

TOOELE CITY CORPORATION

RESOLUTION 2021-18

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING FOR FURTHER CONSIDERATION THE ANNEXATION PETITION OF HOWARD SCHMIDT.

WHEREAS, the annexation of additional land into Tooele City is governed by Utah Code Chapter 10-2 Part 4 (§10-2-401 *et seq.*), Tooele City Code Chapter 7-24, and Tooele City's Annexation Policy Plan (2020); and,

WHEREAS, by application dated November 16, 2020, petition sponsor Howard Schmidt (the "Petitioner"), filed with Tooele City an Annexation Application for the annexation of 61.16 acres of land (the "Property") into Tooele City (see the Application map, and related documents, collectively the "Petition", attached as Exhibit A); and,

WHEREAS, the Petition was deemed to be complete with submission to the City on January 30, 2021, of all outstanding documents and information (attached as part of Exhibit A); and,

WHEREAS, the City Council preliminarily discussed the possibility of the annexation proposed in the Petition during the City Council's February 17, 2021, public work meeting (see the work meeting minutes attached as Exhibit B); and,

WHEREAS, by Ordinance 2020-40, the City Council adopted an updated Annexation Policy Plan, a document required by U.C.A. §10-2-401.5, which update included the Property in the Plan; and,

WHEREAS, the Petition appears to meet the qualifications of U.C.A. §10-2-402 in that the Property is a contiguous area, the Property is contiguous to Tooele City, the annexation would not create an unincorporated island or unincorporated peninsula, the Property is located within Tooele City's expansion area, shown as part of Annexation Option K in Ordinance 2020-40, and Petitioner owns 100% the Property; and,

WHEREAS, U.C.A. §10-2-405(1) provides that the City Council may deny the Petition or accept the Petition for further consideration, and in the February 17, 2021, City Council work meeting, the Council indicated its desire to accept the Petition for further consideration by way of the present Resolution; and,

WHEREAS, the affected entities, as defined by U.C.A. §10-2-401(1)(a), associated with the Petition, include the North Tooele Fire District and the Tooele Valley Mosquito Abatement District; and,

WHEREAS, the City Recorder and City Attorney have determined that the Petition appears to comply with the requirements of U.C.A. §10-2-403 and -405; and,

WHEREAS, annexation of the Property is anticipated to have significant impacts on City utility and infrastructure systems, and therefore will be required to complete capacity and feasibility studies routinely required by the City of annexation petitioners, including culinary water, sanitary sewer, storm water, parks and recreation, police services, fire services, and tax and fiscal consequences to the City, prior to annexation, as a condition of annexation approval; and,

WHEREAS, the City Council finds it to be in the best interest of Tooele City to consider further the Petition for purposes of protecting the health, safety, welfare, and economic interests of Tooele City and its residents and businesses:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that the Petition is hereby accepted for further consideration, subject to the following:

1. Plat. Within 30 days of the date of this Resolution, the Petitioner shall provide an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation, as required by U.C.A. §10-2-405(2)(a), U.C.A. §10-2-403(3)(d)(i), and T.C.C. 7-24-1(b).
2. Petition Certification. Within 30 days of the date of this Resolution, the City Recorder shall certify the Petition and shall mail or deliver written notification of the certification to the Petitioner and to the Tooele County Commission, as required by §10-2-405(2)(c)(i).
3. Annexation Notice. After the certification of the Petition, the City Recorder shall publish a notice at least once a week for three successive weeks, beginning no later than 10 days after certification of the Petition, in the Tooele *Transcript-Bulletin*, a newspaper of general circulation, as required by U.C.A. §10-2-406(1)(a)(i), with the content of the notice being in compliance with U.C.A. §10-2-406(2).
4. Zoning Recommendation. Prior to any approval of the Petition, the City Administration shall make a written recommendation to the City Council as to the Property's appropriate initial zoning designation in the event the Petition is approved and the Property is annexed.
5. Planning Commission. The City Administration shall present the Petition, this Resolution, and all pertinent additional information to the Tooele City Planning Commission for a recommendatory vote as soon as practical following the approval of this Resolution.
6. Annexation Agreement. Following the Planning Commission public meeting, and upon instruction from the City Council, the City Administration shall prepare a draft Annexation Agreement, together with an implementing Resolution, for consideration by the City Council, as required by TCC §7-24-3.
7. Resolution, Ordinance. Following the Public Meeting and upon instruction from the City Council, the City Administration shall prepare an annexation Ordinance for consideration by the City Council.

8. Additional Items. The City Council may require additional information, impose additional conditions, and schedule additional public meetings as it deems necessary in the best interest of the public health, safety, and welfare.

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 _____, 2021.

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

Petition with Map and Related Documents

Petition for Annexation
 Community Development Department
 90 North Main Street, Tooele, UT 84074
 (435) 843-2132 Fax (435) 843-2139
www.tooelecity.org



Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Utah State Code and Tooele City Code. All submitted Petition for Annexation applications shall be reviewed in accordance with all applicable State and City ordinances and requirements, are subject to compliance reviews by various City departments, and may be returned to the applicant for revision if the plans are found to be inadequate or inconsistent with the requirements of the State Code and City Code. Application submission in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all checklist items be submitted well in advance of any anticipated deadlines.

Annexation Information				P20-1152	
Date of Submission:	11-16-20	Total Acres:	61.16	Expansion Option Area:	
Project Name:					
General Address:					
Droubay Road 800 North					
Current Use of Property:					
Vacant grazing, Horses					
Sponsor:			Address:		
Howard Schmitt			PO Box 95410		
Phone:		City:		State:	Zip:
801 562-1414		So Jordan		UT	84095
Primary Phone Number:		Cell Number:		Email:	
		801-859-9449		howard@braemarco.com	
Signature of Sponsor:					
Date 11-16-20					

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity, except as required by GRAMA.

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with Utah State Code and City Master Plans, Codes, Rules and or Regulations.

***** NOTE *****

According to Utah State Code Section 10-2-403(7), it is the sole responsibility of the SPONSOR of a Petition For Annexation to deliver to the County Clerk a complete copy of the same petition to annex property on the same calendar day the petition is filed with the City.

2201137

For Office Use Only			
Fee:	2000 ⁰⁰	Received By:	CVT
(213)		Date Received:	11/16/20
		Receipt #:	00387443

Petition for Annexation Application Checklist

*Incomplete applications will not be accepted or held.
All required items shall be submitted to the City Recorder.*

Submission Requirements (see also Utah State Code Section 10-2-403)

- _____ Application Fee
- ✓ Completed Application Form
- ✓ Completed Record of Petitioned Properties. In order to constitute a complete and viable Petition, the Record of Petitioned Properties must contain the signatures of property owners that make up at least:
 - 50% of the land area included in the Petition for Annexation
 - 33% of the property value, according to the County Assessor's Office valuations, of all properties included in the Petition for Annexation
- _____ A Statement of Proposed Intent for the properties contained within the area petitioned for annexation
- ✓ An Accurate Legal Description for the Complete Boundary of the proposed Annexation prepared by a Licensed Surveyor
 - It is strongly encouraged that the legal description be verified by the County Surveyor prior to submission to avoid unnecessary delays
- ✓ A paper copy of an accurate recordable map depicting the proposed area of annexation including at least the following:
 - It is strongly encouraged that the plat be submitted in paper form to be verified and approved as to form prior to submitting the petition to avoid unnecessary delays
 - A disk or thumb drive of all petition materials in digital format (original PDF) including AutoCAD format for the plat and all drawings
 - Certification by Date, Signature and Seal by the Engineer or Surveyor preparing the plat
 - Property Owner Certifications, including acknowledgement by a Notary Public for each
 - Proper Signature Blocks for each of the following:
 - The Tooele City Planning Commission, including signature lines for each Planning Commissioner voting in favor of the annexation
 - The Tooele City Council, including signature lines for each Planning Commissioner voting in favor of the annexation and a signature line for the City Recorder to attest the signatures of the City Council members
 - The Tooele City Attorney
 - The Tooele City Recorder certifying:
 - the date and time the plat was filed
 - the Ordinance number by which the City Council approved the plat and proposed annexation
 - the date of approval and certification by the City Council
 - The Tooele City Engineer
 - The Tooele City Community Development Department
 - County Recorder's Certification of Recording
- _____ Notice of annexation petition sent to affected entities including:
 - A copy of the noticing sent to affected entities
 - A complete list of affected entities to which the notice was sent
 - Demonstration of the date on which the notices were sent to affected entities

***Note: According to Utah State Code Section 10-2-403(7) it is the sole responsibility of the Sponsor to submit a copy of the complete Petition for Annexation to the City and the County Clerk on the same calendar day.

Additional Information

With the City Council's adoption of a resolution accepting the Petition for Annexation for further consideration, as required by Utah State Code Section 10-2-405, the City Council may also require any of the following and/or any other information or study determined necessary for proper consideration of the Petition for Annexation for approval or denial.

- _____ Feasibility Study of Impact to the existing public systems for each of the following:
 - Water, including water rights, sources, storage, transmission, phasing, and master planning
 - Sewer, including collection systems, transmission, treatment capacity, phasing, and master planning
 - Transportation, including upgrades to existing infrastructure, new infrastructure, traffic control, phasing, and master planning
 - Parks and Recreation, including levels of service, facility needs, phasing, and master planning
 - Public Safety, including service area, response times, staffing and personnel levels, and facility and equipment needs and levels of services for police and fire protection services
 - Storm Drain, including collection systems, transmission, detention/retention, phasing, and master planning
 - Tax and Revenue, including impact fees generation, cost of services for annexation area, property and sales tax revenues from the annexation area, and full-time equivalent employee calculations for each department to provide city services to the annexation area
- _____ Conceptual Development and Land Use Plans
- _____ Annexation Agreement

***Note: It is strongly recommended that applicants familiarize themselves with the procedures and requirements for consideration of a Petition for Annexation found in Utah State Code Section 10-2-400 et. seq. and Tooele City Code Chapter 7-24.

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH }
 }ss
COUNTY OF TOOELE }

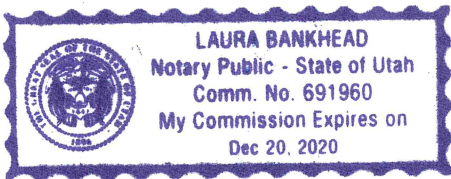
I/we, Howard Schmidt being duly sworn, depose and say that I/we ~~am/are~~ the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/~~our~~ knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

[Signature]

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 16 day of November, 2020



Laura Bankhead

(Notary)
Residing in Tooele County, Utah
My commission expires: 12/20/2020

AGENT AUTHORIZATION

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

(Property Owner)

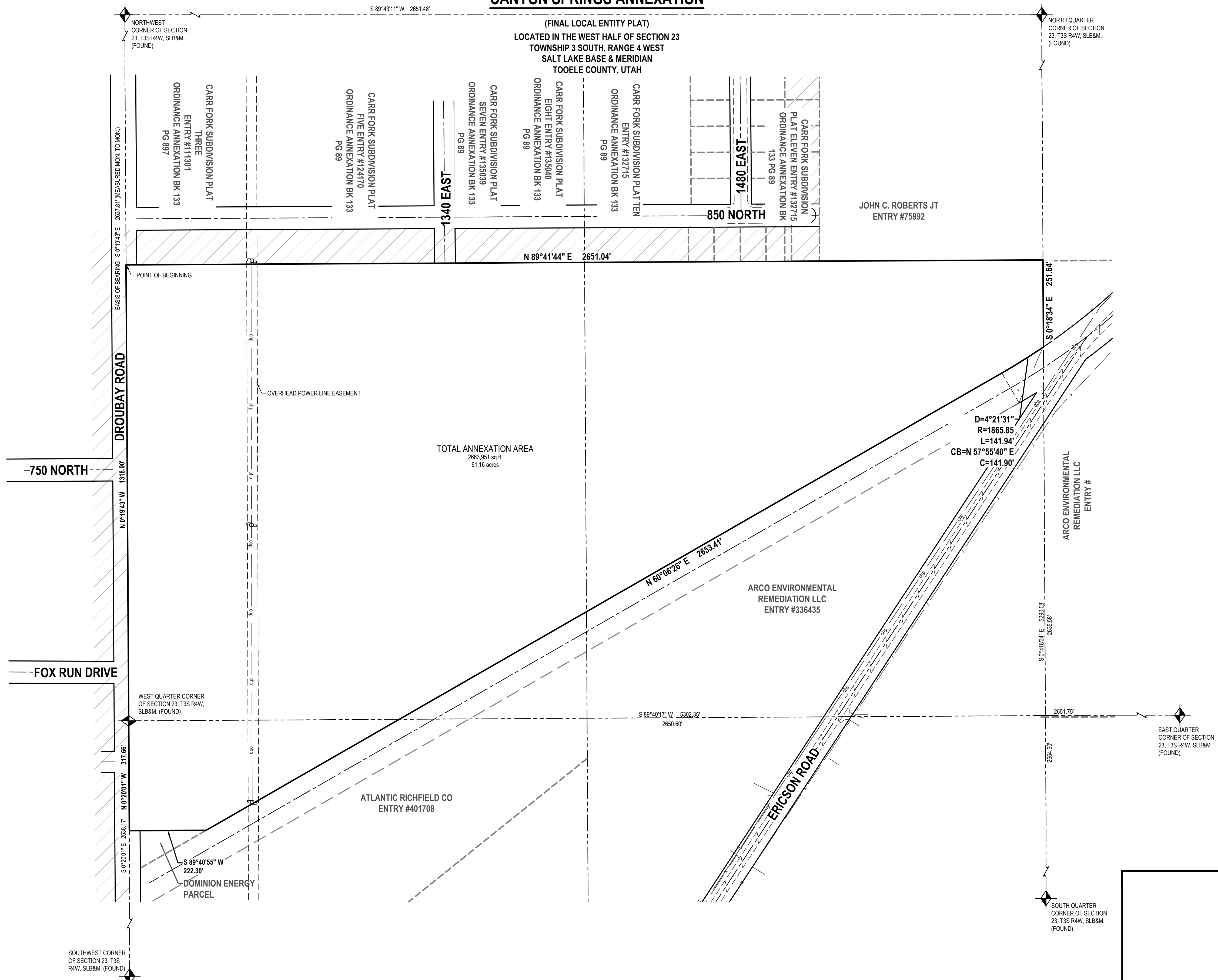
(Property Owner)

Dated this ___ day of _____, 20___, personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)
Residing in _____ County, Utah
My commission expires: _____

CANYON SPRINGS ANNEXATION

(FINAL LOCAL ENTITY PLAT)
 LOCATED IN THE WEST HALF OF SECTION 23
 TOWNSHIP 3 SOUTH, RANGE 4 WEST
 SALT LAKE BASE & MERIDIAN
 TOOELE COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, DOUGLAS J KINSMAN, do hereby certify that I am a Professional Land Surveyor, and that I hold license No. 334575, as prescribed under laws of the State of Utah. I further certify that this is a true and accurate map of the tract of land to be annexed to Tooele City, Tooele County, Utah.

SURVEYORS NARRATIVE

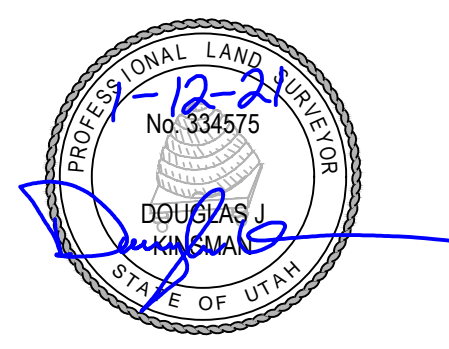
I, Douglas J. Kinsman, do hereby state that I am a Professional Land Surveyor, and that I hold license no. 334575, as prescribed by the laws of the state of Utah, and represent that I have made a survey of the following described property. The purpose of this survey is to retrace the boundary, monument the corners, and provide boundary information to our client.
 The basis of bearing for this survey is the line between the found monuments at the Northwest Corner and the West Quarter Corner of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, which bears South 0°19'43" East 2637.81 feet.

BOUNDARY DESCRIPTION

A parcel of land, situate in the West half of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:
 Beginning at a point on the Section line, which is located South 0°19'43" East 1318.90 feet from the found Northwest Corner of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:
 thence North 89°41'44" East 2,651.04 feet to the Quarter Section line;
 thence South 0°18'34" East 251.64 feet along said Section line;
 thence southwesterly 141.94 feet along the arc of a 1865.85 foot radius curve to the right (center bears North 34°15'05" West and the long chord bears South 57°55'40" West through a central angle of 4°21'31");
 thence South 60°06'26" West 2653.41 feet;
 thence South 89°40'55" West 222.30 feet to a point on the Section line;
 thence North 0°20'01" West 317.66 feet along said Section line to the West Quarter Corner of said Section;
 thence North 0°19'43" West 1,318.90 feet along said Section line, to the Point of Beginning.

Contains 2,663.951 square feet or 61.16 acres.

1-12-2021
 Date: 1-12-2021
 Douglas J Kinsman
 License no. 334575



ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED TOOELE CITY COUNCIL HAVE ADOPTED A RESOLUTION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREIN AND SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT INTO TOOELE CITY, UTAH AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERE WITH ALL IN ACCORDANCE WITH UTAH CODE SECTION 10-2-403 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE: **CANYON SPRINGS ANNEXATION**

SIGNED CHAIR TOOELE CITY COUNCIL _____
 ATTEST: CITY RECORDER _____ DATED THIS _____ DAY OF _____, 20____

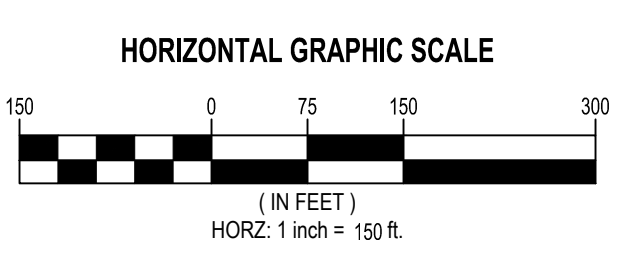
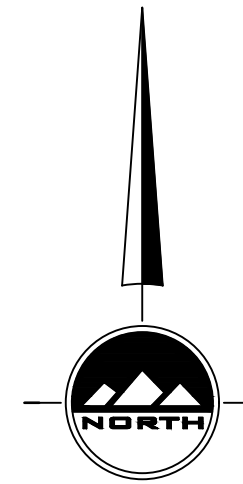
CANYON SPRINGS ANNEXATION (FINAL LOCAL ENTITY PLAT)

LOCATED IN THE WEST HALF OF SECTION 23
 TOWNSHIP 3 SOUTH, RANGE 4 WEST
 SALT LAKE BASE & MERIDIAN
 TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

RECORDED # _____ DATE: _____ TIME: _____
 STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE
 REQUEST OF: _____
 FEES _____ TOOELE COUNTY RECORDER _____

- LEGEND**
- ANNEXATION BOUNDARY
 - SECTION QUARTER LINE
 - CENTER LINE
 - EASEMENT
 - ADJACENT PROPERTY LINE
 - ASPHALT
 - EXISTING FENCE
 - TOOELE CITY LIMITS



ACKNOWLEDGMENT

STATE OF UTAH)
 County of Tooele) s.s.
 On _____ day of _____ A.D., 20____, _____ personally appeared before me, the undersigned Notary public, in and for said County of Tooele in said State of Utah, who after being duly sworn, acknowledged to me that He/She/It signed the foregoing Dedication _____ in number, freely and voluntarily for the purposes therein mentioned.
 MY COMMISSION EXPIRES: _____
 _____ NOTARY PUBLIC RESIDING IN _____ COUNTY.

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

SALT LAKE CITY
 Phone: 801.255.0529

LAYTON
 Phone: 801.547.1100

PLEASANT GROVE
 Phone: 801.796.8145

OWNER'S WITNESS

In witness hereof we have here unto set our hands this _____ day of _____ A.D., 20____.

 Howard Schmidt

DEVELOPER / CLIENT
 LOVELL DEVELOPMENT GROUP
 9463 SOUTH KIRKSIDE DR.
 SOUTH JORDAN, UTAH 84009
 CONTACT: BRETT LOVELL
 PHONE: 801-706-4693

SHEET 1 OF 1
 PROJECT NUMBER : 9002
 MANAGER : D. KINSMAN
 DRAWN BY : J. HOWLAND
 CHECKED BY : D. KINSMAN
 DATE : NOVEMBER 2020

COUNTY SURVEYOR APPROVAL

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

 TOOELE COUNTY SURVEYOR

NOTICE OF INTENT

January 4, 2021

Tooele City Mayor
90 North Main St.
Tooele UT 84074:

Attn: Debbie Winn,

Dear Mayor Winn,

We are hereby giving notice that it is intention of the property owner of land located at the east side of Droubay Road at approximately 750 North (tax ID No. 03-032-0-0014) to seek annexation into the boundaries of the City of Tooele.

Per state code all affected entities are to be notified.

In as much as this parcel is currently included in the service area of North Tooele Fire District, we are giving you this notice. If you have concerns or comments, please address them to the owners at:

Tooele East LLC
ATTN. Howard Schmidt
PO Box 95410
South Jordan UT 84095

Or to:

Jim Bolser
Tooele City Community Development
90 North Main St.
Tooele, UT 84074

Thanks For your consideration,


Howard Schmidt

NOTICE OF INTENT

January 4, 2021

Tooele Valley Mosquito Abatement District
1535 Sunset Rd
Tooele UT 84074:

Attn: Scott Bradshaw,

Dear Scott,

We are hereby giving notice that it is intention of the property owner of land located at the east side of Droubay Road at approximately 750 North (tax ID No. 03-032-0-0014) to seek annexation into the boundaries of the City of Tooele.

Per state code all affected entities are to be notified.

In as much as this parcel is currently included in the service area of North Tooele Fire District, we are giving you this notice. If you have concerns or comments, please address them to the owners at:

Tooele East LLC
ATTN. Howard Schmidt
PO Box 95410
South Jordan UT 84095

Or to:

Jim Bolser
Tooele City Community Development
90 North Main St.
Tooele, UT 84074

Thanks For your consideration,

Howard Schmidt

INTERNAL REVIEW

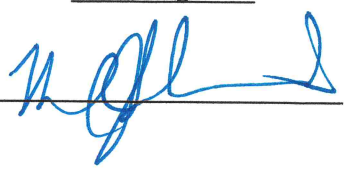
RECEIPT DATE 1/27/2021

REVIEWED BY Scott Bradshaw



Record of Petitioned Properties for Annexation

Record of Petitioned Properties Must Include All Properties to be Included in the Proposed Annexation With All Listed Information for Each Property and the Signature of All Property Owners Consenting to the Annexation*

<u>Parcel Number</u>	<u>Owner</u>	<u>Owner's Address</u>	<u>Acreage</u>	<u>Owner's Signature</u>
03-031-0-0014	Tooele East LLC	PO Box 95410 50 Jordan Ut 84095	6.16	

*Required Information for each property must be listed as shown on the most current official property records from the Tooele County Recorder's Office

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

SALT LAKE CITY
Phone: 801.255.0529

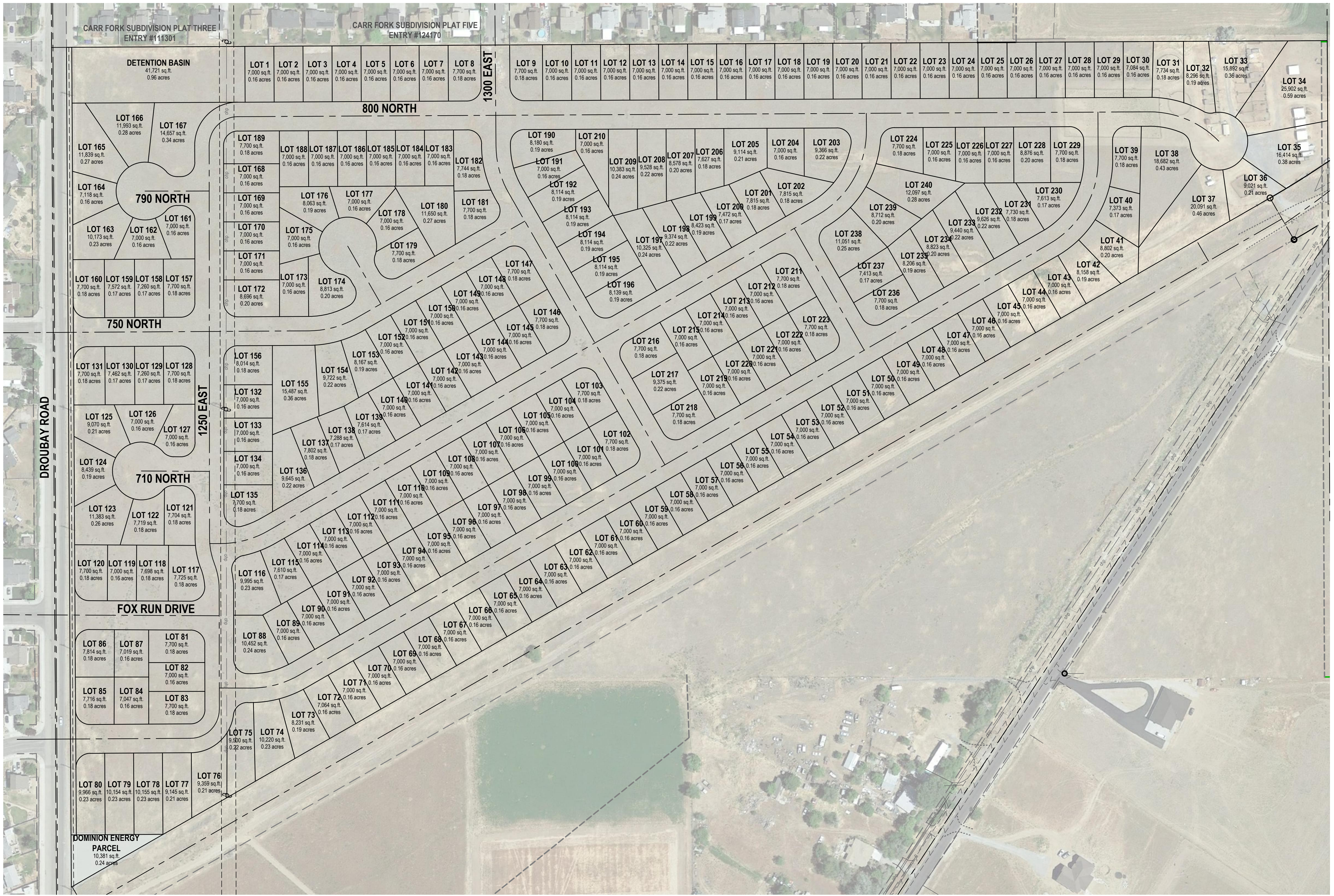
LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

www.ensigneng.com

FOR:
LOVELLE DEVELOPMENT GROUP
9463 S. KIRKSIDE DRIVE
SOUTH JORDAN UTAH, 84009
CONTACT:
BRETT LOVELL
PHONE: 801-706-4693



SPRING CANYON ESTATES CONCEPT
750 DROUBAY ROAD
TOOELE, UTAH

CONCEPT 1 IMAGE

PROJECT NUMBER 9602 PRINT DATE 1/15/20
DRAWN BY C. CARPENTER CHECKED BY D. KINSMAN
PROJECT MANAGER D. KINSMAN

TOOELE
168 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: 435 866 1453

RICHFIELD
Phone: 435 866 2683

WWW.ENSIGNENG.COM

LOVELLE DEVELOPMENT GROUP
3425 S. HERRICK DRIVE
SOUTH JORDAN, UTAH 84095

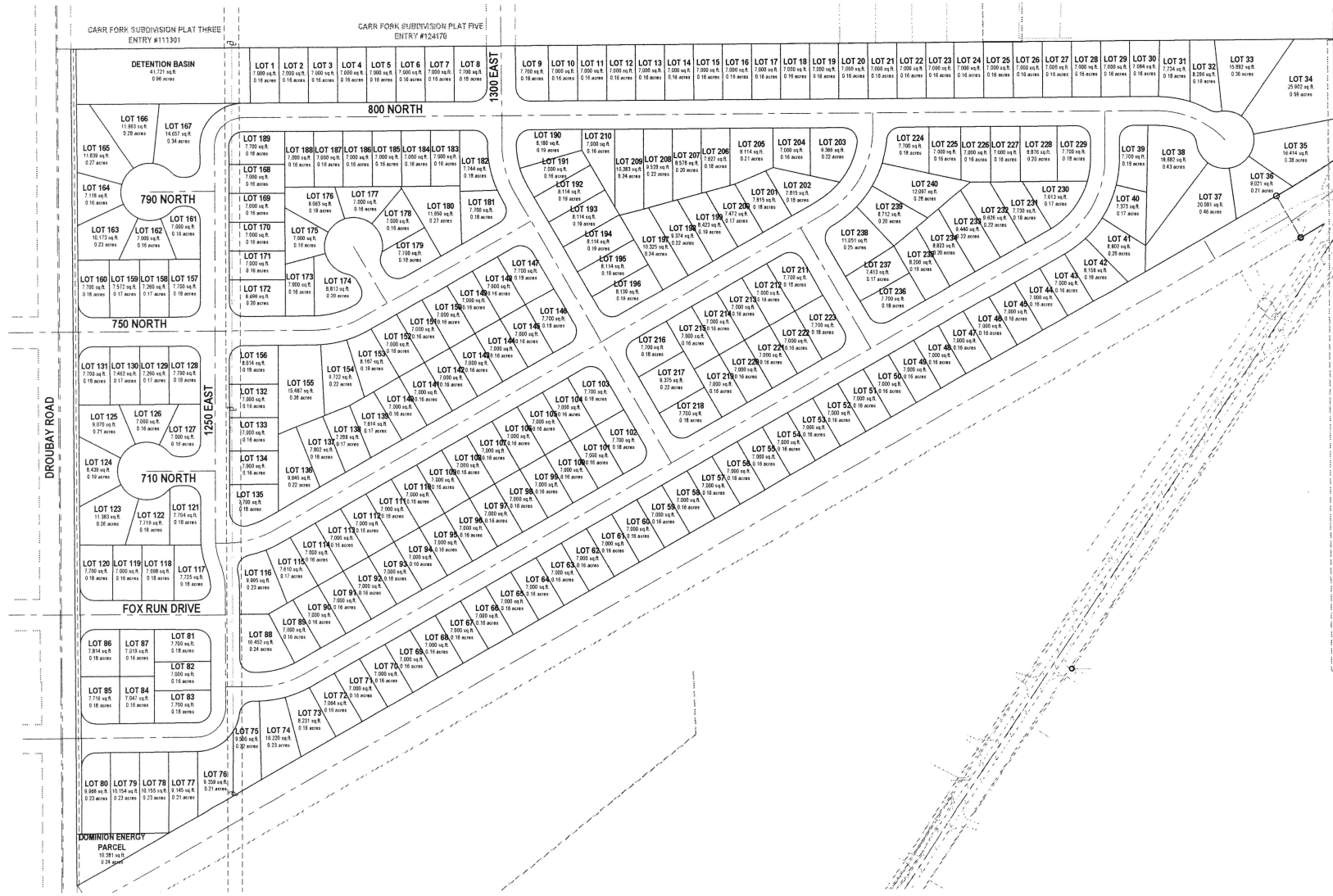
LOVELLE
BRIETT LOVELLE
PHONE: 801 709 4650

SPRING CANYON ESTATES CONCEPT

750 DROUBAY ROAD
TOOELE, UTAH

CONCEPT 1

DATE: 7/15/2010
BY: [Signature]
CHECKED BY: [Signature]
DESIGNED BY: C. CARPENTER
DRAWN BY: D. KHOSRAWI



SURVEYORS NARRATIVE

I, Douglas J. Kinsman, do hereby state that I am a Professional Land Surveyor, and that I hold license no. 334575, as prescribed by the laws of the state of Utah, and represent that I have made a survey of the following described property. The purpose of this survey is to retrace the boundary, monument the corners, and provide boundary information to our client.

The basis of bearing for this survey is the line between the found monuments at the Northwest Corner and the West Quarter Corner of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, which bears South 0°19'43" East 2637.81 feet.

Surveyed Description

A parcel of land, situate in the West half of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the Section line, which is located South 0°19'43" East 1318.74 feet from the found Northwest Corner of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 89°41'44" East 2,651.04 feet to the Quarter Section line;
thence South 0°18'34" East 251.64 feet along said Section line;
thence southwesterly 141.94 feet along the arc of a 1865.85 foot radius curve to the right (center bears North 34°15'05" West and the long chord bears South 57°55'40" West through a central angle of 4°21'31");
thence South 60°06'26" West 2653.41 feet;
thence South 89°40'55" West 222.30 feet to a point on the Section line;
thence North 0°20'01" West 317.66 feet along said Section line to the West Quarter Corner of said Section;
thence North 0°19'43" West 1,318.90 feet along said Section line, to the Point of Beginning.

Contains 2,663,951 square feet or 61.16 acres.

Date

Douglas J Kinsman
License no. 334575

November 16, 2020

Dear Mayor, Staff and members of the city Council.

We are requesting the annexation of this 61 acre parcel on the east side of Droubay Road at about 800 North. The property is bounded by City on the north and west sides and is near the city golf course to the south. We have purchased the site for the purpose of developing it into approximately 240 single family homes. We would also be requesting a zoning R-7 with the intent of building 7,000 to 10,000 lots.

We have attached a preliminary design which is very preliminary but shows what we can do. It is very consistent with the subdivision to the North and the West.

We have developed the new Providence development in the Overlake area and anticipate a very similar project in this site.

In addition to purchasing this land, we purchased 218 water credits which are currently banked with Tooele City in anticipation of this annexation.

We sincerely hope you will give us a positive recommendation and ultimate approval of this zoning so that we can move forward with our efforts to grow and enhance this great city.

Sincerely,


Howard Schmidt
Manager
Tooele East LLC
owner

NOTICE OF INTENT

January 4, 2021

Tooele County Clerk
47 South Main St.
Tooele UT 84074:

Attn: Marilyn Gillette,

Dear Ms. Gillette

We are hereby giving notice that it is intention of the property owner of land located at the east side of Droubay Road at approximately 750 North (tax ID No. 03-032-0-0014) to seek annexation into the boundaries of the City of Tooele.

Per state code all affected entities are to be notified.

In as much as this parcel is currently included in the service area of North Tooele Fire District, we are giving you this notice. If you have concerns or comments, please address them to the owners at:

Tooele East LLC
ATTN. Howard Schmidt
PO Box 95410
South Jordan UT 84095

Or to:

Jim Bolser
Tooele City Community Development
90 North Main St.
Tooele, UT 84074

Thanks For your consideration,

Howard Schmidt

RECEIVED
JAN 14 2021
TOOELE COUNTY
CLERK/AUDITOR

Receipt of Notice of Intent to annex land into Tooele City
*The subdivision will be know as Canyon Springs
on Droubay Road*

I received a copy of the notice at my office

John Stout No. Tooele County Fire Marshall

A handwritten signature in black ink, appearing to read 'John Stout', written over a horizontal line.

Scott Bradshaw Tooele Mosquito Abatement

Marilyn Gillette: Tooele County Clerk

Compose

Mail

Inbox 8,737

Starred

Snoozed

Important

Sent

Drafts 81

Categories

Follow up

Misc 1

Notes

Priority

More

Meet

New meeting

My meetings

annexation plat and noi Inbox x



Howard Schmidt <howard@braemarco.com>

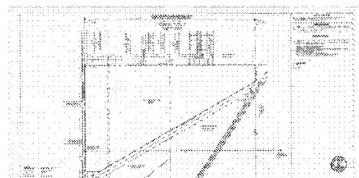
to John

Dear Chief Stout,

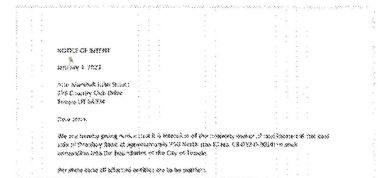
Attached is the notice of intent that I sent to you and Chief Wellden earlier (I forgot to include his email address) you. Could you date and return this notice to me so I can show the city (I forgot to include his email address)

Thanks so much
Howard Schmidt
801-859-9449

2 Attachments



Canyon Springs an..



Notice of Intent fire.



John Stout <john.stout@ntfd.us>

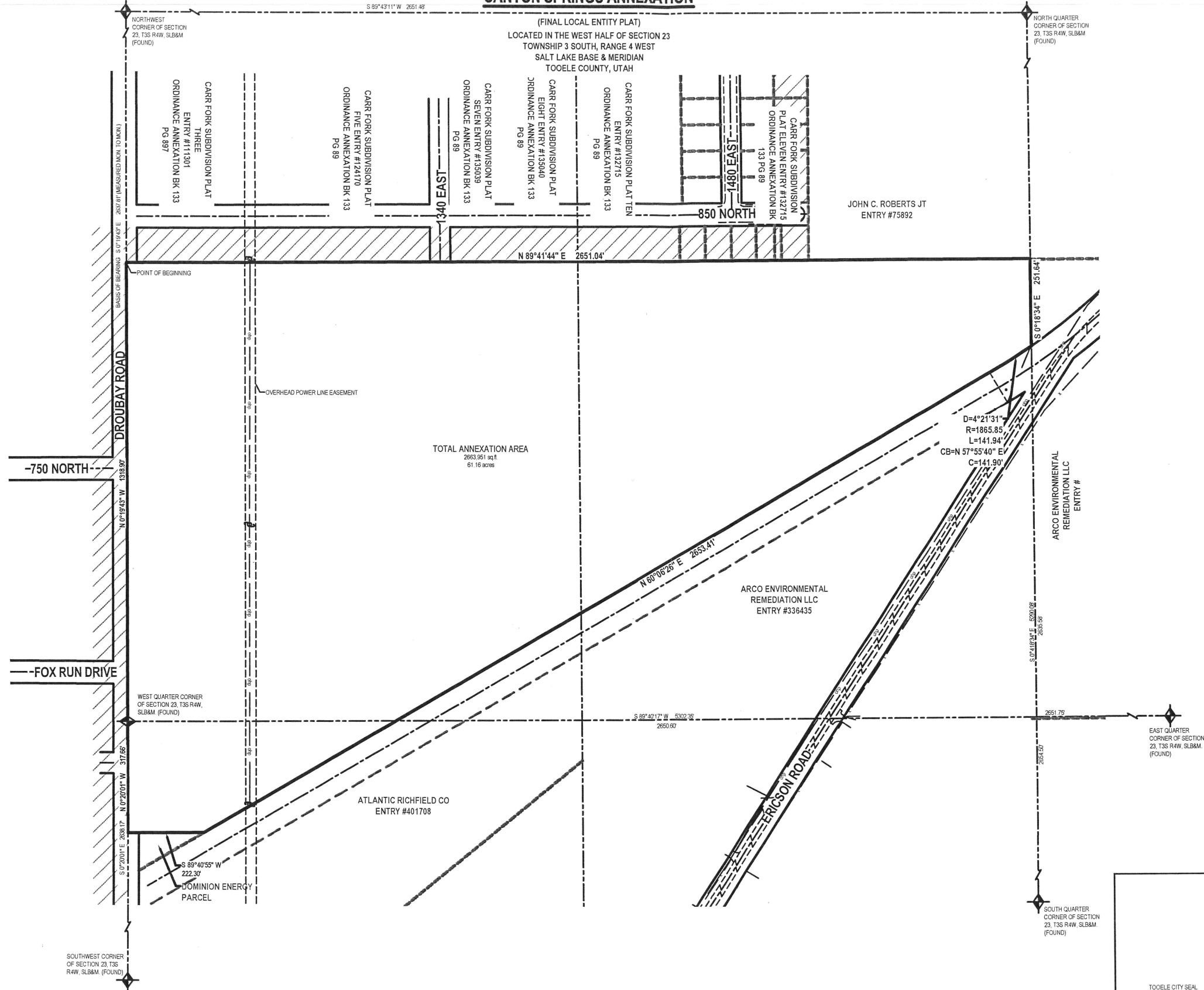
to me

Howard,
Received January 26th 2021

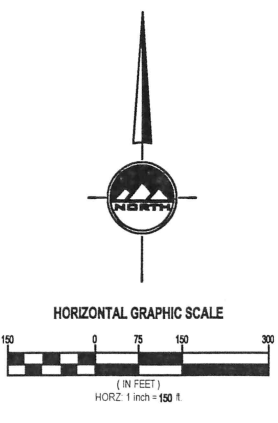
Thank you

CANYON SPRINGS ANNEXATION

(FINAL LOCAL ENTITY PLAT)
 LOCATED IN THE WEST HALF OF SECTION 23
 TOWNSHIP 3 SOUTH, RANGE 4 WEST
 SALT LAKE BASE & MERIDIAN
 TOOELE COUNTY, UTAH



- LEGEND**
- ANNEXATION BOUNDARY
 - SECTION QUARTER LINE
 - CENTER LINE
 - EASEMENT
 - ADJACENT PROPERTY LINE
 - ASPHALT
 - EXISTING FENCE
 - TOOELE CITY LIMITS



ACKNOWLEDGMENT

STATE OF UTAH)
 County of Tooele) s.s.

On this _____ day of _____ A.D. 20____, _____ personally appeared before me, the undersigned Notary public, in and for said County of Tooele in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the foregoing Dedication _____ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____ RESIDING IN _____ COUNTY.



TOOELE
 189 North Main Street Unit 1
 Tooele, Utah 84074
 Phone: 435-843-3500
 Fax: 435-578-0108
 WWW.ENSIGNUTAH.COM

SALT LAKE CITY
 Phone: 801-255-0529

LAYTON
 Phone: 801-547-1100

PLEASANT GROVE
 Phone: 801-756-8145

OWNER'S WITNESS

In witness hereof we have here unto set our hands this _____ day of _____ A.D. 20____

 Howard Schmidt

DEVELOPER / CLIENT
 LOVELL DEVELOPMENT GROUP
 9463 SOUTH KIRKSIDE DR.
 SOUTH JORDAN, UTAH 84009
 CONTACT: BRETT LOVELL
 PHONE: 801-706-4693

COUNTY SURVEYOR APPROVAL

APPROVED THIS _____ DAY OF _____ 20____
 BY THE TOOELE COUNTY SURVEYOR.

TOOELE COUNTY SURVEYOR _____

TOOELE CITY SEAL

SHEET 1 OF 1

PROJECT NUMBER 9602
 MANAGER: D. KINSMAN
 DRAWN BY: J. HOWLAND
 CHECKED BY: D. KINSMAN
 DATE: NOVEMBER 2020

TOOELE COUNTY RECORDER

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

FEES _____ TOOELE COUNTY RECORDER _____

SURVEYOR'S CERTIFICATE

I, DOUGLAS J. KINSMAN, do hereby certify that I am a Professional Land Surveyor, and that I hold license no. 334575, as prescribed by the laws of the State of Utah, and I further certify that this is a true and accurate map of the tract of land to be annexed to Tooele City, Tooele County, Utah.

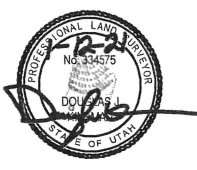
SURVEYOR'S NARRATIVE

I, Douglas J. Kinman, do hereby state that I am a Professional Land Surveyor, and that I hold license no. 334575, as prescribed by the laws of the state of Utah, and represent that I have made a survey of the following described property. The purpose of this survey is to retrace the boundary, monument the corners, and provide boundary information to our client.
 The basis of bearing for this survey is the line between the found monuments at the Northwest Corner and the West Quarter Corner of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, which bears South 0°19'43" East 2637.81 feet.

BOUNDARY DESCRIPTION

A parcel of land, situate in the West half of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:
 Beginning at a point on the Section line, which is located South 0°19'43" East 1318.90 feet from the found Northwest Corner of Section 23, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:
 thence North 89°41'44" East 2,851.04 feet to the Quarter Section line;
 thence South 0°18'34" East 251.64 feet along said Section line;
 thence southwesterly 141.84 feet along the arc of a 1,865.85 foot radius curve to the right (center bears North 34°15'05" West and the long chord bears South 57°55'40" West through a central angle of 4°21'31");
 thence South 60°06'29" West 2653.41 feet;
 thence South 89°40'55" West 222.30 feet to a point on the Section line;
 thence North 0°20'01" West 317.95 feet along said Section line to the West Quarter Corner of said Section;
 thence North 0°19'43" West 1,318.90 feet along said Section line, to the Point of Beginning.

Contains 2,983,951 square feet or 61.16 acres.
1-12-2021
 Date
 Douglas J. Kinman
 License no. 334575



ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED TOOELE CITY COUNCIL, HAVE ADOPTED A RESOLUTION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREIN AND SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT INTO TOOELE CITY, UTAH, AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERE WITH ALL IN ACCORDANCE WITH UTAH CODE SECTION 10-2-403 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE **CANYON SPRINGS ANNEXATION**.

SIGNED CHAIR TOOELE CITY COUNCIL _____
 ATTEST: CITY RECORDER _____ DATED THIS _____ DAY OF _____ 20____

CANYON SPRINGS ANNEXATION
 (FINAL LOCAL ENTITY PLAT)

LOCATED IN THE WEST HALF OF SECTION 23
 TOWNSHIP 3 SOUTH, RANGE 4 WEST
 SALT LAKE BASE & MERIDIAN
 TOOELE COUNTY, UTAH

NOTICE OF INTENT

January 4, 2021

Tooele City Mayor
90 North Main St.
Tooele UT 84074:

Attn: Debbie Winn,

Dear Mayor Winn,

We are hereby giving notice that it is intention of the property owner of land located at the east side of Droubay Road at approximately 750 North (tax ID No. 03-032-0-0014) to seek annexation into the boundaries of the City of Tooele.

Per state code all affected entities are to be notified.

In as much as this parcel is currently included in the service area of North Tooele Fire District, we are giving you this notice. If you have concerns or comments, please address them to the owners at:

Tooele East LLC
ATTN. Howard Schmidt
PO Box 95410
South Jordan UT 84095

Or to:

Jim Bolser
Tooele City Community Development
90 North Main St.
Tooele, UT 84074

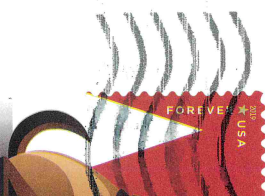
Thanks For your consideration,

Howard Schmidt

PO Box 95410
South Jordan, UT 84095

SALT LAKE CITY UT 840

5 JAN 2021 PM 2 L



BELGIAN

Tooele City Mayor
90 North Main St.
Tooele UT 84074:

Attn: Debbie Winn,

84074-219159

POSTNET barcode consisting of vertical bars of varying heights.

Exhibit B

City Council Work Meeting Minutes
February 17, 2021

**Tooele City Council
Work Session Meeting Minutes &
Redevelopment Agency**

Date: Wednesday, February 17, 2021

Time: 5:35 p.m.

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

City Council Members Present:

Tony Graf

Melodi Gochis

Ed Hansen attending by phone

Justin Brady

Maresa Manzione

City Employees Present:

Mayor Debbie Winn

Jim Bolser, Community Development Director

Darwin Cook, Parks and Recreation Director

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Steve Evans, Public Works Director

Michelle Pitt, City Recorder

Cylee Pressley, Deputy City Recorder

Minutes prepared by Kelly Odermott

Chairman Hansen called the meeting to order at 5:35 p.m.

1. Open City Council Meeting

2. Roll Call

Tony Graf, Present

Melodi Gochis, Present

Ed Hansen, Present attending by phone

Justin Brady, Present

Maresa Manzione, Present

3. Mayor's Report

Mayor Winn stated she has the opportunity at the 7:00pm meeting to give the State of the City Address. This last week the City got snow. Settlement Canyon is reading at 84% level and Bevan Cabin is reading at an 88% of medium level.

4. Council Member's Reports

Council Member Graf stated he attended the Children Justice Center meeting and Arts Council Meeting. There was discussion about the concerts on Vine.

Council Member Manzione stated she attended the RDA and Planning Commission meeting.

Council Member Brady stated he attended the RDA meeting.

Council Member Hansen stated he attended the Communities that Care Board meeting.

Chairwoman Gochis stated she spoke with the Census Bureau and Tooele City had a 75.6% self response rate for the 2020 Census. Tooele was in the top 10 of cities reporting in the State of Utah. The state of Utah Response rate was 71%. The Bureau is offering virtual Census training for data analysis. She attended a meeting with Carvana, that is coming to Tooele City. She attended the staff meeting, met to go over agendas, and attended the budget retreat for the City.

5. LTAP Analysis & Recommendations for Streets Networks

Presented by Steve Evans, Public Works Director

Mr. Evans gave a short slide presentation about the roads. There are currently 147.08 miles of roads in Tooele City. There are 62.66 miles of residential roads and 2.29 are minor arterials, with 16.10 for the majority of traffic. Asphalt roads are 99.29%. The remaining service life of the roads is an average of 10.61 years. Pavement preventative life brings roads back to useful life. The road network is 42% of the majority of 10.9 RXL value. The LTAP determined the City has \$1.8 million of budget per year. There are two bonds on 1000 North and Tooele Boulevard and those both equal about \$600,000. The staff uses the studies to prioritize the road work needed.

Council Member Brady asked how the City compares to other cities of similar size? Mr. Evans stated there is a comparison in the report.

6. Landscaping Standards for North Tooele City Special Service District

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated there is a Special Service District at the north end of the community that covers the developed portion of the Overlake Development in the City. With the development agreement to establish that project, there was a control board established called the North Tooele

City Special Service District Board that is given some administrative functions specific to the District that was defined. One of the things that staff has been working on with the Board is formal adopted standards for development. A list of the standards was included in the packet with an update of sod type. This was reviewed and approved by the Parks Department. The Council would need to adopt this by Resolution at a later meeting.

Council Member Manzione stated that this has been a long time coming. Council Member Hansen asked if this is for the homeowners or for the property of the Service District? Mr. Bolser stated that it is for landscaped areas, which become public improvements and maintained by the District.

7. City Code Text Amendments Regarding RV Parks in the NC Neighborhood Commercial Zoning District

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated that this is an item that was brought to staff by an applicant. The applicant would like to develop an RV resort in Tooele City. It is on a piece of property on the north side of 1000 North where Franks Drive curves off at 600 West coming out of the Overlake area. Currently the property is zoned NC Neighborhood Commercial and is bounded on the north and south by multi-family residential. There are some non residential uses to the west and southwest. This is currently not a permissible land use in any of the current zones, so a simple Land Use Amendment would not accomplish the applicant's goal. The applicant is requesting a text amendment to reintroduce this type of land use into the NC zone. A site plan was submitted for demonstration of the site. The intent of the applicant is to amend the text of the City Code to include this use in the NC zone. That could provide benefit to the applicant. The downside to the application, is that it would not apply to just this applicant. Any other applicants would benefit from this change in any zoning district anywhere in the City that would have this use listed. This could be added as an RSD type application, which is currently in development for provisions, to have some control in development. This is just for discussion by the Council.

Council Member Brady stated that he has the concern about the text change to allow this City wide. He liked the idea of the RSD. Mr. Bolser stated that this is a prime candidate for something like an RSD as it has some unique properties and may not work for everyone everywhere, which is the intent of the RSD. Council Member Brady asked about the property tax? Mr. Bolser stated that he imagines that it is more of a commercial venture, but that is speculative.

Council Member Manzione stated that she would be more agreeable to the RSD route as well. She asked if there is a way to guarantee the text amendment is not permanent? Mr. Bolser stated that the RSD, working with the applicant has the ability to settle all the conditions.

Chairwoman Gochis stated that she would be interested in the impact to the City infrastructure, is this something that will be coming as a resolution? Mr. Bolser stated it is just a question on if

the Council would like to hear more at this point, but it would be something that would have to come forward through ordinance. There would be an impact to water and sewer.

Council Member Hansen stated this is an RV Park, would people live there permanently or a temporary housing? Mr. Bolser stated that would be something that could be addressed through an RSD. This may be more of a snowbird type facility or a weekender facility. Council Member Hansen stated he is for a temporary situation and not a permanent residence.

Mr. Bolser stated that it sounds like there is interest in an RSD situation and there would need to be an establishment of the RSD through Ordinance and then preparing an RSD to create a text amendment to create this RSD specifically. It would be a two step process.

8. Canyon Springs Estates Annexation for 61.16 Acres at Approximately 700 North Droubay Rd

Presented by Jim Bolser, Community Development Director

Chairwoman Gochis gave the Council a brief background of the processes for an annexation and what was to be considered during the following discussion.

Mr. Bolser stated that there have been four formal applications for annexation. Until recently none of the four were complete petitions for annexation so they have not been brought to the Council formally, this one has now completed the petition and is now ready to start the formal process. The first formal step is a resolution for consideration, which would be at the next meeting. This is being brought forward for an outline and background prior to formal consideration. The property is an undeveloped property on the east side of Droubay Road, immediately south of the Carr Fork Subdivision. The Carr Fork Subdivision to the north and the development on the west of Droubay Road are inside Tooele City limits. This property is listed as Area K in the General Plan Annexation Policy Plan and allows for consideration of an annexation petition. The subject property is bordered by properties within the City, that have Medium Residential Density designations and R1-7 Residential zoning designations. A concept plan was submitted for intent for the property.

Mr. Bolser gave a brief outline of the Annexation process as directed by State Code and asked the Council to consider the benefits and drawbacks to the application proposed and the impacts on water, sewer, infrastructure, storm drainage, transportation, parks and recreation, public safety considerations, and other impacts by adding to the City boundaries.

Chairwoman Gochis asked if the Mayor has a recommendation on the proposed annexation? Mayor Winn stated that annexation is a decision made by the City Council, but also recognizes the impacts on the City and administration. She is concerned about new annexations and water. There are no water rights for sale in east Tooele Valley right now. Developments approved in existing City limits are having a difficult time finding water rights. Water rights owned by Tooele City are fully committed and there is not an excess of water. New annexations will only

make this more difficult. Kennecott water rights cannot be used without new wells, the rights must be used for development within the existing boundaries, the rights cannot be used to satisfy the City's existing commitments unless the City pays the market rate for them. The sewer plant expansion is coming as annexations hasten the day of expansion. This annexation would bring 240 new homes and add about 1000 new people and they deserve municipal services, including parks and amenities. The proposed subdivision, does not include a park or open space and the impact would need to be absorbed by the City's existing parks. The police department is stretched thin and annexation will tax the department and require the hiring of additional police officers. Annexing new land will tax all of the City departments, including the volunteer fire department, which will need more equipment. City revenues are finite and new houses will generate new income, but it is only a percentage of what it costs the City to provide municipal services for that house. The administration encourages building within the current City limits. Mayor Winn stated that she is not anti-development or anti-growth, but the City has their hands full with what is already in the City limits. New annexations will demand more resources when resources are already taxed.

Mayor Winn showed the Council a map of the existing City limits and then showed the Council a map of the land that is undeveloped property and is zoned for residential units. There is 4,500 acres already zoned for new homes. Another map showed the undeveloped areas zoned for commercial and industrial use, 2750 acres for business. Mayor Winn recommended that Tooele City not expand its borders at this time, but instead develop the land within the City.

Chairwoman Gochis asked if there were any comments or questions for the staff?

Council Member Graf asked if green space could be required with annexation? Mr. Bolser stated he believes the Council could. An annexation agreement allows for terms which are negotiable and terms could be added to the agreement. Council Member Graf asked what the impact is for 1000 new inhabitants and is there a formula for the law enforcement? Mr. Bolser stated that there is a level of service ratio and could be part of the studies required for consideration. Chief Kirby stated that Tooele City is about one officer per thousand residents. That is a general guideline.

Chairwoman Gochis asked how that compares to cities that are similar size? Chief Kirby stated the population, demographics, and need more than one per thousand would not want to go lower in the ratio. A development like that would require a minimum of one officer. In addition to officers there is support staff and equipment. In comparing the crime rate and demographics are slightly below other cities. Hiring officers has been a challenge.

Council Member Hansen asked if the developer has a water rights? Mr. Bolser stated he understands that there are water rights available that the applicant has access to.

Council Member Brady asked about the history of the piece of property north of the subject property? Mr. Bolser stated that was before his time with the City, but it would make sense it was an annexation at some point. Council Member Brady stated he thinks there needs to be more green space, trails, and something that benefits the City. He appreciated the Mayor's comments. Council Member Brady asked if this could be developed in Tooele County? Mr. Bolser stated it could be developed in Tooele County, but they have a different standard and may result in less lots. There are also utility connection concerns that would be easier to address with the City. Council Member Brady asked that if the Council decided to move forward, is it at that point the zoning is decided? Mr. Bolser stated that would be a provision of the annexation agreement. The applicant can request the zoning, but the Council has the ultimate discretion. Council Member Brady asked if the size of the house determine the financial benefits of that home to the City? Mayor Winn stated she believes the numbers presented in the meeting are an average. The cost to provide services to the residents is more than what is paid in property tax.

Mr. Baker stated that the water rights issue it raises a policy question. The water rights that the City has from Kennecott are restricted to use within the City's current boundaries. To annex this property and use Kennecott water rights on it would not only be a change in land use policy, but also a change in water policy. He stated that his understanding is that the water rights for this property are Kennecott water rights. It is a change in water policy as the Kennecott water rights are finite and would be diluted if used on property that is newly annexed, because then they would not be available for land use already in the City. It is an important policy decision for them to consider.

Council Member Manzione stated that she is not opposed to annexation. There is nothing that adds value other than houses and that is where she is struggling.

Chairwoman Gochis stated her questions were answered about water.

Council Member Hansen asked if the water the developer has is Kennecott water? Chairwoman Gochis confirmed that the water is Kennecott and would require a change to land use and water policy.

9. Closed Meeting

The motion to close to closed meeting was made by Council Member Graf. Seconded by Council Member Manzione. The meeting moved to closed session at 6:22.

Closed Session attendees; Mayor Debbie Winn, Chairwoman Gochis, Council Member Hansen joined by phone, Council Member Brady, Council Member Manzione, Council Member Graf, Roger Baker, City Attorney, Michelle Pitt, City Recorder, Jim Bolser, Community Development Director, and Paul Hansen, City Engineer.

Chairwoman Gochis adjourned the closed meeting at 6:42pm.

10. Adjourn

Chairwoman Gochis adjourned the meeting at 6:38pm.

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 3rd day of March, 2021

Melodi Gochis, Tooele City Council Chair

Exhibit C

City Council Business Meeting Minutes
March 3, 2021

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, March 3, 2021

Time: 7:00 p.m.

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

City Council Members Present:

Tony Graf
Melodi Gochis
Ed Hansen
Justin Brady
Maresa Manzione

City Employees Present:

Mayor Debbie Winn
Jim Bolser, Community Development Director
Chief Ron Kirby, Police Department
Steve Evans, Public Works Director
Roger Baker, City Attorney
Shannon Wimmer, Finance Director
Darwin Cook, Parks and Recreation Director
Michelle Pitt, City Recorder
Cylee Pressley, Deputy City Recorder

Minutes prepared by Kelly Odermott

Chairwoman Gochis called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. Jim Bolser, Community Development Director

2. Roll Call

Tony Graf, Present
Melodi Gochis, Present
Ed Hansen, Present
Justin Brady, Present
Maresa Manzione, Present

3. Mayor's Youth Recognition Awards

Presented by Stacy Smart, Mayor Winn, and Police Chief Kirby

Mayor Winn welcomed visitors for the Mayor's Youth Awards and introduced Tooele City Police Chief Ron Kirby and thanked him for his collaboration. Ms. Smart highlighted Communities That Care Programs including Second Step, QPR, Guiding Good Choices and Take Pride Tooele. The next Take Pride Tooele Clean-up will be May 15, 2021.

Ms. Smart, Chief Kirby, and the Mayor then presented the Mayor's Youth Recognition Awards to the following students:

- Gracen Bybee
- Brooklynn McCormick

4. Public Comment Period

Chairwoman Gochis opened the public hearing

The following email was received for public comment

Submitted by Mr. Brian Gallagher

Tooele City Council,

I have received ten or fifteen letters from Service Line Warranties of America informing me about my responsibility to fix any issues with my exterior water or sewage lines. I am well aware of my responsibility and I am not interested in the "strings attached" coverage they are offering. I am more than capable of fixing exterior water issues for my property. I am just so fed up with this company constantly sending me letters for the junk they are offering. If I didn't sign up for it the first five times letters were sent to me, why keep sending another ten or more notices my way? I am just a bit annoyed by the city's endorsement and constant badgering over this matter. Hopefully you can do something to address this issue.

Mayor Winn stated that state law requires Tooele City to twice a year, inform the residents that the water and sewer line connections from the home to the main line in the street, does not belong to the City. The residents are required to replace that line if it becomes damaged. That is the homeowner's responsibility. That information is in the 90 North Main Newsletter for the residents. A couple of years ago, the City was contacted through the national League of Cities and Towns and the Utah League of Cities and Towns about a company that would offer to the homeowner low cost insurance to replace the lines. The City Council approved the contract, which is three years. Tooele City logo is on the paperwork and is endorsed by Tooele City as an offer to try and mitigate the costs of replacing the lines. Tooele City thought this was a great program to offer to the residents that may be interested. The company has sent out five letters and two weeks later a reminder letter is also delivered. It costs the company to send these letters out. This is done as a service to the residents and there is no obligation to purchase the insurance.

Chairwoman Gochis closed the public comment period

5. Resolution 2021-18 A Resolution of the Tooele City Council Accepting for Further Consideration of the Annexation Petition of Howard Schmidt

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated this is a resolution intended to provide for potential further consideration of an annexation petition. This does not approve an annexation this evening. The property is east of Droubay Road to the south of the existing Carr Fork Subdivision. Property within the Carr Fork Subdivision, as well as across the road are inside Tooele City boundaries. The Annexation Policy Plan within the General Plan was amended to include this area last fall, as Expansion Area K. That does not make a statement on if this area will be annexed, it just allows the conversation and application to come forth for consideration. The Land Use Map in the General Plan identifies the areas surrounding it within Tooele City as Medium Density Residential. The zoning of the properties within Tooele City surrounding the subject property are zoned R1-7 Residential. The initial application from the applicant suggests a desired zone to be R1-7 Residential, should the annexation eventually be approved. The applicant has provided conceptual plans to help the Council understand the desires of the applicant, should the annexation be successful.

Mr. Bolser gave a brief overview of the annexation process as governed by Utah State Code Section 10-2-400 and subsequent sections. Steps include a complete petition, first formal resolution, which is occurring this evening. Further actions would be the formal process of certification of the petition, Planning Commission review, notice of protest review to the general public, notice of Council hearing, and an annexation agreement. The annexation agreement would include, Land Use designation, zoning designation, and any other provisions the City Council deems necessary to accept the annexation. Following the agreement, there is a resolution which would be for the Council to approve the annexation agreement and ordinance to approve the petition of annexation. That would then approve the annexation. The Lieutenant Governor's Office has a certification process and ordinance, annexation agreement, and plat would be recorded with the County. The step this evening is should it be denied, ends the annexation process. If the resolution is approved to move forward, that would allow the Council to tell the applicant what considerations that should be considered for the annexation. Mr. Bolser gave a list of considerations which could be considered by the Council.

Council Member Graf stated that it sounds like a request for consideration of the application could be a public safety evaluation for response time? Mr. Bolser stated that as a study measure for consideration of an annexation, a study could be requested for level of service including need for additional, officers, equipment, support staff, as well as response times or satellite stations.

Council Member Brady stated that if the resolution does not pass this evening, then his understanding is that the annexation dies, but is there a time in the future to consider this. He stated that he doesn't think this is the best time for this annexation into Tooele City. Mr. Bolser stated an applicant can always petition for annexation. Council Member Brady stated he is concerned about the subdivision with just houses, parks are needed as well. Green space can be required, but is there a study that needs to be done? Mr. Bolser stated the applicant can be asked to provide a legitimate study based on levels of service.

Council Member Manzione stated that it is a lengthy process and does the City Council have full discretion all the way through the process. Where is the Council locked into the annexation? Mr. Bolser stated that the only point of being locked in, is the final approval.

Council Member Hansen stated that his understanding is that the developer has Kennecott water shares to use on this. Mr. Bolser stated that the original agreement with Kennecott was approved in 2007 and specifies that the water rights under that agreement are allowed for use within the Tooele City Water Special Service District. That District boundary currently matches the City boundary. Mr. Baker added that the Kennecott water rights can be used within the City limits. Council Member Hansen stated that if this gets annexed those water rights can be used. Mr. Baker stated, he believed so. There will need to be a formal process to amend the Water District boundaries to make the boundaries official. The intent and language of the agreement allows the rights to be used within the City and not outside the City.

Chairwoman Gochis allowed the property owner to make comments to the Council.

Mr. Howard Schmidt stated he has visited with a few of the Council Members on this topic. He acknowledged Mr. Bolser and his help on the process. The land was purchased and meeting with City staff it was determined that it would need to be annexed into the City. Based on his conversations with City staff, if there was water, the annexation would be fine. Kennecott was approached about water credits and they sold the water credits to the developers with the understanding that the water could be used on the property. This is a challenging time in Tooele City with all the development. Mr. Schmidt stated that he would like to postpone a decision for a period of time, to work with the City to determine what would be the best thing for the City. They are not opposed to parks, but the site plan proposed is all residential lots to determine what was available. Mr. Schmidt stated there could be some potential to the east side of Tooele and would like to do some studies and come back more prepared.

Council Member Manzione stated that she appreciated the comments and would like to have trails looked at. Council Member Brady stated that he looks at annexations as if they improve Tooele City. He wants the development to bring things to the City and how will it benefit Tooele City.

Mr. Schmidt would like to meet with Council Member Brady for some ideas.

Council Member Graf motioned to table Resolution 2021-18 . Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Chairwoman Gochis, “Aye.” The motion passed.

6. Resolution 2021-20 A Resolution of the Tooele City Council Establishing Standards & Specifications for Overlake Features Maintained by the North Tooele City Special Service District

Presented by Jim Bolser

Mr. Bolser stated a subset of the City is the North Tooele City Special Service District, which has been established for the purpose of maintaining specific features in the Overlake Area, which resulted from the Master Development Agreement. In order to do that, the Council has established an Administrative Control Board for the Service District. The Control Board has been working for many years to maintain the features and doing so without the benefit of having a specific standard. The District Board has been working with staff and contract maintenance workers, to come up with a standard so applicants joining the District, the District itself, and City staff can use the standards to guide landscaping and features in the District. A list of the standards were shown on the screen.

Council Member Graf asked about the trees and if the varieties on the list would buckle the sidewalks over time and has that been considered? Mr. Bolser stated that he was not familiar enough with trees to know specifically how to answer that question but the trees were the suggestion by the Board and had been reviewed by the Parks Department to be brought forward.

Council Member Manzione motioned to approve Resolution 2021-20. Council Member Brady seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Chairwoman Gochis, “Aye.” The motion passed.

7. Resolution 2021-29 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Hunter's Meadow Phase 2 Subdivision

Presented by Steve Evans, Public Works Director

Mr. Evans stated this is a public improvement with eight lots, and is on 700 South. There is a parcel adjoining to the improvements owned by Tooele City. The City has a competitive bid with Dave's custom concrete to finish this project with curb, gutter, and sidewalk.

Council Member Hansen motioned to adopt Resolution 2021-29. Council Member Brady seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Chairwoman Gochis, “Aye.” The motion passed.

8. Resolution 2021-30 A Resolution of the Tooele City Council Approving a Change Order to the Groundwater Resource Evaluation Study with Hansen Allen, & Luce

Presented by Steve Evans, Public Works Director

Mr. Evans stated this is a study to help public works, engineering, and the City and will provide some benefits for the Settlement Irrigation Company. The scope of the work is to determine what happens when the water goes dry in the reservoir and how does that affect the City users. The study will do an estimation of 1000 lots. This will give an actual ERC number for when the reservoir is dry. This will determine the amount of culinary water used. The study will take approximately two months and cost no more than \$36,900.

Council Member Manzione motioned to adopt Resolution 2021-30. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

9. Minutes

Minutes include February 17, 2021 Work Session and City Council Business Meeting.

Council Member Brady motioned to adopt minutes. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

10. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$80,078, to the Tooele County Sheriffs Office, for first quarter dispatch fees.

An open PO for \$75,000, to Mountain Land Supply, Inc, for water meters.

Council Member Graf asked how often are water meters purchased and if there is the possibility of a bulk discount? Ms. Wimmer stated that the invoices are every three months and the water meters are a fixed price.

Council Member Hansen motioned to approve invoices. Council Member Brady seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

11. Adjourn

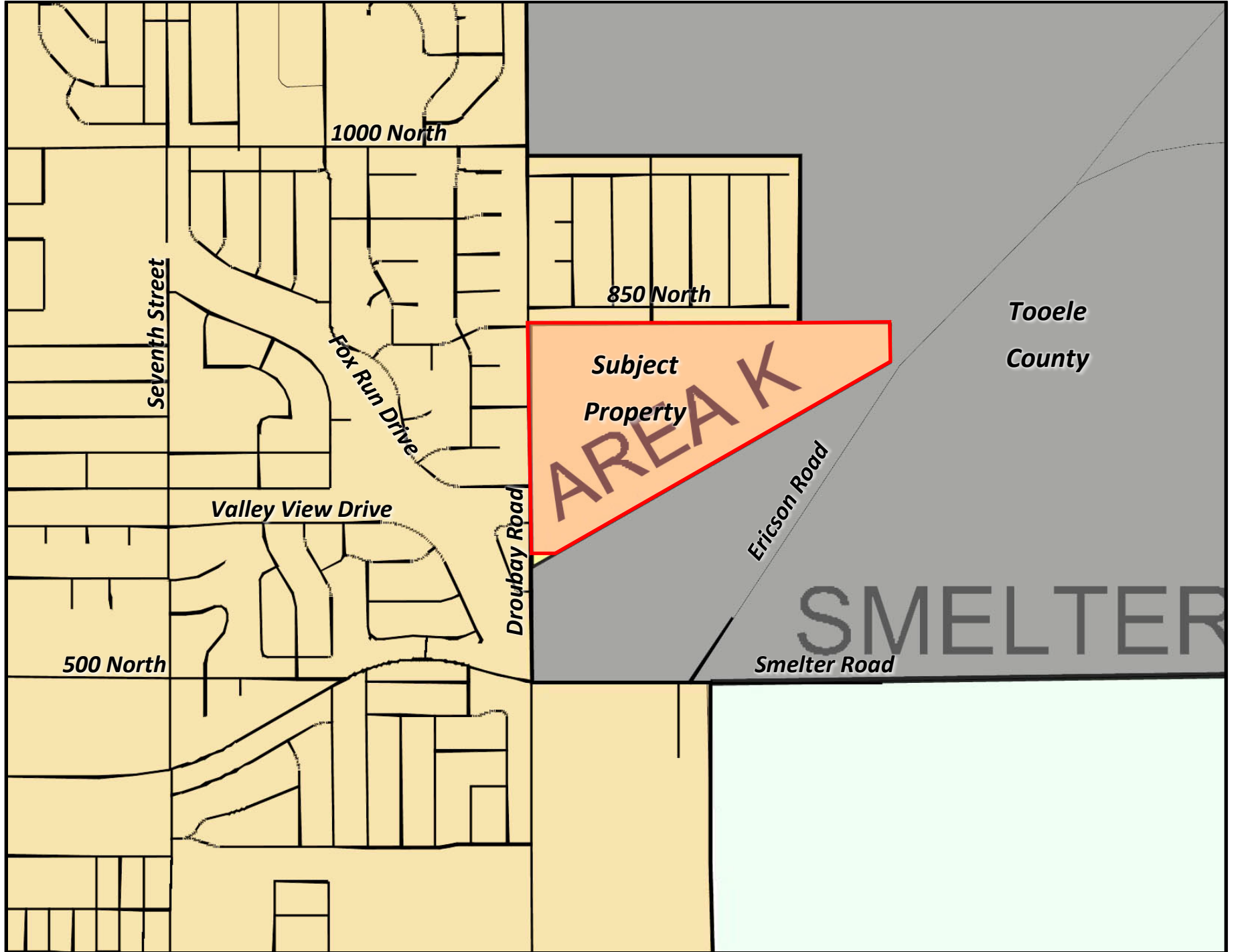
Chairwoman Gochis adjourned the meeting at 7:52 pm.

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 March, 2021

Melodi Gochis, Tooele City Council Chair

Canyon Springs Annexation



Canyon Springs annexation request

Dear Melodi,

We appreciate the time that you have put into discussing the possible annexation of approximately 60 acres on the east side of Droubay Rd.

After our last meeting with the city council we went back to the drawing board and redrafted our subdivision layout, taking into account thoughts and feeling of the members of the council as well as certain members of the staff.

Here is what we are proposing:

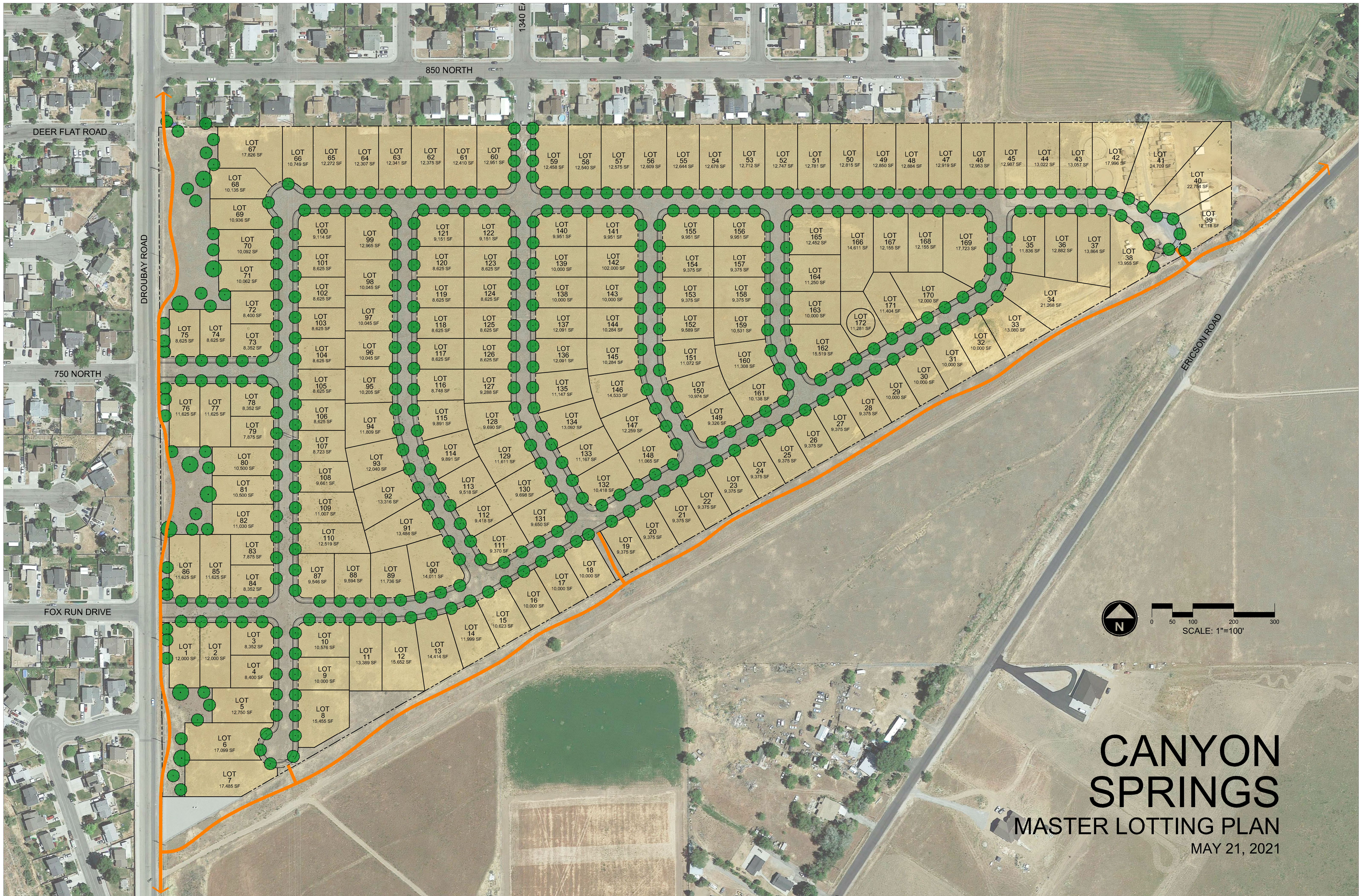
1. The subdivision plan has been reduced from 240 lots to 172 lots with lots ranging in size from 8,600 Sq. ft. to 24,000 sq. ft. with an average size of around 11,000 feet. Based on information from members of the council as well as comments from the public, we believe that this development will be a “move-up” area in the city for both newcomers as well as longtime residents that would like to stay in the same area.
2. Trails have been brought up by many people as an asset to the community so we have incorporated a trail system inside the development plan as well as to the south where a UDOT right of way exists. We will work together with the county and city to acquire this right of way and plan out a link from Droubay Rd to Ericson Road to the East.
3. Along Droubay we would propose that we build a meandering path with some low maintenance xeriscape which will be part of our Storm drain detention plan. This will create more open space.
4. England Acres has a great park sight and rather than have several scattered parks around we would propose that we contribute \$150,000 to the city once we are underway with the development toward this park to be used as the city sees fit.

Just as a reminder, we purchase 218 acre feet of “wet water” from Rio Tinto which is banked with the city for use. It is our understanding that this is one of the best places to use this water as there are wells on this side of the city from which water can be pumped. We appreciate the city council placing this item back on the agenda for consideration of going forward to study this annexation.

Sincerely,

Howard Schmidt

Brett Lovell



850 NORTH

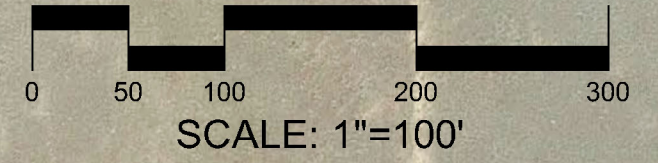
DEER FLAT ROAD

DROUBAY ROAD

750 NORTH

FOX RUN DRIVE

ERICSON ROAD



CANYON SPRINGS

MASTER LOTTING PLAN

MAY 21, 2021