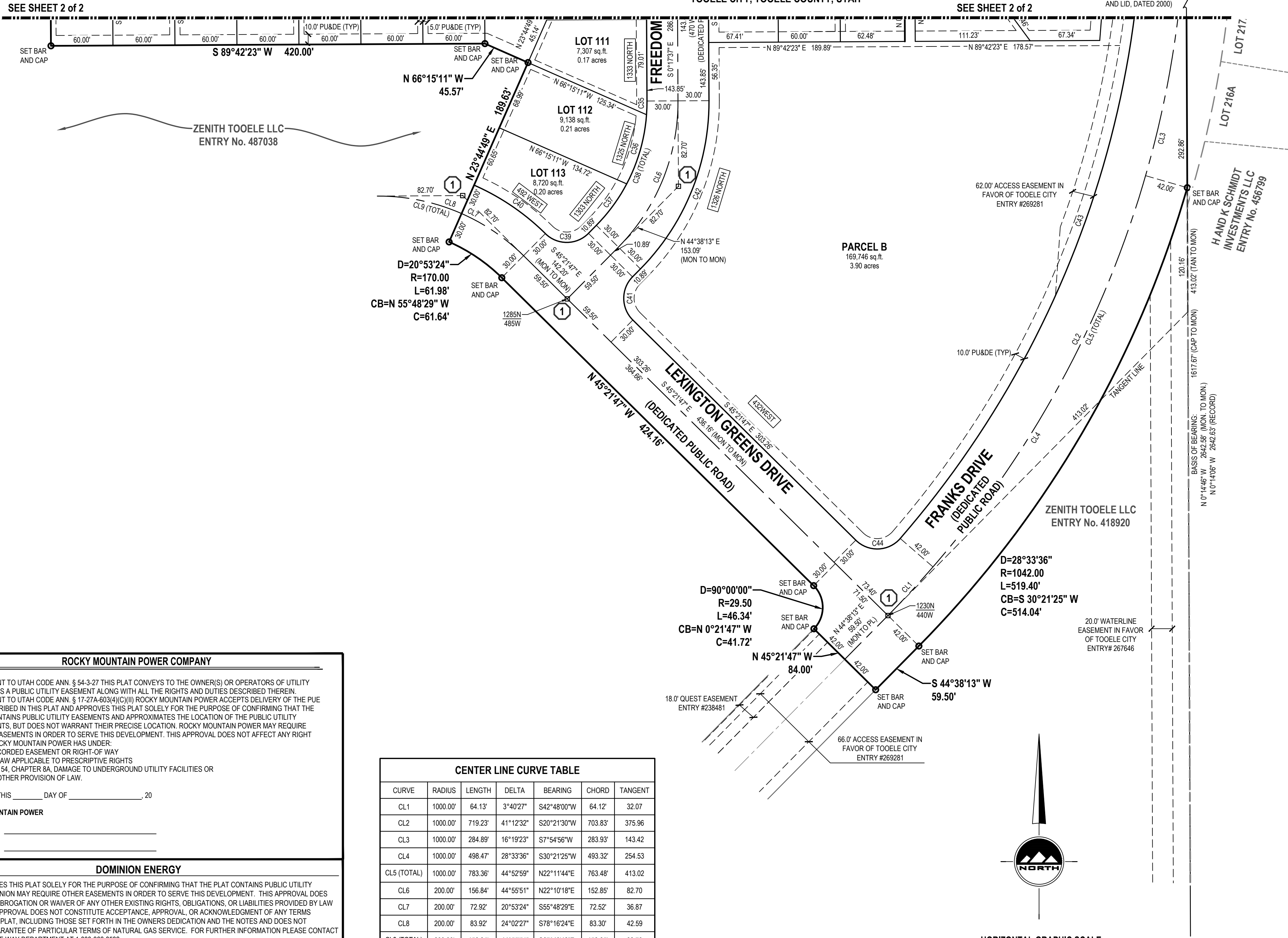
FINAL PLAT LEXINGTON GREENS AT OVERLAKE SUBDIVISION PHASE 1

LOCATED IN THE
SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3
SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

NORTHEAST CORNER OF SECTION 17,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
(FOUND 3" BRASS TOOELE COUNTY
SURVEYORS MONUMENT WITH RING
AND LID, DATED 2000)

SEE SHEET 2 of 2

SEE SHEET 2 of 2

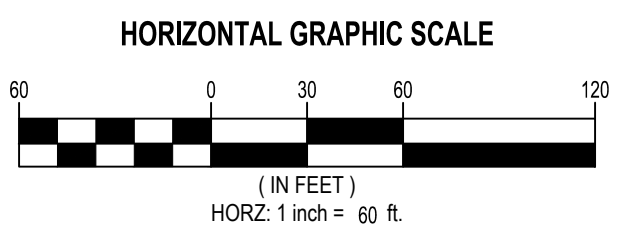


CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
C1	29.50	46.31	89°57'08"	N44°43'48"E	41.70	29.48
C2	29.50	46.34	90°00'00"	S45°17'37"W	41.72	29.50
C3	15.00	14.92	56°59'34"	S28°12'09"W	14.31	8.14
C4	50.00	48.39	55°26'50"	S28°58'31"W	46.52	26.28
C5	50.00	20.46	23°26'53"	S10°28'21"E	20.32	10.38
C6	50.00	35.76	40°58'29"	N42°41'02"W	35.00	18.68
C7	50.00	45.22	51°49'20"	S89°04'56"E	43.70	24.29
C8	50.00	8.58	9°49'37"	N60°05'36"E	8.57	4.30
C9 (TOTAL)	50.00	158.41	181°31'09"	N34°03'38"W	99.99	-3771.26
C10	15.00	9.04	34°31'36"	N72°26'35"E	8.90	4.66
C11	29.50	46.36	90°02'16"	S45°16'28"E	41.73	29.52
C12	29.50	46.32	89°57'42"	N44°43'32"E	41.71	29.48
C13	29.50	46.36	90°02'52"	N45°16'12"W	41.74	29.52
C14	29.50	46.31	89°57'08"	S44°43'48"W	41.70	29.48
C15	29.50	46.34	90°00'00"	N45°17'37"W	41.72	29.50
C16	29.50	46.34	90°00'00"	N44°42'23"E	41.72	29.50
C17	29.50	46.34	90°00'00"	N45°17'37"W	41.72	29.50
C18	29.50	46.34	90°00'00"	S44°42'33"W	41.72	29.50
C19	29.50	46.36	90°02'52"	N45°16'12"W	41.74	29.52
C20	29.50	46.34	90°00'00"	N44°42'23"E	41.72	29.50
C21	29.50	46.34	90°00'00"	S45°17'37"E	41.72	29.50
C22	29.50	24.89	48°19'58"	N65°32'24"E	24.15	13.24
C23	60.00	29.25	27°55'37"	N55°20'14"E	28.96	14.92
C24	60.00	52.11	49°45'29"	S85°49'13"E	50.48	27.82
C25	60.00	43.05	41°06'44"	S40°23'07"E	42.13	22.50
C26	60.00	43.05	41°06'44"	S0°43'36"W	42.13	22.50
C27	60.00	43.05	41°06'44"	S41°50'20"W	42.13	22.50
C28	60.00	49.11	46°53'40"	S65°50'32"W	47.75	26.02
C29	60.00	11.04	10°32'19"	N65°26'29"W	11.02	5.53
C30	60.00	19.07	18°12'39"	S51°03'59"E	18.99	9.62
C31 (TOTAL)	60.00	289.72	276°39'55"	N0°17'37"W	79.78	-53.40
C32	29.50	24.89	48°19'58"	N66°07'39"W	24.15	13.24
C33	29.50	46.34	90°00'00"	S44°42'23"W	41.72	29.50
C34	29.50	46.34	90°00'00"	N45°17'37"W	41.72	29.50
C35	170.00	13.29	4°28'42"	N1°56'43"E	13.28	6.65
C36	170.00	70.12	23°37'55"	N16°00'02"E	69.62	35.56
C37	170.00	49.91	16°49'14"	N36°13'36"E	49.73	25.13
C38 (TOTAL)	170.00	133.31	44°55'51"	N22°10'18"E	129.92	70.30
C39	29.50	46.34	90°00'00"	N89°38'13"E	41.72	29.50
C40	230.00	83.86	20°53'24"	S55°48'29"E	83.39	42.40
C41	29.50	46.34	90°00'00"	S0°21'47"E	41.72	29.50
C42	230.00	180.36	44°55'51"	S22°10'18"W	175.78	95.11
C43	968.00	689.02	41°12'32"	N20°21'30"E	674.27	360.17
C44	29.50	48.23	93°40'27"	N87°48'00"E	43.04	31.46

CENTER LINE CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
CL1	1000.00	64.13	3°40'27"	S42°48'00"W	64.12	32.07
CL2	1000.00	719.23	41°12'32"	S20°21'30"W	703.83	375.96
CL3	1000.00	284.89	16°19'23"	S7°54'56"W	283.93	143.42
CL4	1000.00	498.47	28°33'36"	S30°21'25"W	493.32	254.53
CL5 (TOTAL)	1000.00	783.36	44°52'59"	N22°11'44"E	763.48	413.02
CL6	200.00	156.84	44°56'51"	N22°10'18"E	152.85	82.70
CL7	200.00	72.92	20°53'24"	S55°48'29"E	72.52	36.87
CL8	200.00	83.92	24°02'27"	S78°16'24"E	83.30	42.59
CL9 (TOTAL)	200.00	156.84	44°56'51"	S67°49'42"E	152.85	82.70



LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT TO BE SET
- SECTION CORNER
- SECTION LINE
- 6/8" X 24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN. ENG. & LAND SURV."
- PUBLIC UTILITY & DRAINAGE EASEMENT
- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- RIGHT OF WAY LINE
- ADJACENT RIGHT OF WAY LINE
- TANGENT LINE

SOUTH QUARTER CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, (FOUND 3" BRASS TOOELE COUNTY SURVEYORS MONUMENT WITH RING AND LID, DATED 2009)

SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, (FOUND 3" BRASS TOOELE COUNTY SURVEYORS MONUMENT WITH RING AND LID, DATED 2009)

- NOTE:**
- PARCEL "A", "B", "C", "D", & "E" TO BE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY LEXINGTON GREENS HOME OWNERS ASSOCIATION, INC.
 - OFFSET PINS TO BE PLACED IN TOP BACK OF CURB, 3/4" X 24" REBAR WITH YELLOW PLASTIC CAP STAMPED "ENSGN. ENG. & LAND SURV." TO BE PLACED AT ALL OTHER LOT AND BOUNDARY CORNERS
- KEY NOTES**
- SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS

SURVEYOR'S CERTIFICATE

I, Douglas J Kinsman do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. 334575, as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as **LEXINGTON GREENS AT OVERLAKE SUBDIVISION PHASE 1**, and that the same has been correctly surveyed, staked, and monumented on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land, situate in the Southeast Quarter of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Tooele County, Utah, more particularly described as follows:

Beginning at a point on the Section line, which is located South 0°14'46" East 350.10 feet along the Section line from the East Quarter Corner of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence South 0°14'46" East 674.81 feet along the Section line;

thence Southwesterly 519.40 feet along the arc of a 1042.00-foot radius non-tangent curve to the right (center bears North 73°55'23" West, and the long chord bears South 30°21'25" West 514.04 feet, through a central angle of 28°33'36");

thence South 44°38'13" West 59.50 feet along said easterly line;

thence North 45°21'47" West 84.00 feet to the westerly line of Frank's Drive;

thence Northwesterly 46.34 feet along the arc of a 29.50-foot radius non-tangent curve to the left (center bears North 45°21'47" West, and the long chord bears North 0°21'47" West 41.72 feet, through a central angle of 90°00'00");

thence North 45°21'47" West 424.16 feet;

thence Northwesterly 61.98 feet along the arc of a 170.00-foot radius non-tangent curve to the left (center bears South 44°38'13" West and the long chord bears North 55°48'29" West 61.84 feet through a central angle of 20°53'24");

thence North 23°44'00" East 189.63 feet;

thence North 66°15'11" West 45.57 feet;

thence South 89°42'23" West 420.00 feet;

thence North 00°17'37" West 117.00 feet;

thence North 89°42'23" East 0.25 feet;

thence North 00°17'37" West 234.00 feet;

thence North 89°42'23" East 0.25 feet;

thence North 00°17'37" West 117.00 feet;

thence South 89°42'23" West 787.45 feet;

thence North 00°14'46" West 49.54 feet;

thence South 89°45'14" West 117.00 feet;

thence North 01°44'46" West 244.37 feet, to the Quarter Section line;

thence North 89°42'23" East 1941.62 feet along the Quarter Section line, to the west line of 400 West Street;

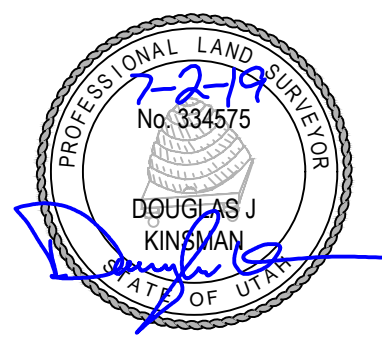
thence South 0°14'46" East 350.10 feet along said west line;

thence North 89°45'14" East 62.00 feet, to the Point of Beginning.

Parcel contains: 1,490,915 square feet, or 34.23 acres, 113 Lots, & 5 Parcels

Date July 2, 2019

Douglas J Kinsman
License no. 334575



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owner(s) of the herein described tract of land and hereby cause the same to be divided into lots, and streets together with easements as set forth hereafter to be known as:

LEXINGTON GREENS AT OVERLAKE SUBDIVISION PHASE 1

The undersigned owner(s) hereby dedicate to Tooele City all those parts or portions of said tract of land on said plat designated hereon as streets, the same to be used as public thoroughfares forever. The undersigned owner(s) also hereby convey to Tooele City and to any and all public utility companies providing service to the herein described tract a perpetual, non-exclusive easement over the streets and public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of public utility service lines and facilities. The undersigned owner(s) also hereby conveys any other easements as shown hereon to the parties indicated and for the purposes shown hereon.

In witness whereof I/we have hereunto set my/our hand this _____ day of _____, A.D., 20____.

By: Zenith Tooele LLC
Charles W. Akerlow (Managing Director)

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH
County of Tooele

On the _____ day of _____, A.D., 20____, personally appeared before me, the undersigned Notary Public, in and for said County of Utah, who after being duly sworn, acknowledged to me that He/She is the _____ of _____, a Limited Liability Company and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

Notary's Full Name & Commission Number _____

My Commission Expires _____ A Notary Public Commissioned in Utah

LEXINGTON GREENS AT OVERLAKE SUBDIVISION PHASE 1 FINAL PLAT

LOCATED IN THE
SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3
SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____

FEES _____ TOOELE COUNTY RECORDER

ROCKY MOUNTAIN POWER COMPANY

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-6(3)(4)(C)(VI) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

- A RECORDED EASEMENT OR RIGHT-OF-WAY
- THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- TITLE 54, CHAPTER 9A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
- ANY OTHER PROVISION OF LAW.

APPROVED THIS _____ DAY OF _____, 20____.

BY: _____

TITLE: _____

DOMINION ENERGY

DOMINION APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION 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 RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS _____ DAY OF _____, A.D. 20____.

BY: _____

TITLE: _____

TOOELE CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 20____, BY THE TOOELE CITY COUNCIL.

ATTEST: CITY RECORDER

DEVELOPER
ZENITH DEVELOPMENT LLC
2040 MURRAY HOLLADAY
ROAD, SUITE 204
SLC, UTAH 84117
801-428-3755

SHEET 1 OF 3

PROJECT NUMBER: 8260A
MANAGER: D. KINSMAN
DRAWN BY: C. CHILD
CHECKED BY: D. KINSMAN
DATE: 7/2/2019

ENSGN
ENGINEERING & LAND SURVEYING

TOOELE
169 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108
WWW.ENSGNENGINES.COM

SALT LAKE CITY
Phone: 801.255.0200
LAYTON
Phone: 801.541.1100
CEDAR CITY
Phone: 435.863.1453
RICHFIELD
Phone: 801.989.2963

COUNTY TREASURER APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____, BY THE TOOELE COUNTY TREASURER.

TOOELE COUNTY TREASURER

CITY ATTORNEY'S APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____, BY THE CITY ATTORNEY.

TOOELE CITY ATTORNEY

CITY ENGINEER'S APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____, BY THE CITY ENGINEER.

TOOELE CITY ENGINEER

COUNTY SURVEY DEPARTMENT APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE TOOELE COUNTY SURVEY DEPARTMENT. RECORD OF SURVEY FILE #2018-0074

TOOELE COUNTY SURVEY DIRECTOR

COUNTY HEALTH DEPARTMENT APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPT.

COMMUNITY DEVELOPMENT APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE COMMUNITY DEVELOPMENT.

TOOELE CITY COMMUNITY DEVELOPMENT

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE TOOELE CITY PLANNING COMMISSION.

CHAIRMAN TOOELE CITY PLANNING COMMISSION

LEXINGTON GREENS AT OVERLAKE PHASE 1

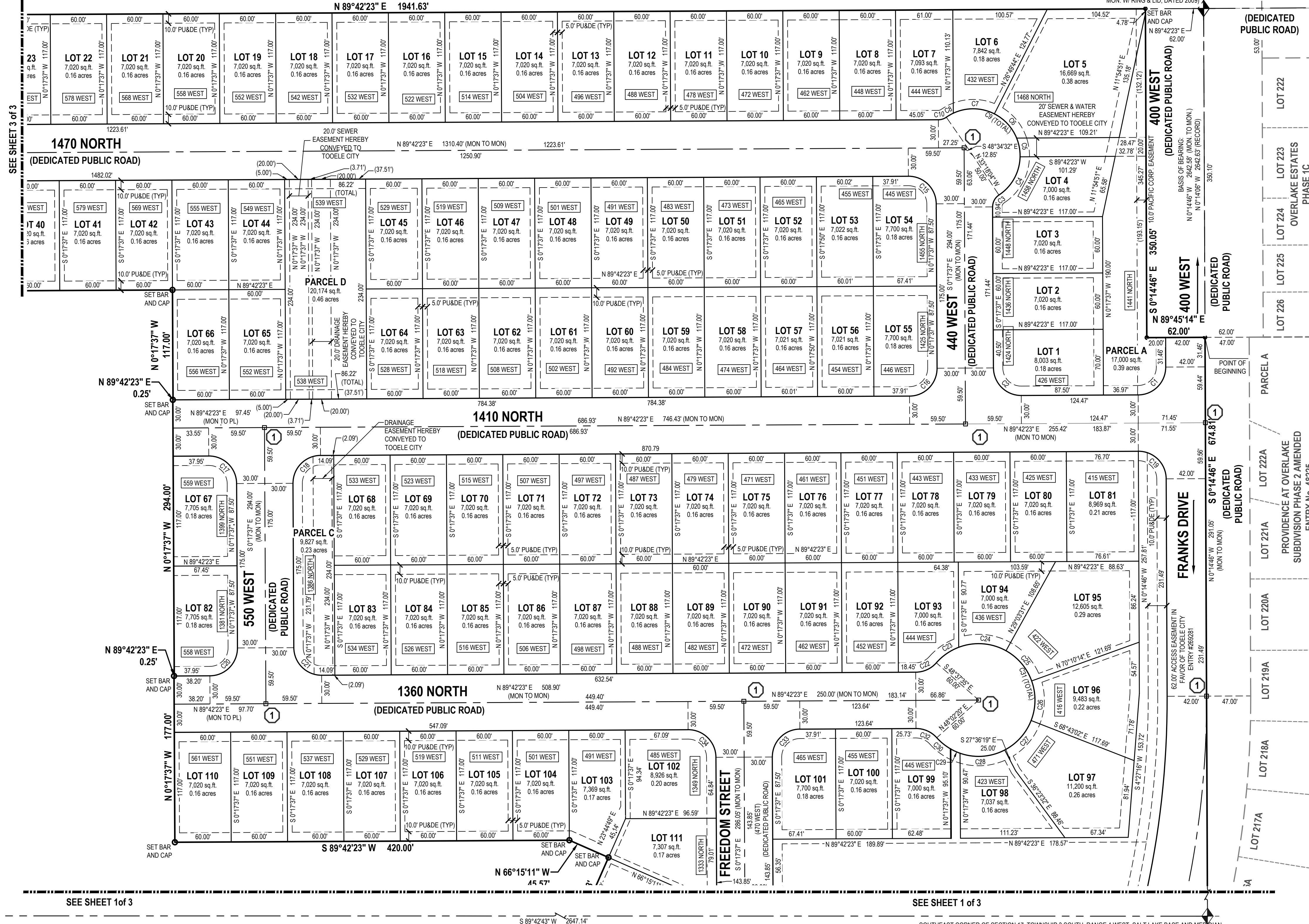
FINAL PLAT

LOCATED IN THE
SOUTHEAST CORNER OF SECTION 17
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH
PERRY HOMES INC.
ENTRY No. 418920

NORTHEAST CORNER OF SECTION 17,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
(FOUND 3" BRASS TOOELE COUNTY
SURVEYORS MONUMENT WITH RING
AND LID, DATED 2000)

EAST QUARTER CORNER OF SECTION
17, T3S, R4W, S18M FOUND 3"
TOOELE COUNTY SURVEYOR BRASS
MON. W/ RING & LID, DATED 2009)

CENTER LINE CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
CL1	1000.00'	64.13'	3°40'27"	S42°48'00"W	64.12'	32.07'
CL2	1000.00'	719.23'	41°12'32"	S20°21'30"W	703.83'	375.96'
CL3	1000.00'	284.89'	16°19'23"	S75°54'56"W	283.93'	143.42'
CL4	1000.00'	496.47'	28°33'36"	S30°21'25"W	493.32'	254.53'
CL5 (TOTAL)	1000.00'	783.36'	44°52'59"	N22°11'44"E	763.48'	413.02'
CL6	200.00'	156.84'	44°55'51"	N22°10'18"E	152.85'	82.70'
CL7	200.00'	72.92'	20°53'24"	S55°48'22"E	72.52'	36.87'
CL8	200.00'	83.92'	24°02'27"	S78°16'24"E	83.30'	42.59'
CL9 (TOTAL)	200.00'	156.84'	44°55'51"	S67°49'42"E	152.85'	82.70'

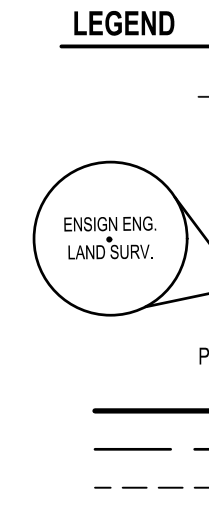


CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
C1	29.50'	46.31'	89°57'08"	N44°43'48"E	41.70'	29.48'
C2	29.50'	46.34'	90°00'00"	S45°17'37"E	41.72'	29.50'
C3	15.00'	14.92'	56°59'34"	S28°12'09"W	14.31'	8.14'
C4	50.00'	48.39'	55°26'50"	S28°58'31"W	46.52'	26.28'
C5	50.00'	20.46'	23°26'53"	S10°28'21"E	20.32'	10.38'
C6	50.00'	35.76'	40°58'29"	N42°41'23"W	35.00'	18.68'
C7	50.00'	45.22'	51°49'20"	S89°04'56"E	43.70'	24.29'
C8	50.00'	8.58'	9°49'37"	N60°05'36"E	8.57'	4.30'
C9 (TOTAL)	50.00'	158.41'	181°31'09"	N34°03'38"W	99.99'	-371.26'
C10	15.00'	9.04'	34°31'36"	N72°26'35"E	8.90'	4.66'
C11	29.50'	46.36'	90°02'18"	S45°16'28"E	41.73'	29.52'
C12	29.50'	46.32'	89°57'42"	N44°43'32"E	41.71'	29.48'
C13	29.50'	46.36'	90°02'52"	N45°16'12"W	41.74'	29.52'
C14	29.50'	46.31'	89°57'08"	S44°43'48"W	41.70'	29.48'
C15	29.50'	46.34'	90°00'00"	N45°17'37"W	41.72'	29.50'
C16	29.50'	46.34'	90°00'00"	N44°42'23"E	41.72'	29.50'
C17	29.50'	46.34'	90°00'00"	N45°17'37"W	41.72'	29.50'
C18	29.50'	46.34'	90°00'00"	S44°42'23"W	41.72'	29.50'
C19	29.50'	46.36'	90°02'52"	N45°16'12"W	41.74'	29.52'
C20	29.50'	46.34'	90°00'00"	N44°42'23"E	41.72'	29.50'
C21	29.50'	46.34'	90°00'00"	S45°17'37"E	41.72'	29.50'
C22	29.50'	24.89'	48°19'58"	N65°32'24"E	24.15'	13.24'
C23	60.00'	29.25'	27°55'37"	N55°20'14"E	28.96'	14.92'
C24	60.00'	52.11'	49°45'29"	S85°49'13"E	50.48'	27.82'
C25	60.00'	43.05'	41°06'44"	S40°23'07"E	42.13'	22.50'
C26	60.00'	43.05'	41°06'44"	S0°43'36"W	42.13'	22.50'
C27	60.00'	43.05'	41°06'44"	S41°50'20"W	42.13'	22.50'
C28	60.00'	49.11'	46°53'40"	S65°50'32"W	47.75'	26.02'
C29	60.00'	11.04'	10°32'19"	N65°26'29"W	11.02'	5.53'
C30	60.00'	19.07'	18°12'39"	S51°03'59"E	18.99'	9.62'
C31 (TOTAL)	60.00'	289.72'	276°39'55"	N0°17'37"W	79.78'	-53.40'
C32	29.50'	24.89'	48°19'58"	N66°07'39"W	24.15'	13.24'
C33	29.50'	46.34'	90°00'00"	S44°42'23"E	41.72'	29.50'
C34	29.50'	46.34'	90°00'00"	N45°17'38"W	41.72'	29.50'
C35	170.00'	13.29'	4°28'42"	N1°56'43"E	13.28'	6.65'
C36	170.00'	70.12'	23°37'55"	N16°00'02"E	69.62'	35.56'
C37	170.00'	49.91'	16°49'14"	N38°13'36"E	49.73'	25.13'
C38 (TOTAL)	170.00'	133.31'	44°55'51"	N22°10'18"E	129.92'	70.30'
C39	29.50'	46.34'	90°00'00"	N89°38'13"E	41.72'	29.50'
C40	230.00'	83.86'	20°53'24"	S55°48'29"E	83.39'	42.40'
C41	29.50'	46.34'	90°00'00"	S0°21'47"E	41.72'	29.50'
C42	230.00'	180.36'	44°55'51"	S22°10'18"E	175.78'	95.11'
C43	958.00'	689.02'	41°12'32"	N20°21'30"E	674.27'	360.17'
C44	29.50'	48.23'	93°40'27"	N87°48'00"E	43.04'	31.46'

SOUTH QUARTER CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, (FOUND 3" BRASS TOOELE COUNTY SURVEYORS MONUMENT WITH RING AND LID, DATED 2009)

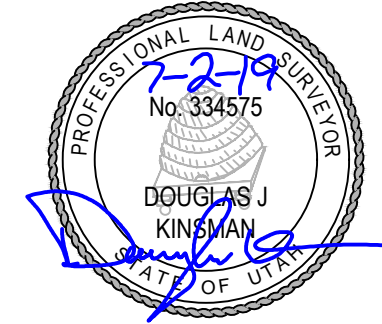
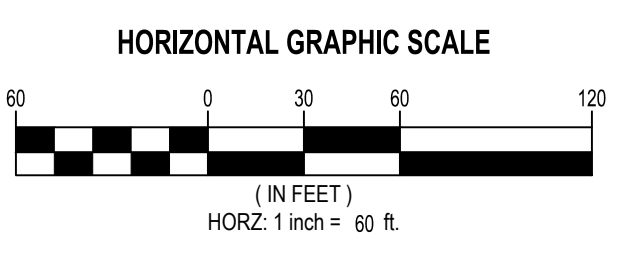
SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, (FOUND 3" BRASS TOOELE COUNTY SURVEYORS MONUMENT WITH RING AND LID, DATED 2009)

- NOTE:
- PARCEL "A", "B", "C", "D", and "E" TO BE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY LEXINGTON GREENS HOME OWNERS ASSOCIATION, INC.
 - OFFSET PINS TO BE PLACED IN TOP BACK OF CURB, 3/4" X 24" REBAR WITH YELLOW PLASTIC CAP STAMPED "ENSGN ENG. & LAND SURV." TO BE PLACED AT ALL OTHER LOT AND BOUNDARY CORNERS



DEVELOPER
ZENITH DEVELOPMENT LLC
2040 MURRAY HOLLADAY ROAD, SUITE 204
SALT LAKE CITY, UTAH 84117
801-428-3755

- KEY NOTES
- SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS



LEXINGTON GREENS AT OVERLAKE PHASE 1

FINAL PLAT

LOCATED IN THE
SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3
SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH



TOOELE
183 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
Phone: 801.581.0328

LAYTON
Phone: 801.581.1100

CEDAR CITY
Phone: 435.863.1433

RICHFIELD
Phone: 435.866.2983

www.ensgn.com

SHEET 2 of 3

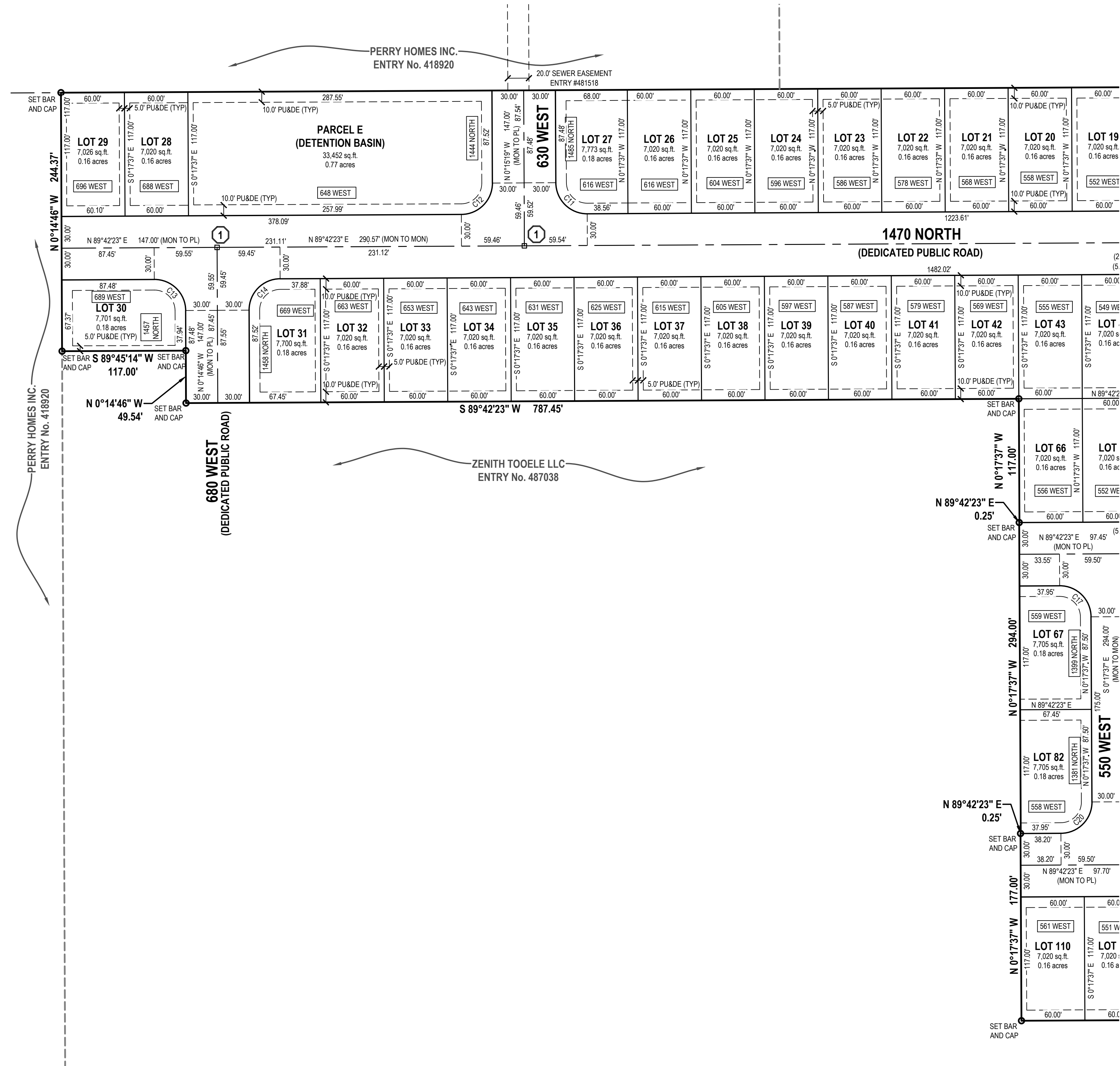
PROJECT NUMBER: 8260A
MANAGER: D. KNSMAN
DRAWN BY: C. CHLD
CHECKED BY: D. KNSMAN
DATE: 7/2/19

LEXINGTON GREENS AT OVERLAKE PHASE 1

FINAL PLAT

LOCATED IN THE
SOUTHEAST CORNER OF SECTION 17
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

CENTER LINE CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
CL1	1000.00'	64.13'	3°40'27"	S42°48'00"W	64.12'	32.07'
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CL3	1000.00'	284.89'	16°19'23"	S7°54'56"W	283.93'	143.42'
CL4	1000.00'	498.47'	28°33'36"	S30°21'25"W	493.32'	254.53'
CL5 (TOTAL)	1000.00'	783.36'	44°52'59"	N22°11'44"E	763.48'	413.02'
CL6	200.00'	156.84'	44°55'51"	N22°10'18"E	152.85'	82.70'
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CL9 (TOTAL)	200.00'	156.84'	44°55'51"	S67°49'42"E	152.85'	82.70'



CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
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C3	15.00'	14.92'	56°59'34"	S28°12'09"W	14.31'	8.14'
C4	50.00'	48.39'	55°26'50"	S28°58'31"W	46.52'	26.28'
C5	50.00'	20.46'	23°26'53"	S10°28'21"E	20.32'	10.38'
C6	50.00'	35.76'	40°58'29"	N42°41'02"W	35.00'	18.68'
C7	50.00'	45.22'	51°49'20"	S89°04'56"E	43.70'	24.29'
C8	50.00'	8.58'	9°49'37"	N60°05'36"E	8.57'	4.30'
C9 (TOTAL)	50.00'	158.41'	181°31'09"	N34°03'38"W	99.99'	-3771.26'
C10	15.00'	9.04'	34°31'36"	N72°26'35"E	8.90'	4.66'
C11	29.50'	46.36'	90°02'18"	S45°16'28"E	41.73'	29.52'
C12	29.50'	46.32'	89°57'42"	N44°43'32"E	41.71'	29.48'
C13	29.50'	46.36'	90°02'52"	N45°16'12"W	41.74'	29.52'
C14	29.50'	46.31'	89°57'08"	S44°43'48"W	41.70'	29.48'
C15	29.50'	46.34'	90°00'00"	N45°17'37"E	41.72'	29.50'
C16	29.50'	46.34'	90°00'00"	N44°42'23"E	41.72'	29.50'
C17	29.50'	46.34'	90°00'00"	N45°17'37"E	41.72'	29.50'
C18	29.50'	46.34'	90°00'00"	S44°42'23"W	41.72'	29.50'
C19	29.50'	46.36'	90°02'52"	N45°16'12"W	41.74'	29.52'
C20	29.50'	46.34'	90°00'00"	N44°42'23"E	41.72'	29.50'
C21	29.50'	46.34'	90°00'00"	S45°17'37"E	41.72'	29.50'
C22	29.50'	24.89'	48°19'58"	N65°32'24"E	24.15'	13.24'
C23	60.00'	29.25'	27°55'37"	N65°20'14"E	28.96'	14.92'
C24	60.00'	52.11'	49°45'29"	S85°49'13"E	50.48'	27.82'
C25	60.00'	43.05'	41°06'44"	S40°23'07"E	42.13'	22.50'
C26	60.00'	43.05'	41°06'44"	S0°43'36"W	42.13'	22.50'
C27	60.00'	43.05'	41°06'44"	S41°50'20"W	42.13'	22.50'
C28	60.00'	49.11'	46°53'40"	S85°50'32"W	47.75'	26.02'
C29	60.00'	11.04'	10°32'19"	N65°26'29"E	11.02'	5.53'
C30	60.00'	19.07'	18°12'39"	S51°03'58"E	18.99'	9.62'
C31 (TOTAL)	60.00'	289.72'	276°39'55"	N0°17'37"W	79.78'	-53.40'
C32	29.50'	24.89'	48°19'58"	N66°07'38"E	24.15'	13.24'
C33	29.50'	46.34'	90°00'00"	S44°42'23"E	41.72'	29.50'
C34	29.50'	46.34'	90°00'00"	N45°17'38"E	41.72'	29.50'
C35	170.00'	13.29'	4°28'42"	N1°56'43"E	13.28'	6.65'
C36	170.00'	70.12'	23°37'55"	N16°00'02"E	69.62'	35.56'
C37	170.00'	49.91'	16°49'14"	N36°13'36"E	49.73'	25.13'
C38 (TOTAL)	170.00'	133.31'	44°55'51"	N22°10'18"E	129.92'	70.30'
C39	29.50'	46.34'	90°00'00"	N89°38'13"E	41.72'	29.50'
C40	230.00'	83.86'	20°53'24"	S55°48'29"E	83.39'	42.40'
C41	29.50'	46.34'	90°00'00"	S0°21'47"E	41.72'	29.50'
C42	230.00'	180.36'	44°55'51"	S22°10'18"W	175.78'	95.11'
C43	958.00'	689.02'	41°12'32"	N20°21'30"E	674.27'	360.17'
C44	29.50'	48.23'	93°40'27"	N87°48'00"E	43.04'	31.46'

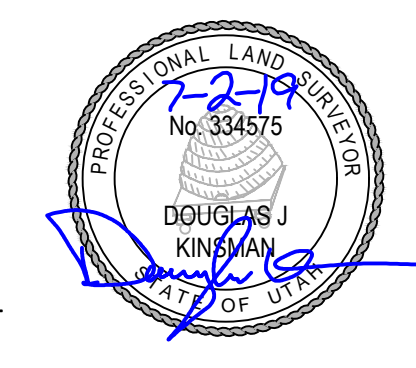
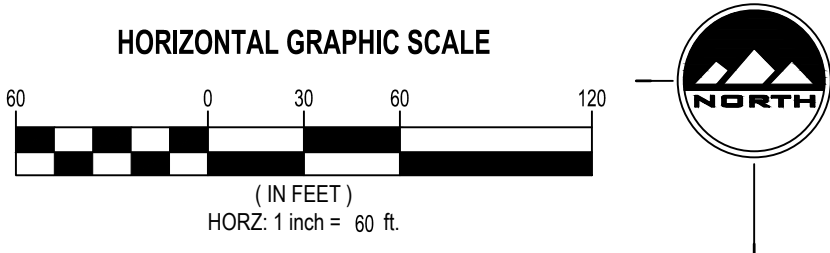
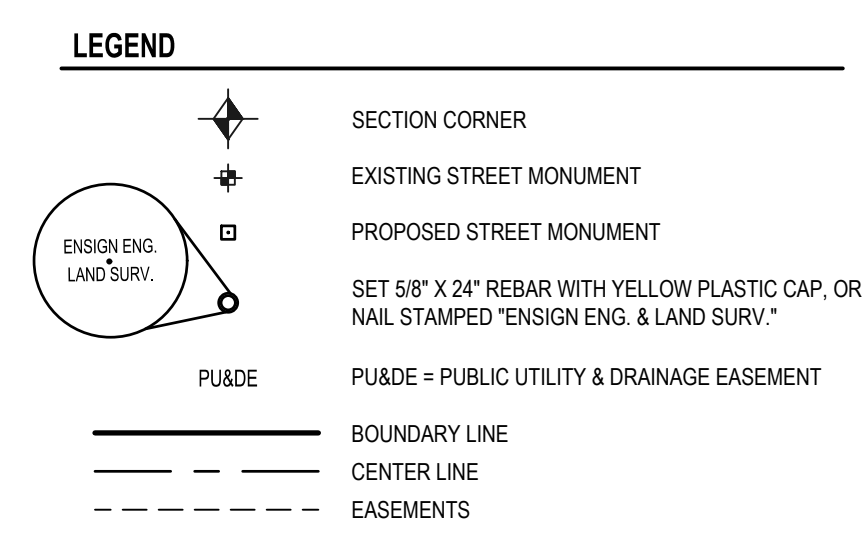
NOTE:

- PARCEL "A", "B", "C", "D", & "E" TO BE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY LEXINGTON GREENS HOME OWNERS ASSOCIATION, INC.
- OFFSET PINS TO BE PLACED IN TOP BACK OF CURB, 3/4" x 24" REBAR WITH YELLOW PLASTIC CAP STAMPED "ENSGN ENG. & LAND SURV." TO BE PLACED AT ALL OTHER LOT AND BOUNDARY CORNERS

DEVELOPER
ZENITH DEVELOPMENT LLC
2040 MURRAY HOLLADAY ROAD, SUITE 204
SALT LAKE CITY, UTAH 84117
801-428-3755

KEY NOTES

- SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS



LEXINGTON GREENS AT OVERLAKE PHASE 1

FINAL PLAT

LOCATED IN THE
SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3
SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

ENSGN

TOOELE
169 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
Phone: 801.581.0328

LAYTON
Phone: 801.581.1100

CEDAR CITY
Phone: 435.860.1433

RICHFIELD
Phone: 435.866.2983

www.ENSGN.com

SHEET 3 of 3

PROJECT NUMBER : 8260A
MANAGER : D. KNSMAN
DRAWN BY : C. CHLD
CHECKED BY : D. KNSMAN
DATE : 7/2/19

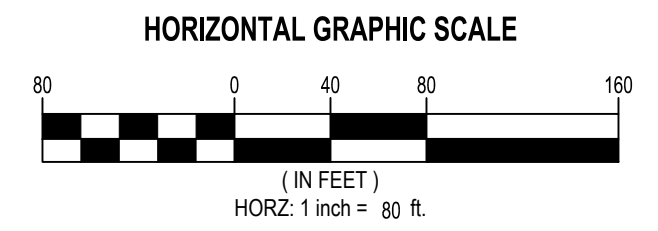
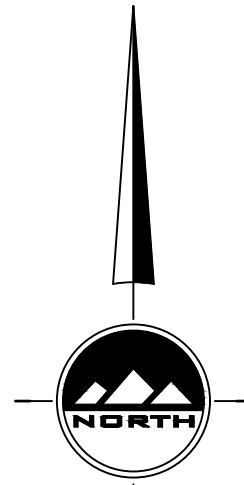
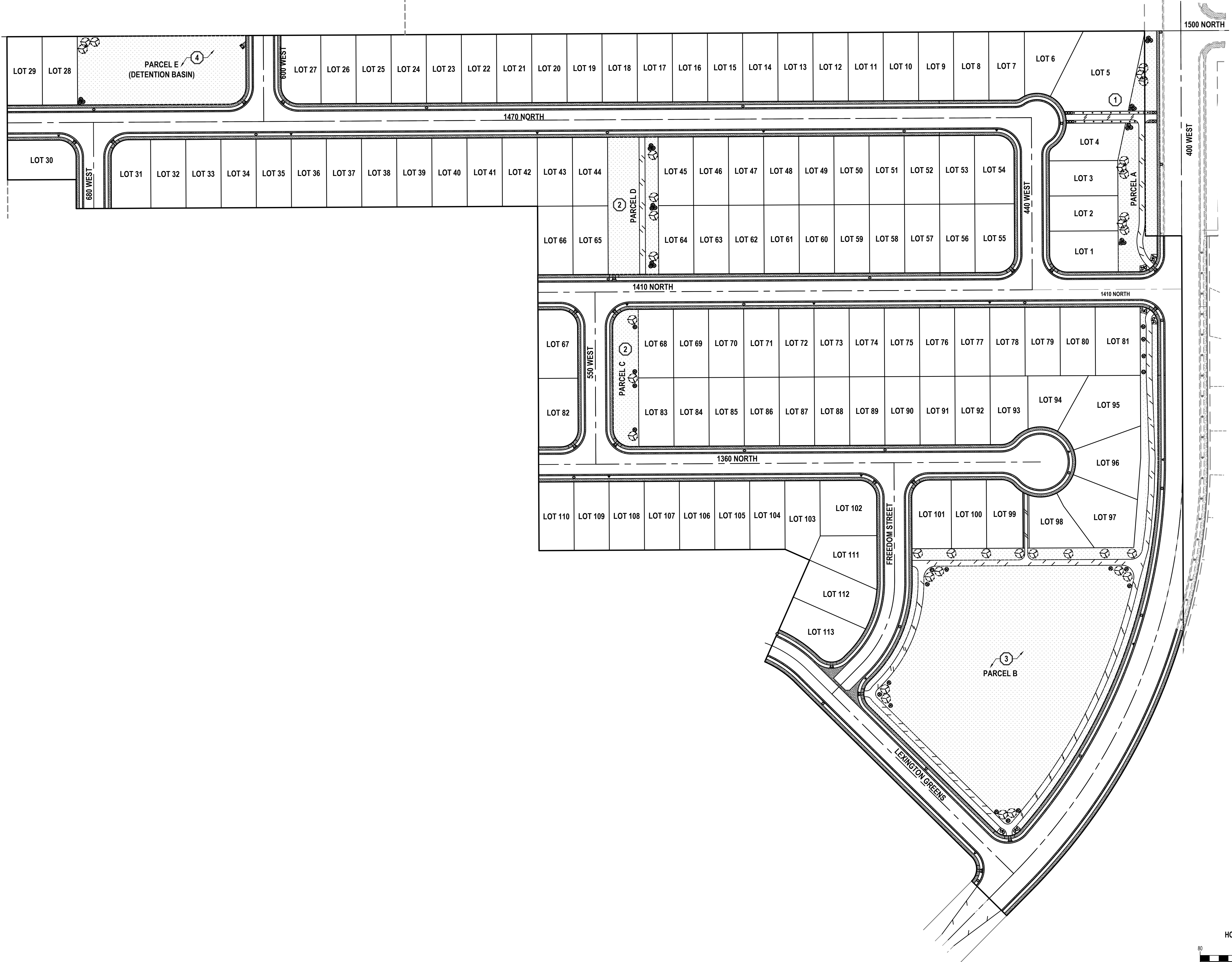
811
 Know what's below.
 Call before you dig.

CALL BLUESTAKES
 @ 811 AT LEAST 48 HOURS
 PRIOR TO THE
 COMMENCEMENT OF ANY
 CONSTRUCTION.

BENCHMARK

EAST QUARTER CORNER OF SECTION 17,
 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT
 LAKE BASE AND MERIDIAN, (FOUND 3" BRASS
 TOOEELE COUNTY SURVEYORS MONUMENT
 WITH RING AND LID, DATED 2009)
 ELEVATION = 4735.78

- SCOPE OF WORK:**
 PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR
 REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:
- ① SEE LANDSCAPE AND IRRIGATION PLAN DETAILS 1/L-101 AND L-200
 - ② SEE LANDSCAPE AND IRRIGATION PLAN DETAILS 2/L-101 AND L-200
 - ③ SEE LANDSCAPE AND IRRIGATION PLAN DETAILS 3/L-102 AND L-201
 - ④ SEE LANDSCAPE AND IRRIGATION PLAN DETAILS 4/L-102 AND L-201



TOOELE
 169 N. Main Street, Unit 1
 Tooele, UT. 84074
 Phone: 435.843.3590

SALT LAKE CITY
 Phone: 801.255.0529

LAYTON
 Phone: 801.547.1100

CEDAR CITY
 Phone: 435.865.1453

RICHFIELD
 Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 ZENITH DEVELOPMENT LLC
 2040 MURRAY HOLLADAY ROAD, SUITE 204
 SALT LAKE CITY, UTAH 84117

CONTACT:
 CHARLES AKERLOW
 PHONE: 801-428-3755

LEXINGTON GREENS AT OVERLAKE SUBDIVISION
PHASE 1 FINAL DESIGN
 600 WEST 1200 NORTH
 TOOEELE CITY, UTAH

**OVERALL
 LANDSCAPE PLAN**

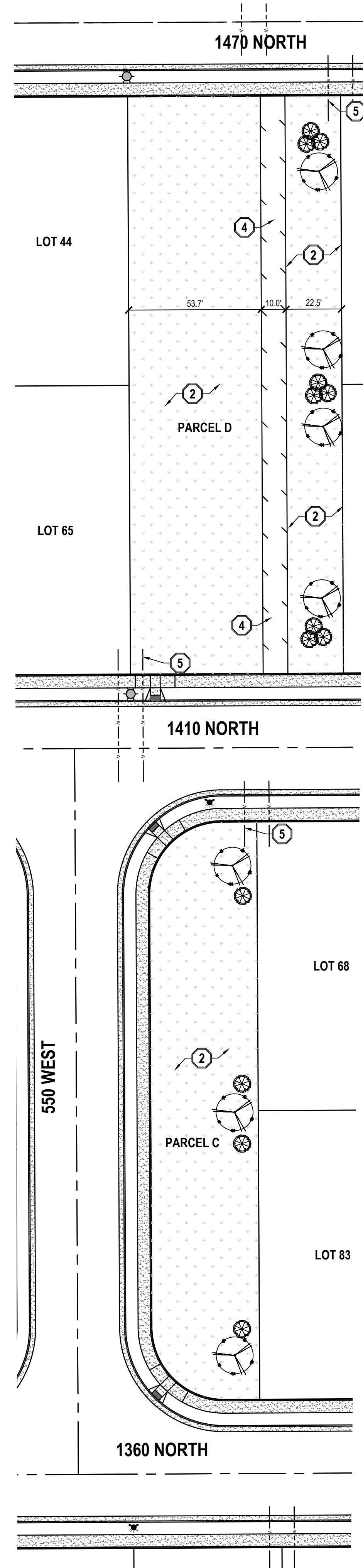
PROJECT NUMBER: 8260A
 PRINT DATE: 2019-07-02
 DRAWN BY: C. CHILD
 CHECKED BY: J. CLEGG
 PROJECT MANAGER: D. KINSMAN

L-100

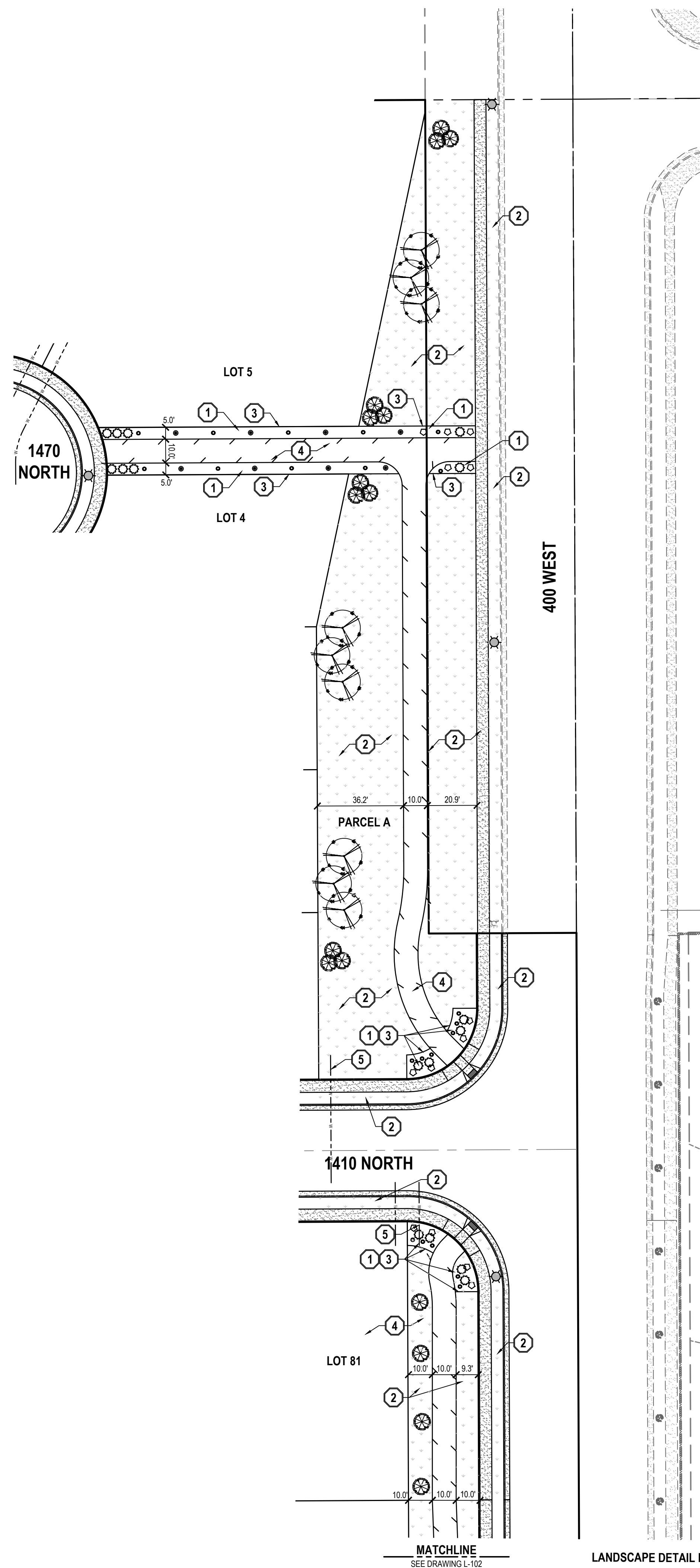
811
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BENCHMARK
EAST QUARTER CORNER OF SECTION 17,
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT
LAKE BASE AND MERIDIAN, (FOUND 3" BRASS
TOOELE COUNTY SURVEYORS MONUMENT
WITH RING AND LID, DATED 2009)
ELEVATION = 4735.78



LANDSCAPE DETAIL PLAN 2



LANDSCAPE DETAIL PLAN 1

Landscape

Trees

Qty	Symbol	Common Name	Plant Size
29		Burr Oaks	2" Cal.
16		Plum, Cherry 'Thundercloud'	2" Cal.
11		PURPLE BLOW MAPLE	2" Cal.
Total: 56			

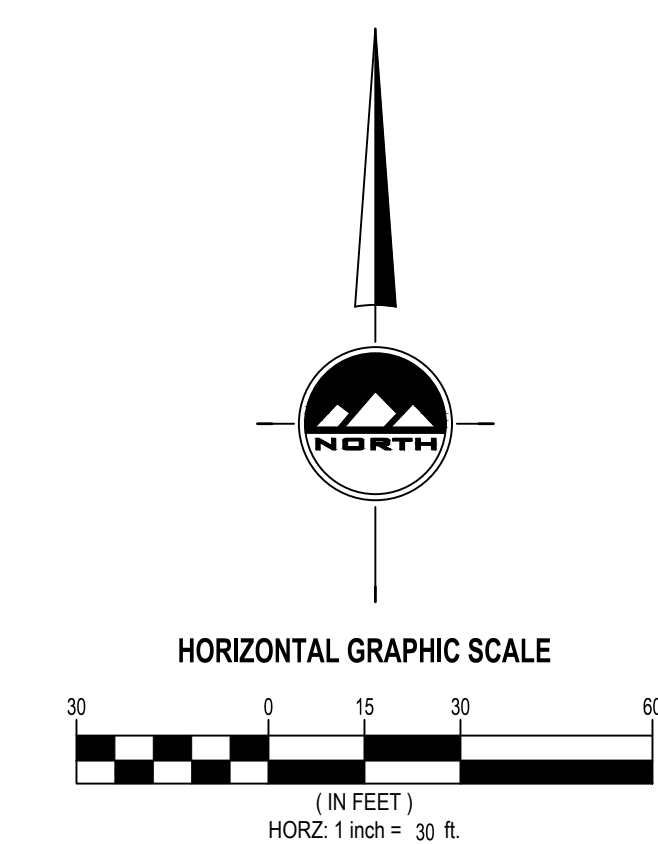
Shrubs Under 4 Feet

Qty	Symbol	Common Name	Plant Size
13		Cinquefoil	5 Gallon
16		Currant, Alpine	1 Gallon
21		Blue Oat Grass	1 Gallon
8		Feather Reed Grass 'Karl Foerster'	1 Gallon
Total: 58			

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

- 1 INSTALL 4" DEEP 2'-3" DIA. NEPHI ROCK & GRAVEL COLOR 'SOUTHTOWN' OR EQUIV. DECORATIVE ROCK OVER WEED BARRIER, TYP.
- 2 LEGACY BUFFALO SOD AREA
- 3 INSTALL 4" METAL EDGING
- 4 INSTALL 10' ASPHALT PATH 3" OF ASPHALT OVER 6" ROAD BASE, TYP. OVER WEED BARRIER.
- 5 SEE UTILITY PLANS FOR WATER LATERAL SIZES



TOOELE
169 N. Main Street, Unit 1
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SALT LAKE CITY
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LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
ZENITH DEVELOPMENT LLC
2040 MURRAY HOLLADAY ROAD, SUITE 204
SALT LAKE CITY, UTAH 84117

CONTACT:
CHARLES AKERLOW
PHONE: 801-428-3755

LEXINGTON GREENS AT OVERLAKE SUBDIVISION
PHASE 1 FINAL DESIGN
600 WEST 1200 NORTH
TOOELE CITY, UTAH

LANDSCAPE PLAN

PROJECT NUMBER
8260A

PRINT DATE
2019-07-02

DRAWN BY
C. CHILD

CHECKED BY
J. CLEGG

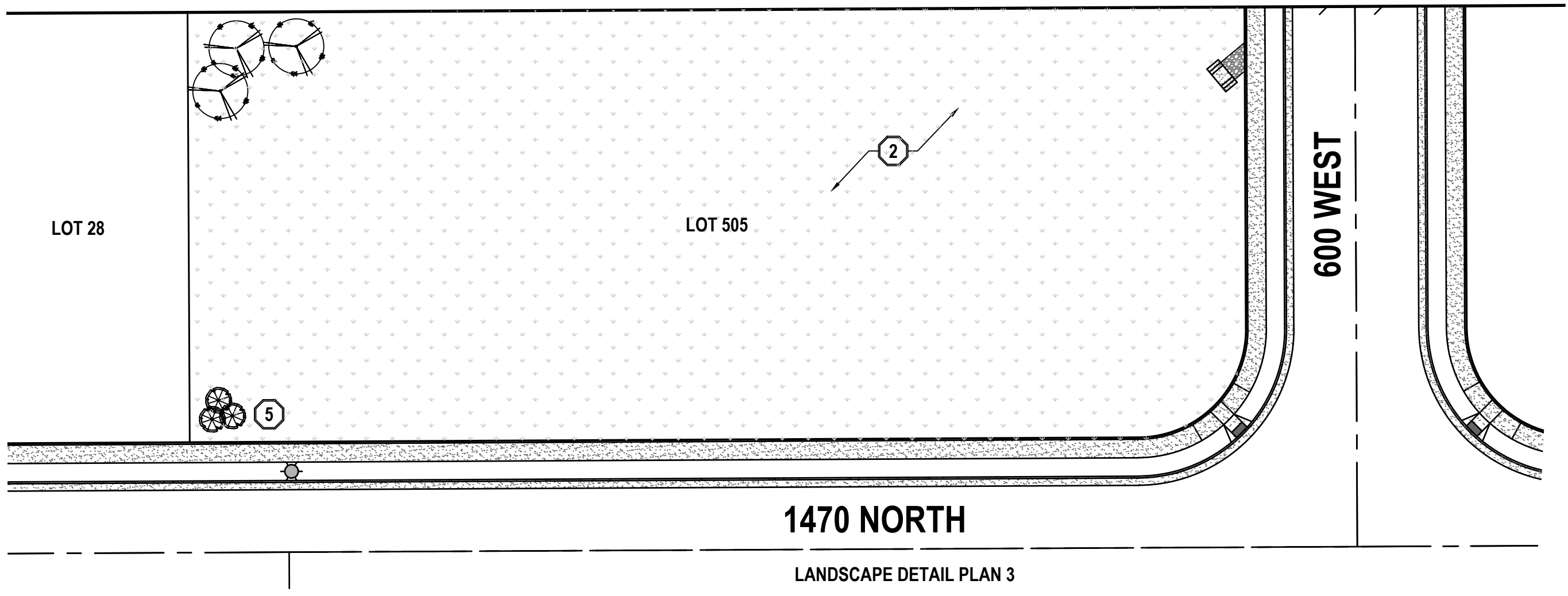
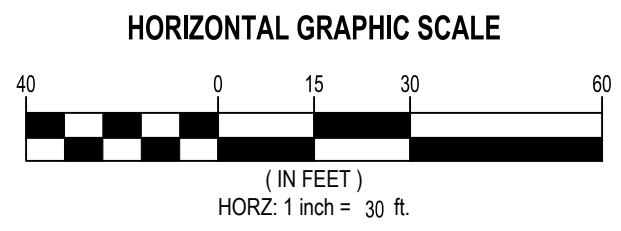
PROJECT MANAGER
D. KINSMAN

L-101

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 PRIOR TO THE
 COMMENCEMENT OF ANY
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BENCHMARK
 EAST QUARTER CORNER OF SECTION 17,
 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT
 LAKE BASE AND MERIDIAN, (FOUND 3" BRASS
 TOOELE COUNTY SURVEYORS MONUMENT
 WITH RING AND LID, DATED 2009)
 ELEVATION = 4735.78

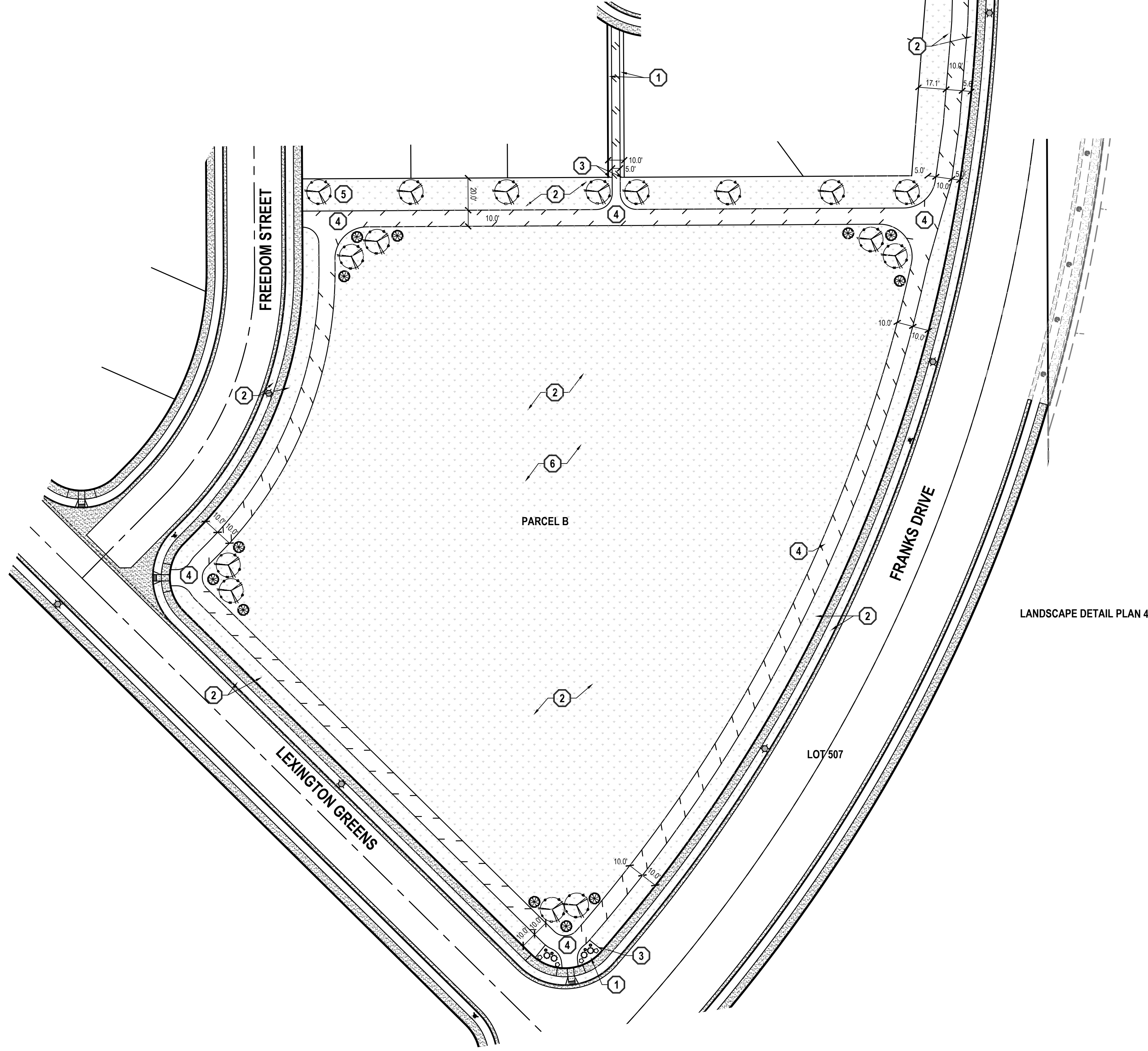


1470 NORTH

600 WEST

LANDSCAPE DETAIL PLAN 3

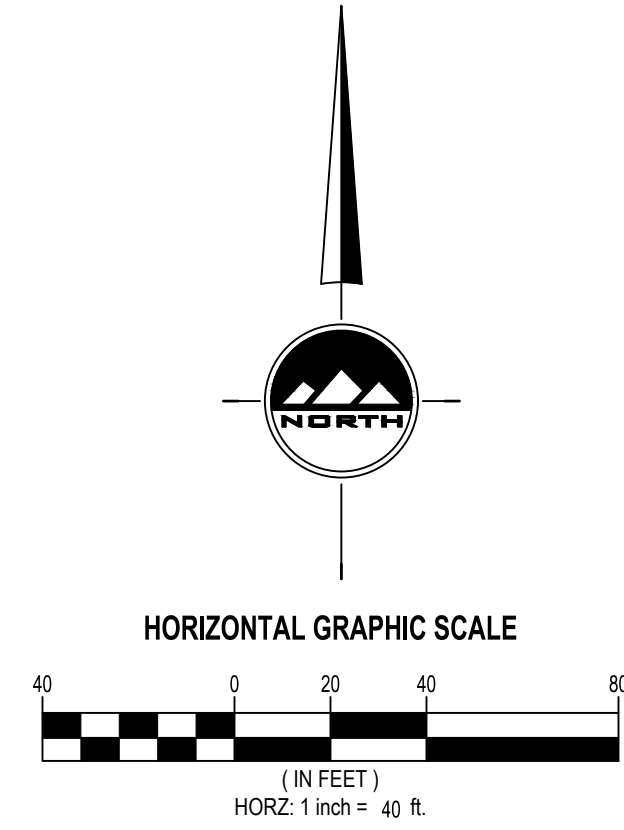
MATCHLINE
 SEE DRAWING L-101



PARCEL B

LOT 507

LANDSCAPE DETAIL PLAN 4



Landscape

Trees

Qty	Symbol	Common Name	Plant Size
28		Burr Oaks	2" Cal.
26		Plum Cherry 'Thundercloud'	2" Cal.
Total: 54			

Shrubs Under 4 Feet

Qty	Symbol	Common Name	Plant Size
4		Cinquefoil	5 Gallon
4		Currant, Alpine	1 Gallon
4		Blue Oat Grass	1 Gallon
0		Feather Reed Grass 'Karl Foerster'	1 Gallon
Total: 16			

SCOPE OF WORK:
 PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

- 1 INSTALL 4" DEEP 2'-3" DIA. NEPHI ROCK & GRAVEL COLOR 'SOUTHTOWN' OR EQUIV. DECORATIVE ROCK OVER WEED BARRIER, TYP.
- 2 LEGACY BUFFALO SOD AREA
- 3 INSTALL 4" METAL EDGING
- 4 INSTALL 10' ASPHALT PATH 3" OF ASPHALT OVER 6" ROAD BASE, TYP. OVER WEED BARRIER.
- 5 SEE UTILITY PLANS FOR WATER LATERAL SIZES
- 6 PRIVATE JOGGING PARK FOR LEXINGTON GREEN SINGLE FAMILY HOMES AND FUTURE MULTI-FAMILY HOMES SOUTH OF 1300 NORTH.



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 Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
 ZENITH DEVELOPMENT LLC
 2040 MURRAY HOLLADAY ROAD, SUITE 204
 SALT LAKE CITY, UTAH 84117
 CONTRACT:
 CHARLES AKERLOW
 PHONE: 801-428-3755

LEXINGTON GREENS AT OVERLAKE SUBDIVISION
PHASE 1 FINAL DESIGN
 600 WEST 1200 NORTH
 TOOELE CITY, UTAH

LANDSCAPE PLAN

PROJECT NUMBER: 8260A
 PRINT DATE: 2019-07-02
 DRAWN BY: C. CHILD
 CHECKED BY: J. CLEGG
 PROJECT MANAGER: D. KINSMAN

L-102

TOOELE CITY CORPORATION

RESOLUTION 2019-42

A RESOLUTION OF THE TOOELE CITY COUNCIL AMENDING THE TOOELE CITY FEE SCHEDULE FOR CEMETERY FEES.

WHEREAS, Tooele City Code §1-26-1 authorizes the City Council to establish City fees by resolution for activities regulated by the City and services provided by the City; and,

WHEREAS, Utah Code §10-3-717 authorizes the City Council to exercise administrative powers, such as establishing city fees and regulating the use of city property, by resolution; and,

WHEREAS, under the Council-Mayor form of municipal government, established and governed by the Tooele City Charter (2006) and Utah Code §10-3b-201 et seq., the Mayor exercises all executive and administrative powers; however, it has been the practice of Tooele City for all fees proposed by the Mayor and City Administration to be approved by the City Council by resolution and included in a Tooele City Fee Schedule; and,

WHEREAS, the City Administration has determined that several fees currently charged related to the City Cemetery are significantly below those charged by other municipalities and, more importantly, significantly under-recover the City's costs associated with the services provided and the activities regulated, and recommends that the City Council amend Cemetery fees as shown in Exhibit A; and,

WHEREAS, where a fee relates to commodities in limited supply and for which there is a significant demand, it is appropriate for the fee to be adjusted according to market conditions; and,

WHEREAS, the proposed fees are necessary to continue to regulate activities and to provide services, and are in the best interest of the general welfare of the City and its residents and businesses:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Tooele City Fee Schedule is hereby amended to include the proposed Cemetery fees shown in Exhibit A attached hereto.

This Resolution 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 _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

Exhibit A

Proposed Cemetery Fees

Cemetery Fee Comparison As of January 14, 2019

Service	Tooele City Cemetery	Proposed New Fee	Stansbury Cemetery	Grantsville City Cemetery	Logan City Cemetery	American Fork Cemetery	Bountiful City Cemetery	Kaysville City Cemetery	Springville City Cemetery	Midvale City Cemetery	Pleasant Grove City Cemetery
Resident Grave Space	\$500.00	\$600.00	\$400.00	\$500.00	\$606.00	\$1,200.00	\$640.00	\$500.00	\$850.00	\$650.00	\$800.00
Resident Grave Space Upright	\$800.00	\$900.00							\$1,000.00		
Resident Cremation/Baby Space	\$200.00	\$250.00	\$250.00	\$250.00	\$302.00		\$250.00	\$300.00	\$500.00	\$650.00	\$800.00
Non-Resident Grave Space	\$900.00	\$1,000.00	\$800.00	\$1,500.00	\$606.00	\$1,200.00	\$940.00		\$1,660.00	\$1,200.00	\$1,600.00
Non-Resident Grave Space Upright	\$1,200.00	\$1,300.00									
Non -Resident Cremation/Baby	\$300.00	\$300.00	\$400.00						\$2,010.00		
OPENING & CLOSING FEES											
Resident Open & Close	\$200.00	\$300.00	\$450.00	\$300.00	\$501.00	\$600.00	\$525.00	\$500.00	\$350.00	\$900.00	\$700.00
Resident Open & Close-Cremation/Baby	\$150.00	\$200.00	\$150.00	\$300.00	\$222.00	\$200.00	\$150.00	\$250.00	\$250.00	\$400.00	\$250.00
Non-Resident Open & Close	\$250.00	\$300.00	\$450.00	\$600.00	\$501.00	\$850.00	\$1,800.00	\$2,650.00	\$650.00		\$1,300.00
Non-Res Open & Close-Cremation/Baby	\$200.00	\$200.00	\$150.00		\$222.00	\$400.00	\$300.00	\$1,800.00	\$300.00		\$400.00
SATURDAY & AFTER HOUR FEES											
Resident After Hour Fee	\$200.00	SAME			\$240/hr	\$250.00	\$200/hr		\$100.00		\$350.00
Non Resident After Hour Fee	\$200.00	SAME							\$150.00		\$350.00
Resident Saturday Fee	\$300.00	SAME	\$100/\$200	\$150.00	\$513.00		\$350.00	\$75.00	\$250.00	\$200.00	\$350.00
Non-Resident Saturday Fee	\$400.00	\$300.00		\$300.00				\$150.00	\$300.00		
OTHER FEES											
Headstone Setting Permit	\$50.00	SAME					\$20/\$100 Raised	\$150.00			
Resident Certificat Transfer	\$30.00	\$50.00	\$50.00		\$60.00	\$50.00	\$50.00		\$25.00		\$50.00
Non-Resident Certificate Fee		SAME	\$75.00				\$100.00		\$50.00		\$500.00
DISINTERMENT											
Resident Disinterment - Adult	\$1,000.00	SAME	\$1,600.00	\$1,000.00	\$1,200.00	\$1,500.00	\$900.00		\$1,250.00		\$1,400.00
Resident Disinterment cremations	\$90.00	\$500.00	\$800.00	\$500.00	\$600.00	\$1,000.00	\$400.00		\$650.00		\$1,400.00

TOOELE CITY CORPORATION

RESOLUTION 2019-52

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AND RATIFYING A MODIFICATION TO THE THIRD-PARTY PUBLIC IMPROVEMENT INSPECTION REQUIREMENT FOR OVERLAKE 1L PHASE 2.

WHEREAS, Tooele City and the Developer Parties executed a Settlement Agreement, effective August 6, 2014, to end protracted litigation between the parties; and,

WHEREAS, Section 8 of the Settlement Agreement requires the City to allow, and the Developer Parties to utilize, the services of third-parties to inspect public improvements construction in all Overlake developments constructed by the Developer Parties; and,

WHEREAS, Perry Homes is in the process of obtaining approval for its Overlake 1L phase 2 subdivision, and has requested the opportunity to waive Section 8 for the limited purpose of this subdivision and for City inspectors to perform their normal inspection function, and including the payment of the City's public improvement inspection fees; and,

WHEREAS, the proposed Limited Waiver agreement is attached as Exhibit A; and,

WHEREAS, the City Administration recommends approval of the Limited Waiver inasmuch as it will allow City inspectors to verify the proper installation and construction of all Overlake 1L phase 2 public improvements for City ownership and long-term maintenance:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Limited Waiver document attached as Exhibit A is hereby approved and ratified as being in the best interest of the City, and that the Mayor is hereby authorized to execute the same.

This Resolution shall be 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, City Attorney

Exhibit A

Limited Waiver

**WAIVER OF SECTION 8 OF OVERLAKE LITIGATION SETTLEMENT AGREEMENT
WITH RESPECT O PHASE 2 OF OVERLAKE PHASE 1L**

This Limited Waiver of Settlement Agreement (this "Limited Waiver") is entered into as of the ____ day of _____, 2019 by and among L.H. Perry Investments, LLC and Perry Homes, Inc. (the "Waiving Parties") and Tooele City (the "City"). All defined terms not otherwise defined herein shall have the meanings ascribed thereto in that certain Settlement Agreement related to the Overlake Development dated August 6, 2014 to which the Waiving Parties and the City are parties (the "Settlement Agreement").

WHEREAS the City and the Waiving Parties desire by this Limited Waiver to waive the applicability of Section 8 of the Settlement Agreement to that certain real property planned to be developed by the Waiving Parties and commonly known as Phase 2 of Overlake Phase 1L as is further defined on EXHIBIT A, attached hereto (the "1L Phase 2 Property").

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Waiving Parties and the City agree as follows:

1. Paragraph 8 of the Settlement Agreement shall be inapplicable to the 1L Phase 2 Property. Instead, the inspections of all public improvements installed by the Waving Parties at the 1L Phase 2 Property shall be subject to the regular public improvement inspection regime (including the payment of public improvement inspection fees) established by the City. There shall be no third-party inspections of the public improvements installed at the 1L Phase 2 Property.
2. Except for the waiver of Paragraph 8 of the Settlement Agreement with respect to the 1L Phase 2 Property, the Settlement Agreement remains in full force and effect. In the event of a conflict between the Settlement Agreement and this Limited Waiver, the provisions of this Limited Waiver shall govern.

IN WITNESS WHEREOF, the Parties have executed this Limited Waiver effective as the date first written above.

PERRY HOMES, INC.

L.H. PERRY INVESTMENTS, LLC

By: _____
William O. Perry, IV, Legal Counsel

By: _____
William O. Perry, IV, Manager

TOOELE CITY

By: _____
Name:
Title:

ATTEST: City Recorder

EXHIBIT A
THE PROPERTY

OVERLAKE ESTATES 1L

SUBDIVISION PHASE 2

FINAL PLAT

TOOELE CITY

LOCATED IN THE NE $\frac{1}{4}$ OF SECTION 17,
T3S, R4W, S.L.B.&M.



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 SUBDIVISION Phase 2

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

Date _____

BOUNDARY DESCRIPTION

A portion of the NE $\frac{1}{4}$ 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°42'26"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 3 (three) courses and distances: (1) South 157.69 feet; thence (2) S05°46'05"E 60.31 feet; thence (3) South 102.00 feet; thence N84°22'34"W 73.81 feet; thence S89°42'26"W 72.55 feet; thence S89°42'27"W 560.88 feet; thence S00°16'25"E 164.93 feet; thence N89°43'35"E 28.00 feet; thence S00°16'25"E 76.40 feet; thence S89°43'35"W 171.00 feet; thence N00°16'25"W 11.28 feet; thence S89°42'26"W 105.00 feet; thence S89°42'26"W 562.00 feet; thence N89°42'26"E 950.41 feet; thence South 20.00 feet to the point of beginning.

Contains: 8.70 acres +/-
31 LOTS

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 SUBDIVISION PHASE 2

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 TOOELE 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.

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

Printed Name: William O. Perry Printed Name: _____

Printed Name: _____ Printed Name: _____

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 AND FOR THE COUNTY OF _____, WHO _____ IN SAID STATE OF UTAH, _____ WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF PERRY DEVELOPMENT L.L.C. A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY

MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY _____

OVERLAKE ESTATES 1L SUBDIVISION PHASE 2 - FINAL PLAT

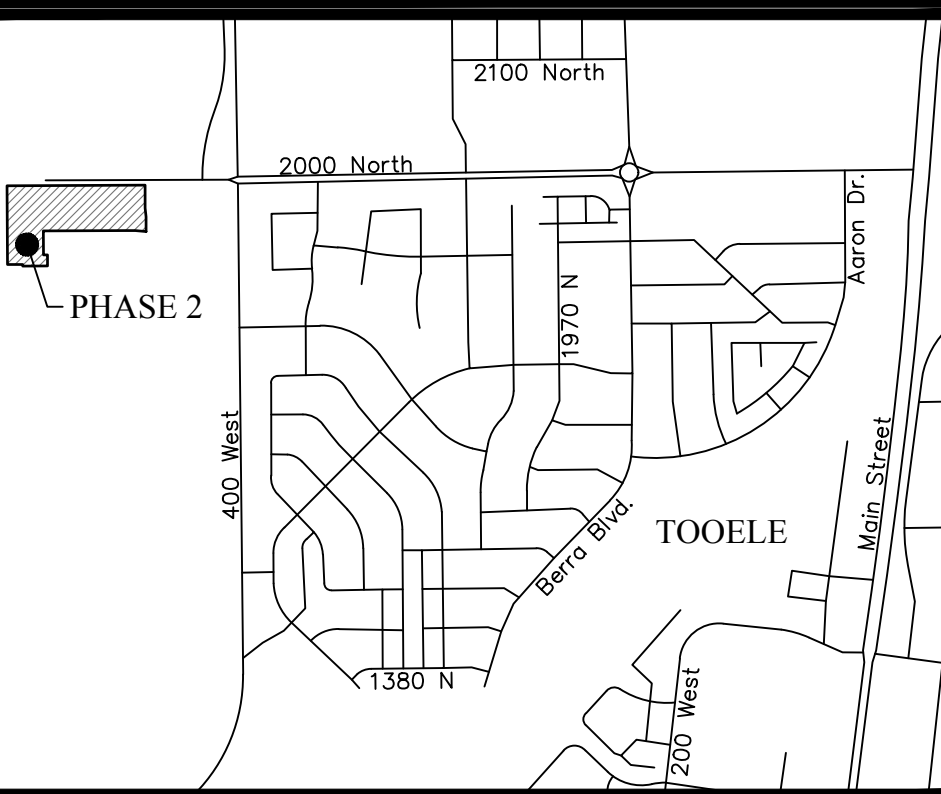
LOCATED IN THE NE $\frac{1}{4}$ OF SECTION 17,
T3S, R4W, S.L.B.&M.

TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

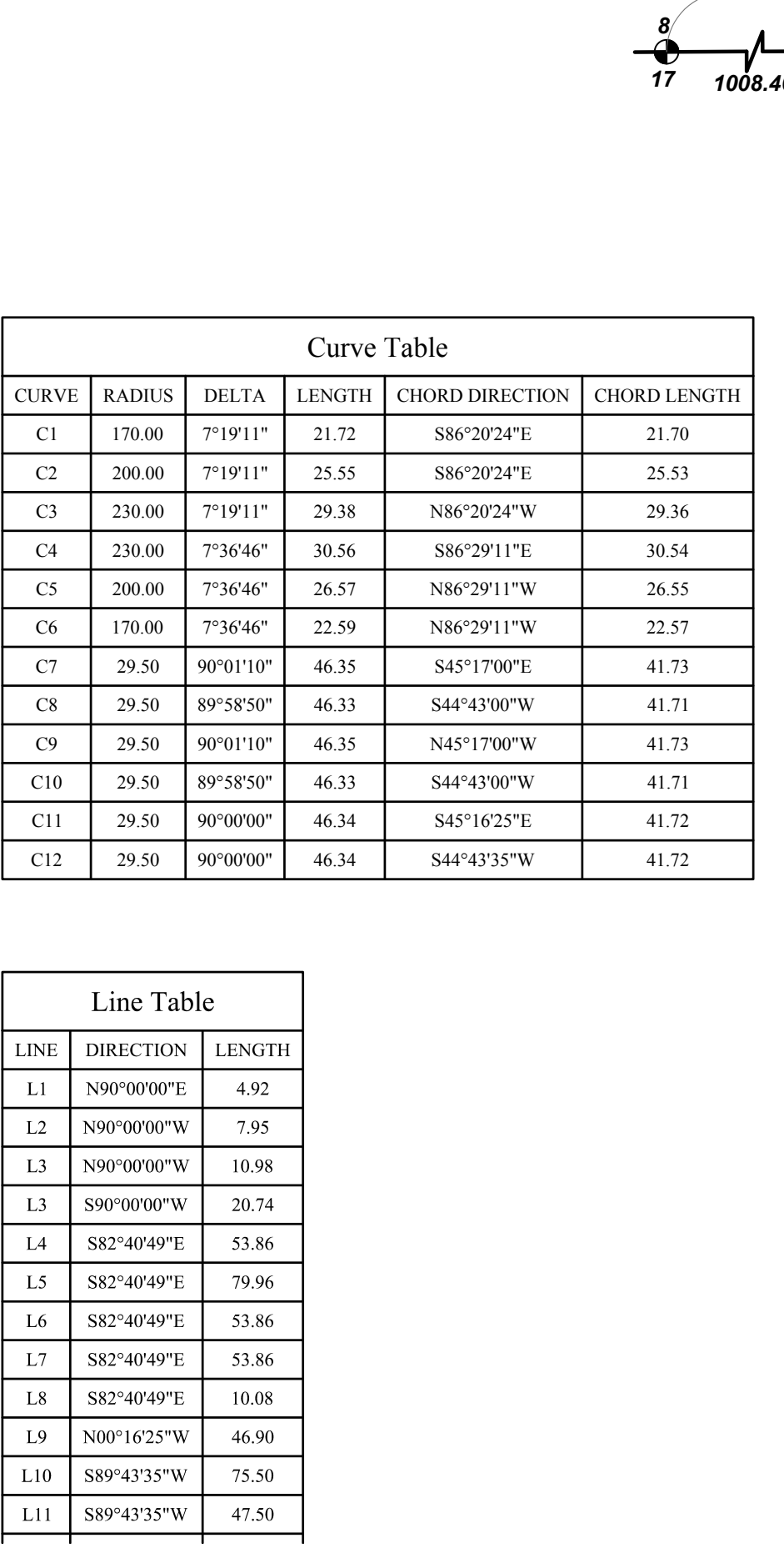
RECORDED NO. _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED & FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEES \$ _____ TOOELE COUNTY RECORDER



VICINITY MAP
N.T.S.

NORTH $\frac{1}{4}$ CORNER OF SECTION 17, T3S, R4W, SLB&M 1981 TOOELE COUNTY BRASS CAP MONUMENT (FOUND)



CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	170.00	7°19'11"	21.72	S86°20'24"E	21.70
C2	200.00	7°19'11"	25.55	S86°20'24"E	25.53
C3	230.00	7°19'11"	29.38	N86°20'24"W	29.36
C4	230.00	7°36'46"	30.56	S86°29'11"E	30.54
C5	200.00	7°36'46"	26.57	N86°29'11"W	26.55
C6	170.00	7°36'46"	22.59	N86°29'11"W	22.57
C7	29.50	90°01'10"	46.35	S45°17'00"E	41.73
C8	29.50	89°58'50"	46.33	S44°43'00"W	41.71
C9	29.50	90°01'10"	46.35	N45°17'00"W	41.73
C10	29.50	89°58'50"	46.33	S44°43'00"W	41.71
C11	29.50	90°00'00"	46.34	S45°16'25"E	41.72
C12	29.50	90°00'00"	46.34	S44°43'35"W	41.72

LINE	DIRECTION	LENGTH
L1	N90°00'00"E	4.92
L2	N90°00'00"W	7.95
L3	N90°00'00"W	10.98
L4	S90°00'00"W	20.74
L5	S82°40'49"E	53.86
L6	S82°40'49"E	79.96
L7	S82°40'49"E	53.86
L8	S82°40'49"E	10.08
L9	N00°16'25"W	46.90
L10	S89°43'35"W	75.50
L11	S89°43'35"W	47.50

- 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 DECLARATION OF PROTECTIVE COVENANTS FOR OVERLAKE 1L SUBDIVISION.
 - P.U. & D.E.=PUBLIC UTILITY AND DRAINAGE EASEMENT

LEGEND

- BOUNDARY LINE
- - - P.U.&D.E. (SEE DETAIL)
- CENTERLINE
- - - LOT LINE
- - - EASEMENT LINE
- ⊙ SECTION MONUMENT (FOUND)
- ⊕ STREET MONUMENT (TO BE SET)

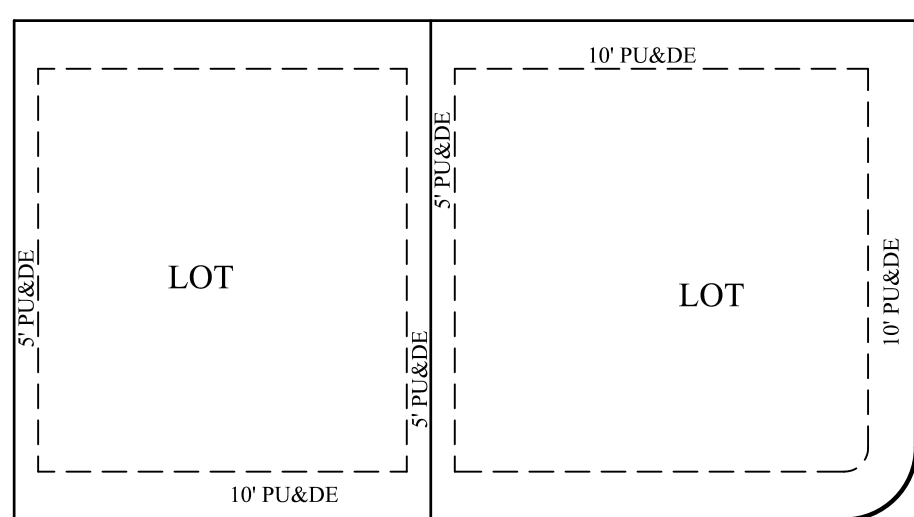
PREPARED BY
FOCUS
ENGINEERING AND SURVEYING, LLC
12 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 552-0975
www.focusutah.com

PREPARED FOR
PERRY HOMES
17 EAST WINCHESTER ST., SUITE 200
MURRAY, UT 84107
PH: 801-264-8800

COUNTY TREASURER

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY TREASURER.

TOOELE COUNTY TREASURER



PUBLIC STREET
TYPICAL PUBLIC UTILITY & DRAINAGE EASEMENTS
N.T.S.

QUESTAR GAS

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR 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 QUESTAR RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS _____ DAY OF _____ A.D. 20__
QUESTAR GAS COMPANY
BY - _____
TITLE - _____

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 - _____

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY PLANNING COMMISSION.

CHAIRMAN, TOOELE CITY PLANNING COMMISSION

COUNTY HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPARTMENT

CITY ENGINEER

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__

CITY ENGINEER

COMMUNITY DEVELOPMENT

APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20__

TOOELE CITY COMMUNITY DEVELOPMENT

COUNTY SURVEY DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY SURVEY DEPARTMENT.

TOOELE COUNTY SURVEY DIRECTOR

CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__

TOOELE CITY ATTORNEY

CITY COUNCIL

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY COUNCIL.

ATTEST: CITY RECORDER

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, June 19, 2019

Time: 7:00 p.m.

Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Brad Pratt

Dave McCall

Melodi Gochis

Scott Wardle

Steve Pruden

City Employees Present:

Mayor Debbie E. Winn

Jim Bolser, Community Development Director

Chief Ron Kirby, Police Department

Roger Baker, City Attorney

Glen Caldwell, Finance Director

Steve Evans, Public Works Director

Chief Ron Kirby, Police Department

Darwin Cook, Parks Department Director

Paul Hansen, City Engineer

Michelle Pitt, City Recorder

Cylee Pressley, Deputy Recorder

Jami Carter, Library Director

Minutes prepared by Kelly Odermott

Chairman Pruden called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Planning Commissioner Tyson Hamilton.

2. Roll Call

Scott Wardle, Present

Dave McCall, Present

Brad Pratt, Present

Melodi Gochis, Present

Steve Pruden, Present

3. **Public Comment Period.**

Chairman Pruden invited comments from the public, there were none.

Chairman Pruden closed the public comment period.

4. **July Meeting Schedule.**

Chairman Pruden reminded the public that the next City Council meeting July 3rd, 2019 has been canceled. That is the same night as the City's Fourth of July Celebration. He encouraged all citizens to attend the Fourth of July celebrations which start with Miss Tooele Pageant on June 30 and continue through the week.

5. **Creative Communities Pilot Project Presentation.**

Presented by Tracy Hansford, Creative Communities, Utah Department of Heritage & Arts

Ms. Hansford stated that she was attending with her colleagues from the Utah Department of Heritage and Arts, Roger from State History and Claudia from Cultural Affairs. Ms. Hansford stated that they are very excited that Tooele has been chosen and agreed to be the pilot community for the Creative Communities Initiative. She introduced the department by explaining that DHA has seven division. She works directly with Arts and Museums. There is also State History, Multicultural Affairs, Indian Affairs, You Serve, which is the commission of volunteerism, State Library, and as of July 1st, the STEM Action Center. Creative Communities is an initiative to figure out if pooling resources with DHA and a community and how there can be the greatest impact and serve the citizens of Utah the best. Creative Communities has a couple of goals and are aligning the resources to help a community develop cultural goals and ascertain within those goals, measuring the impact of the goals, and creating a system of a sustainably lasting partnership. DHA has committed to be in the community for the next year and to work with all of the constituents. DHA will not disappear after the year and would like it to be an ongoing relationship. Ms. Hansford explained the four things that will be brought to Tooele with the program.

1. A Needs Assessment. The needs assessment identifies DHA programs and other cultural activities within a community. Once there has been a needs assessment, strengths and weaknesses will be identified in the community.
2. Technical Assistance. DHA staff members will provide technical assistance for identified focus areas. In addition, a to staff members identified by focus areas, the technical assistance team would also include member of DHA staff that can advise on obtaining grants.
3. Change Leader Leadership Program. This is a program that comes from the Division of Arts and Museums and they have been doing it for over a decade. It is a three-day

- training that is offered to citizens to develop leaders who are excited and able to manage change in a community. This will be offered to 12 people in Tooele. As part of that, the trained leaders will be asked to create some sort of certification project within the organization or within the community. This is one of the most popular programs from the department.
4. Utah Humanities Community Conversations. This program was created with the belief that facilitated conversation engages a community better than rhetoric and argument. Communities identify issues that are important to the, and come together to discuss them through prompts such as a poem, book, film and a trained facilitator.

Ms. Hansford stated that Tooele was chosen because they were looking for a really great community that had connections. Jami Carter and Stephanie Stutz had approached the Utah Humanities for items within the library and museum and wanted to collaborate more. Utah Humanities is already working with several organizations in Tooele. There is an Art Council and DHA helped sponsor the Arts Festival. STEM, the new division is already working in Tooele Schools.

Ms. Hansford asked Roger from Historic Preservation to share his work with the Council.

Chairman Pruden asked how are the 12 people chosen for the Leadership training? Ms. Hansford stated that the process has not been determined yet. Generally, the department likes to get a broad span of people from a variety of organizations. As the needs assessment is completed and areas are identified for work, there may be people who can be involved in those areas.

Council Member Gochis asked where the training will take place. Ms. Hansford stated that is also in progress. One of the things that will be discussed during the needs assessment is how to hold those meetings. There are options, generally it is done as a three day institute, but it could be a better fit to have it on Thursday nights, or one Saturday for three months.

Mr. Roger Roper is from the Division of State History and State Historic Preservation Office. Mr. Roper stated that earlier it was mentioned that various state divisions have been working in Tooele and with Historic Preservation, they have been working Tooele since about 1985. There is a local partnership program with communities from around the state and it includes about 100 communities for historic preservation. Tooele has been involved with the group to put together the railroad museum, helped put the building on the national register, given grants over the years, technical assistance and helped with inventory stock of historic buildings. That data is about 25 years old. As part of this initiative, they are proposing to update the inventory of the buildings in town with the DHA staff, interns and community members. This will focus primarily on the downtown, but not exclusively. They have found that communities are really interested in revitalizing the historic downtowns. They have been involved with historic downtowns over the years. Historic district designation does not have any level of regulatory oversight, unless

initiated by the City Council. Updating historic building inventory would start in about mid-July. It is noninvasive, with taking photographs, notes, and then the City will receive an end of project summary.

6. Resolution 2019-49 A Resolution of the Tooele City Council Consenting to the Reappointments of Stephanie Statz and Karen Belmonte to the Library Board of Directors.

Presented by Jami Carter

Ms. Carter stated that a couple of Library board members have expiring first terms. Both have consented to their second appointment for a second consecutive term. This is allowable. She is excited to have both back on the board. The board is a fantastic group of board members and a really great group of people who work together to be the best library they can be.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member McCall motioned to approve Resolution 2019-49. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

7. Public Hearing and Motion on Resolution 2019-46 A Resolution of the Tooele City Council Approving Budget Amendments for Fiscal Year 2018-2019.

Presented by Glenn Caldwell

Mr. Caldwell stated that there needed to be some interfund transfers and revenue and expenditure adjustments. In the general fund, the parks and recreation department will have an interfund transfer of \$20,000 from the golf course and pool to the parks department for clean up the old food bank. Another transfer if from the pool account to the park department for landscaping costs in the amount of \$12,000. Another transfer from the pool account to the park departments is \$4,000 for computer replacement. UTA pass through sales tax, is an expenditure and revenue and need to be amended by \$100,000 to more accurately reflect what was passed through the City accounts. In departmental judgments and losses there was an adjustment of \$115,000 for debt payment. The police department had funds in evidence that were transferred for the Explorer's program and Citizens academy in the amount of \$21,250. There was the sale of CIB bonds into debt service fund for \$117000. Finally, the transfer of construction funds for the new public safety building in the amount of \$2,000,000.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Chairman Pruden opened public hearing, there were no comments. Chairman Pruden closed the public hearing

Council Member Pratt motioned to approve Resolution 2019-46. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," "Chairman Pruden, "Aye." The motion passed.

8. Public Hearing and Motion on Resolution 2019-47 A Resolution of the Tooele City Council Adopting a Tentative Budget for Tooele City for Fiscal Year 2019-2020.

Presented by Mayor Debbie Winn

Mayor Winn stated that on May 1st of this year, there was a tentative budget for fiscal year 2019-2020. The Council has reviewed that budget. There was a budget meeting in May with lengthy discussions. There were minor changes suggested and those changes have been implemented and included in the budget presented. The Council has stated that their opinion, is to keep the certified tax rate at the current tax rate. The only significant change in the initial budget was the payment of the judgement levy. This year's payment will be taken from the fund balance. This is a tentative budget and will be finalized on August 7th at the truth in taxation hearing.

Chairman Pruden opened the public hearing, there were no comments. Chairman Pruden closed the public hearing.

Chairman Pruden asked the Council if there were any comments or questions, there were none.

Council Member Gochis motioned to Resolution 2019-47. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle. "Aye," Chairman Pruden, "Aye." The motion passed.

9. Public Hearing and Motion on Resolution 2019-48 A Resolution of the Tooele City Council Adopting a Proposed Tax Rate for Fiscal Year 2019-2020.

Presented by Glenn Caldwell

Mr. Caldwell stated that each year the state tax commission calculates the certified tax rate for each entity in the state. The intent is that each entity will receive the same tax rate as is budgeted in the last year. The only increase the entity would receive would be new development. The certified tax rate for fiscal year 2020 is .003024 and this rate will produce approximately

\$139,000. Tooele City proposed a tax rate of .00334 which is the same certified rate as fiscal year 2019. This rate will produce approximately \$492,000.

Chairman Pruden stated that the tax rate is staying the same. Mr. Caldwell stated yes.

Chairman Pruden opened the public hearing, there were no comments. Chairman Pruden closed the public hearing.

Council Member Pratt motioned to approve Resolution 2019-48. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

10. Resolution 2019-45 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Castagno Place Subdivision.

Presented by Paul Hansen

Mr. Hansen stated that Tooele city code requires that all public improvement completed as a condition of a subdivision within the City be approved by the Tooele City Council in order to commence the one year warranty period. In the packet there is a certificate that has been prepared by the City inspectors and has been signed by himself, the Public Works Director and the Community Development Director. The Council is being asked to accept the completed improvements and begin the one-year warranty period. The bond is in place for the one-year warranty. The property is located at approximately 650 East and just north of 1000 North. The Development is Castagno Place Subdivision.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member McCall motioned to approve Resolution 2019-45 Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

11. Resolution 2019-50 A Resolution of the Tooele City Council Approving a Contract with Impact Contractors Inc. for the Demolition of Obsolete Water Storage Tanks.

Presented by Steve Evans

Mr. Evans stated that Impact Contractors has the low bid. With that bid there is 15,000 tons of material to be removed. The total contract is \$43,300 with a 5% contingency on change orders at the discretion of the Mayor. That amount is \$2200 if there are any unforeseen circumstances.

Chairman Pruden asked Mr. Evans to explain which tanks were being demolished. Mr. Evans stated that tank two is just off Main Street, across from Gofers Food and Market. Tank three is due south east of tank two on the hill.

Council Member Gochis motioned to Resolution 2019-50. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle. "Aye," Chairman Pruden, "Aye." The motion passed.

12. Resolution 2019-51 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Broken Arrow Construction for the Broadway Storm Drain Project (400 North to Utah Avenue).

Presented by Steve Evans

Mr. Evans stated that this is installing new drains and will take care of some runoff issues that are in the City with water coming down into the existing neighborhoods from the south side of the City. The storm drain will run down Broadway Avenue between Utah Avenue and 4th North. The Broken Arrow contract is \$466,234.92. Again, there will be a 5% contingency for unforeseen circumstances and would be authorized by the Mayor in the amount of \$23,300.

Chairman Pruden asked if this comes out of the Stormwater Fund. Mr. Evans stated that is correct.

Chairman Pruden asked the Council if there were any questions or comments.

Council Member Pratt motioned to approve Resolution 2019-51. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

13. Minor Subdivision Request for the Utah Industrial Depot Minor Subdivision No. 37 Amended by Peterson Industrial Property, Located at Approximately the Southwest Corner of Feldspar Street and K Avenue in the I Industrial Zoning District for the Purpose of Creating Three Industrial Lots.

Presented by Jim Bolser

Mr. Bolser stated that the property in question is an existing minor subdivision No. 37 within the UID project. It is a long narrow lot bordered on three sides by Emerald Avenue, Feldspar Avenue and K Avenue. Those are private roads and there will be no public right-of-way dedication or public infrastructure required other than to service the properties created. The proposal is to divided the lots into three separate parcels to facilitate development of the northern lot. It will be for a facility which currently has an existing facility and would like to open a

second facility. The Planning Commission has forwarded a unanimous positive recommendation.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member Wardle motioned to approve the Minor Subdivision No. 37 Amended by Peterson Industrial Property, Located at Approximately the Southwest Corner of Feldspar Street and K Avenue in the I Industrial Zoning District for the Purpose of Creating Three Industrial Lots. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

14. Subdivision Final Plat Request for Overlake Estates 1L Phase 2 by Perry Development LLC, Located at Approximately 620 West 2000 North in the R1-7 Residential Zoning District for the Purpose of Creating 31 Single-Family Residential Lots.

Presented by Jim Bolser

Mr. Bolser stated that the project is an extension of the first phase of 1L. That first phase is almost completely built out. The developer is moving on to the next phase with phase 2. The property is zoned R1-7 Residential as are all surrounding properties. The plat itself includes an extension of 2000 North and its infrastructure. The Planning Commission forwarded a unanimous positive recommendation.

Chairman Pruden asked if there is a fence along 2000 North to match the one on 400 West. Mr. Bolser stated that he believed there is. Chairman Pruden asked if the developer is doing the full width on 2000 North. Mr. Bolser stated that they are fulfilling their requirement under code, but it is not a complete width construction.

Chairman Pruden asked the Council if there were any comments or questions, there were none.

Council Member McCall motioned to approve the Final Plat Request for Overlake Estates 1L Phase 2 by Perry Development LLC, Located at Approximately 620 West and 2000 North in the R1-7 Residential Zoning District for the Purpose of Creating 31 Single-Family Residential Lots. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, Council Member Wardle, "Aye," "Aye," Chairman Pruden, "Aye." The motion passed.

15. Minutes

Chairman Wardle asked if the Council if there were any comments or questions, there were none.

Council Member Pratt motioned to approve minutes from the City Council May 19, 2019.

Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

16. Approval of Invoices

Presented by Michelle Pitt

Ms. Pitt stated that there were no invoices.

17. Adjourn

Council Member McCall moved to adjourn the City Council meeting. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

The meeting adjourned at 7:34 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 19th day of July, 2019

Steve Pruden, Tooele City Council Chair

**Tooele City Council and the
Redevelopment Agency of Tooele City
Work Session Meeting Minutes**

Date: Wednesday, June 19, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Steve Pruden, Chair
Scott Wardle
Dave McCall
Brad Pratt
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Roger Baker, City Attorney
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director
Shannon Wimmer, Assistant Finance Director
Jami Carter, Library Director

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:00 p.m.

2. Roll Call

Steve Pruden, Present
Scott Wardle, Present
Brad Pratt, Present
Dave McCall, Present
Melodi Gochis, Present

3. Discussion:

- Emergency Preparedness for Elected Officials
Presented by Jim Bolser and Bucky Whitehouse

Mr. Bolser said that a few months ago, under the Mayor's direction, the City implemented an Emergency Management and Preparation Program. There were several points that were requested to be addressed, but the program was to begin internally. One of the first things implemented was the internal notification system as a way to notify employees when incidents occur. Mr. Bolser cited an example of the day we had heavy snow and it was difficult for employees to come to work. There was not an internal way to notify employees that they did not need to come to work other than a phone call tree. A sister program to Tooele Alerts is the myAlerts. TooeleAlerts is a red app, and is a community awareness system; myAlerts is a blue app, and an internal awareness system.

Mr. Bolser said that another thing implemented was getting a 72 hour kit at City Hall for employees who are required to come to work during emergencies.

Mr. Whitehouse, director of the Tooele County Emergency Preparedness Program, explained some of the things the emergency preparedness program does, and things it provides. Mr. Whitehouse handed out some information explaining what the role of elected officials would be, if there was a disaster. He said that the City needs to do what they can to mitigate the disaster, and then prepare. For example, the potential run-off water on 700 South, the City prepared by notifying residents who live there about the possibility of water being sent down their street.

Chairman Pruden asked if there was a financial incentive from the state available. Mr. Whitehouse answered that there is funding and mitigation grants available through the state, but it is very competitive. He added that there are some projects within the City now that may apply. Mr. Whitehouse knows the process of applying, and can help with an application if needed.

Mr. Whitehouse said that cities have started to fund positions for emergency preparedness.

The Mayor indicated that there isn't currently a budget associated with this position. She said that Mr. Bolser is getting a budget together for this program. The Mayor indicated that she has met with the county commission, and they are willing to work with the City to get grants for mitigation.

Mr. Whitehouse said that they are getting close to wrapping up the water run-off worry, and will now switch to fire concerns.

Mr. Bolser added that if the Council is interested and amenable, they could meet at the EOC building to see how things would work in an actual emergency. The Council indicated that they would like to do that.

- Cemetery Fees
Presented by Darwin Cook

Mr. Cook stated that he took the suggestions from the Council from the last meeting and implemented them in a new cemetery fee schedule. The goal of the City is reimburse the City for the costs of cemetery man hours and equipment. The services rendered is the same whether you are a resident or not. He felt that these fees reflected the cost of services, whether someone is a resident or not.

Councilmember Gochis asked if there was a plan for indigent residents, who are unable to pay for burial. Mr. Cook explained that these fees are a recoupment of fees. The Mayor said that the County has an indigent fund. Mr. Cook added that they have found that cremations are often chosen to lessen the cost of burial. When there's a cremation, the cemetery staff sets up chairs for family and friends, on their own (not the funeral home), without cost.

- Resolution 2019-45 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Castagno Place Subdivision Presented by Paul Hansen

Mr. Hansen stated that this is a small subdivision on 850 East. All the public improvements have been completed and have met the City requirements.

- Resolution 2019-46 A Resolution of the Tooele City Council Approving Budget Amendments for Fiscal Year 2018-2019 Presented by Glenn Caldwell

Mr. Caldwell explained the proposed amendments to the current budget were to complete certain Parks Department projects, pay for the Aposhian settlement, pay expenses for the police department building, and for the UTA pass-through.

- Resolution 2019-47 A Resolution of the Tooele City Council Adopting a Tentative Budget for Tooele City for Fiscal Year 2019-2020 Presented by Mayor Debbie Winn

Mayor Winn indicated that this resolution will adopt the tentative budget, and inform the public that on May 1st the tentative budget was brought before the Council and approved. The Council also had a work meeting to discuss the budget, with minimal changes requested. The Mayor went on to say that the budget would be brought before the Council to be approved using the current certified tax rate. The truth in taxation hearing will be on August 7th. The budget has been on display for the public in the recorder's office.

Councilmember Wardle asked why the Council adopts the tentative budget in May, when the state statute says it needs to be presented, but not adopted. A public hearing is held in June, to see if they want to adopt the budget. He wondered why the Council is voting on a tentative budget now, rather than waiting until the truth in taxation meeting in August. Shannon Wimmer said that she would contact the state auditor to see how to handle this. Councilmember Wardle said that the City's practice needs to come in line with the state law.

Councilmember Wardle asked why the City did not appropriate any money for secondary water in the budget. He said that he felt it needed to be added under capital projects. He would like to see \$1 million set aside for Phase 1, bid it out in the fall, and completed in the spring. He asked that a line item be added so that it would not be forgotten. Ms. Wimmer said that it would come out of the sewer fund. Councilmember Wardle said that since the bond had been paid, that payment could go towards the secondary water.

Councilmember Wardle said that 400 West needed to be dealt with. Mayor Winn said that the City received a check for \$1,070,000 for the sale of the ball field, so the City had the option to use this money towards 400 West. Councilmember Wardle recommended those funds be put in the 41 fund, held until the City gets requests for proposals back for this project, then do a budget amendment. Mr. Caldwell indicated that the funds were now in a trust fund.

Councilman Wardle indicated he would like to meet to discuss the Purchasing Policy to discuss the wording, so that it could be brought back to the Council at their next meeting.

- Resolution 2019-48 A Resolution of the Tooele City Council Adopting a Proposed Tax Rate for Fiscal Year 2019-2020
Presented by Glenn Caldwell

Mr. Caldwell stated that the intent of the certified tax rate is to hold cities' income the same. This year if the City uses the current rate calculated by the Utah State Tax Commission of .003024, it would generate \$139,000 above what the City made last year. Increasing the rate to .003334, which is the rate it was last year, would bring \$492,000 above last year's income.

Chairman Pruden stated that by adopted the same rate we had last year would allow the City to hold steady. He felt that that was what the public wanted. Councilmember Pratt added that he understood that the City would stay at the .003334 rate. Councilmember Wardle thought that was the public sentiment - to stay at that same rate- rather than to hit them again with a large increase.

- Resolution 2019-49 A Resolution of the Tooele City Council Consenting to the Reappointment of Stephanie Statz and Karen Belmonte to the Library Board of Directors
Presented by Mayor Debbie Winn

Mayor Winn stated that Stephanie Statz and Karen Belmonte have been serving on the library board since July of 2017. Board members can serve two consecutive terms, if they desire. Ms. Statz and Belmonte would like to continue serving on this board.

Ms. Carter added that the library board is strong. Stephanie has been the board chair for the past two years. Karen serves and volunteers in the Friends of the Library as their president. Karen is a former library director. They are a good resource and sometimes look at things from a different resource.

Council Member McCall added that the council board members work well together. Karen and Stephanie have been great on the board and he would like to see them reappointed.

- Resolution 2019-50 A Resolution of the Tooele City Council Approving a Contract with Impact Contractors Inc. for the Demolition of Obsolete Water Storage Tanks
Presented by Steve Evans

Mr. Evans said that the City would like to demolish Tank #2 which is southeast of the canyon dam, and Tank #3 up the hill, and across from LaFrontera. The bids for demolishing the tanks were \$10,400, each. There are additional costs for hauling away materials. Mr. Evans recommended the contract be awarded to Impact Contractors Inc. for \$43,000, with a \$2,200 contingency. Mr. Evans added that this bid is very low, but City staff confirmed with Impact Contractors that they wanted to do the project at this bid. The company feels that they can complete each tank within two weeks. Mr. Hansen added that there is no asbestos on the tanks that needs to be mitigated. He said that the company will need a demolition permit from the state, and there's a 10 day wait period for that.

- Resolution 2019-51 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Broken Arrow Construction for the Broadway Storm Drain Project (400 North to Utah Avenue)
Presented by Steve Evans

Mr. Evans stated that the City would like to increase the storm drain from 400 North to Utah Avenue because it has historically been a problem area when there is storm water run-off. The City has had one claim this year for flooding in this area. Mr. Evans added that increasing the storm drain should mitigate that from happening again. The contract is for \$466,234.92, and a 5% contingency of \$23,300. This will come out of the storm drain fund.

- Ordinance 2019-17 An Ordinance of the Tooele City Council Amending the Tooele City Zoning Map for Property Located at Approximately 168 Skyline Drive
Presented by Jim Bolser

Mr. Bolser said that the Council saw the concept plan for this property located on the south side of Skyline Drive across from the cemetery. This matter went through the Planning Commission, and a public hearing. The Planning Commission forwarded a negative recommendation to the Council. The Planning Commission also added findings in addition to the Council's policy statement on multi-family rezoning. Mr. Bolser added that this is not going to the business meeting tonight, but is only for discussion in this work meeting.

The Council indicated they would like to read the minutes from the Planning Commission meeting. Mr. Bolser said that the minutes from the Planning Commission should be finalized in a draft form in the next few days.

- Ordinance 2019-18 An Ordinance of the Tooele City Council Amending the Tooele City Zoning Map for Property Located Near 600 West 1200 North Presented by Jim Bolser

Mr. Bolser stated that this zoning request is another project that is a Zoning Map Amendment, and is associated with the Lexington Green project. The Planning Commission reviewed this application and forwarded it with a positive recommendation. Mr. Bolser added that this project is subject to the Council's multi-family rezoning policy, however it falls under the caveat in the policy that says the Council will continue to consider applications on property for which there is a contractual obligation to do so. This matter is not on tonight's business meeting.

Mr. Baker added that the Council has a contractual obligation to consider the rezone request, but they are not obligated to approve it.

- Subdivision Final Plat Request for Overlake Estates 1L Phase 2 by Perry Development LLC, Located at Approximately 620 West 2000 North in the R1-7 Residential Zoning District for the Purpose of Creating 31 Single-Family Residential Lot Presented by Jim Bolser

Mr. Bolser said that this is the final plat for the next phase of Overlake Estates 1L. The Planning Commission has forwarded a unanimous positive recommendation to the Council. Mr. Bolser added that Perry Homes will be submitting a request to amend the settlement agreement to allow City inspectors to do the inspections on this phase. The request will be brought to the Council for approval to amend the settlement agreement. Mr. Bolser clarified that the request does not affect, and is separate from, the subdivision request.

- Minor Subdivision Request for the Utah Industrial Depot Minor Subdivision No. 37 Amended by Peterson Industrial Property, Located at Approximately the Southeast Corner of Feldspar Street and K Avenue in the I Industrial Zoning District for the Purpose of Creating Three Industrial Lots Presented by Jim Bolser

Mr. Bolser said that this property is a long narrow piece of property at K Avenue and Emerald Road. The request is to divide it from one property into three, for a development on the northern most part of the lot. This matter is scheduled for the 7:00 meeting.

Chairman Pruden turned the time over to RDA Chair Pratt for the RDA items.

- RDA Resolution 2019-12 A Resolution of the Redevelopment Agency of Tooele City, Utah, Adopting a Budget for Fiscal Year 2019-2020 Presented by Mayor Debbie Winn

Mayor Winn stated that the proposed budget has been prepared in accordance with state law. A public hearing will be held later tonight. Chairman Pratt stated that the travel and training budget was reduced. The RDA board would like to put it back up to \$20,000 because it would

be wise to have some ability to be trained on how to work together to do master plans. RDA Member Wardle asked that the professional and technical line item be taken down to \$120,000 and contract services drop to \$60,000.

- RDA Resolution 2019-13 A Resolution of the Redevelopment Agency of Tooele City, Utah, Approving a Tax Increment Reimbursement Agreement with Broadway-Heritage Village Apartments 2017, LLC
Presented by Roger Baker

Mr. Baker explained that Randy Sant and Kyle Fielding prepared the tax increment reimbursement agreement, and that he reviewed it. The tax increment payments would be a tax increment reimbursement rather than a tax increment participation, based on their performance of certain items. The maximum increment the RDA would reimburse would be \$360,000 and the maximum per year would be 75% of the total tax increment collected from that project area for that year.

Mr. Baker added that the intent is to cover the budget gap in their pro forma to make sure the project can be successful. Mr. Sant said that developers have to submit a budget each year that shows what their revenue, expenditures, debt operating income, debt service payment, and debt service coverage ratio is. If the debt service coverage ratio falls below 1.30, the RDA will give them enough increment to reach the debt service coverage. The bond they received requires them to have that debt service coverage. If there is a year that they have more revenue, or exceed that, the RDA won't give a reimbursement that year. The RDA wouldn't keep it, it would be a rebate to the taxing entities that year. It is a 10 year participation, beginning in October.

They will start on the hotel first, and want to complete it in 2021. The agreement requires that permits be pulled by August 2020.

Chairman Pratt thanked Mr. Sant for his work on this project over these many years. The improvement on that hotel will provide affordable housing and improve that area greatly. Mayor Winn expressed appreciation to Mr. Bolser for walking through and changing the plans with them so that they could conform to City codes to fit with our community.

Mr. Sant mentioned that the Broadway project area was created in 2008. Mr. Baker mentioned that Kevin Hunt made his first Broadway project presentation to the City in February 2004; it took 15 years to get to this point.

Mayor Winn added that this building has been added to the historical register. Mr. Sant thanked the Mayor for meeting with the school board and the county and for her help getting them on board so that we this incentive could be offered.

4. Close Meeting to Discuss Litigation and Property Acquisition

Council Member Gochis moved to close the meeting. Council Member Pratt seconded the motion. The vote was as follows: Council Member Wardle "Aye," Council Member McCall

“Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Chairman Pruden “Aye.”

The meeting closed at 6:15 p.m.

Those in attendance during the closed session: Mayor Winn, Paul Hansen, Michelle Pitt, Jim Bolser, Steve Evans, Glenn Caldwell, Roger Baker, Darwin Cook, Council Member Pratt, Council Member McCall, Council Member Gochis, Council Member Wardle, and Chairman Pruden.

No minutes were taken on the closed meetings.

5. Adjourn

Chairman Pruden adjourned the meeting at 6:55 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 17th day of July, 2019

Steve Pruden, Tooele City Council Chair