



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on a request to amend the Weber County zone map by realigning the O-1 and RE-15 boundary along the western edge of The Highlands at Wolf Creek Phases one and five.

Agenda Date: Tuesday, January 22, 2019

Initiated by: Weber County Planning Staff

File Number: ZMA 2018-08

Property Information

Approximate Address: 5500 East Aspen Glow Street (Eden, Unincorporated Weber County)

Zoning: Areas currently zoned O-1 and RE-15

Existing Land Use: Residential

Proposed Land Use: Residential Estates (RE-15) and Open Space Zone (O-1)

Township, Range, Section: T7N, R1E, Section 23

Adjacent Land Use

North:	Open Space	South:	Residential
East:	Open Space	West:	Open Space

Staff Information

Report Presenter: Felix Lleverino
flleverino@webercountyutah.gov
801-399-8767

Report Reviewer: CE

Applicable Ordinances

§102-5: Rezoning Procedures

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require compatibility with the general plan and existing ordinances.

Summary

This application is a staff-driven request to amend the Weber County zone map by realigning the O-1 and RE-15 boundary along the western edge of The Highlands at Wolf Creek Phases one and five. The RE-15 zone is intended for medium density residential and agricultural uses, with a minimum lot size of 15,000 square feet. The O-1 zone is intended to preserve open space where plants and animals can be studied and where residential dwellings are not allowed.

Weber County Surveying has provided descriptions for the three areas incidental to this zoning map amendment proposal that will be included with the ordinance.

Page 16 of the general plan indicates that open space in the Ogden Valley is for the preservation of areas that may be used for and continued agricultural operations and low intensity uses. This zoning boundary re-alignment would create a defined line between residential uses and open space that follows the subdivision boundary of the Highlands at Wolf Creek Phases one and five.

Staff is offering a positive recommendation for the zoning boundary re-alignment based on its compliance with the general plan.

Policy Analysis

The Weber County Land Use Code has a chapter that governs application-driven rezones. Even though this is a staff-driven application many of the procedures are applicable. The following is a policy analysis of the staff recommended zoning boundary re-alignment based on the Land Use Code and best planning practices.

Zoning. The current zones of the subject areas are RE-15 and O-1. Figures 1-4 display current zoning and the parcels affected by the proposed zoning boundary realignment. The RE-15 zone is intended for medium density residential and agricultural uses, with a minimum lot size of 15,000 square feet.

Weber County Code § 104-3-1 says the purpose of the RE-15 zone is:

“to provide and protect residential development at a low density in a semi-agricultural or rural environment. It is also to provide for certain rural amenities on larger minimum lots, in conjunction with the primary residential nature of the zone.”

Weber County Code § 104-26-1 says the purpose of the O-1 zone is:

“The open space zone is specifically intended to encourage the preservation of a natural environment in an otherwise urban setting; to hold for future generations open space in which plants and animals can be protected and studied; to inhibit erection of unnecessary buildings on a floodplain, on areas of severe slope, areas of fault line and rock slides; to provide suitable areas for recreation and relaxation, and to alleviate stream pollution.”

On March 17, 2005, The Highlands at Wolf Creek was recorded with the zoning lines in place as is shown on the subdivision plat (see Exhibit B).

General plan. Weber County Code § 102-5-2 specifies that rezoning should be in compliance with the general plan. This zoning map re-alignment does not conflict with Ogden Valley General Plan and is part of an overall zoning map maintenance measure that will result in a more accurate and aesthetic map. **Figure 5** shows the Ogden Valley General Plan Current Zoning Map that will not require an amendment due to the minute nature of the boundary re-alignment and the small scale of the Current Zoning Map.

Rezoning. Weber County Code § 102-5-3 sets forth approval criteria when considering a rezone. Because a rezone is legislative, this criterion allows broad deference to the County Commission’s legislative decision-make authority. The criterion is twofold:

- (a) *To promote compatibility and stability in zoning and appropriate development of property within the county, no application for rezoning shall be approved unless it is demonstrated that the proposed rezoning promotes the health, safety, and welfare of the county and the purposes of this chapter.*
- (b) *The planning commission and the county commission will consider whether the application should be approved or disapproved based upon the merits and compatibility of the proposed project with the general plan, surrounding land uses, and impacts on the surrounding area. The commissions will consider whether the proposed development and in turn the application for rezoning, is needed to provide a service or convenience brought about by changing conditions and which therefore promotes the public welfare. The county commission may require changes in the concept plan in order to achieve compatibility and may impose any conditions to lessen or eliminate adverse impacts.*

Staff Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the County Commission regarding File #ZMA 2018-08, a proposal to consider and take action on a request to amend the Weber County zone map by realigning the O-1 and RE-15 boundary along the western edge of The Highlands at Wolf Creek Phases one and five. This recommendation comes with the following findings:

1. The Ogden Valley General Plan does not conflict with this proposal.
2. The proposed zoning map amendment will promote a more aesthetic and uniform zoning map that will follow the boundary of the respective subdivision boundary.
3. The surrounding land uses do not pose a conflict with the proposed zoning map amendment.

Exhibits

- A: The Highlands at Wolf Creek Phase 1
- B: The Highlands at Wolf Creek Phase 5

Highlands at Wolf Creek



Figure 1: Current Zoning Map and the Subject Parcels

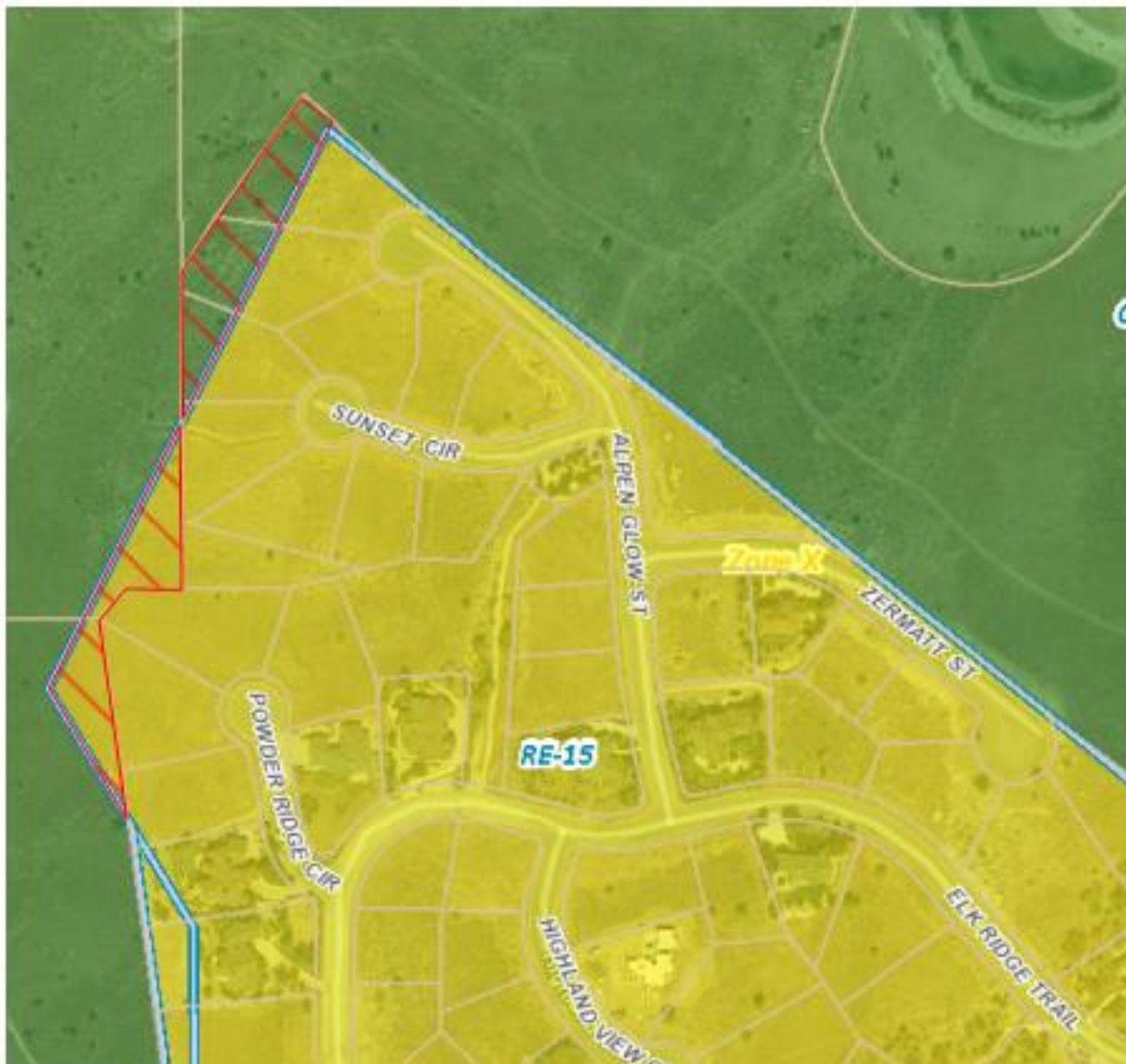


Figure 2: Proposed Zoning Map and the Subject Parcels



Figure 3: Current Zoning Map and Subject Parcel

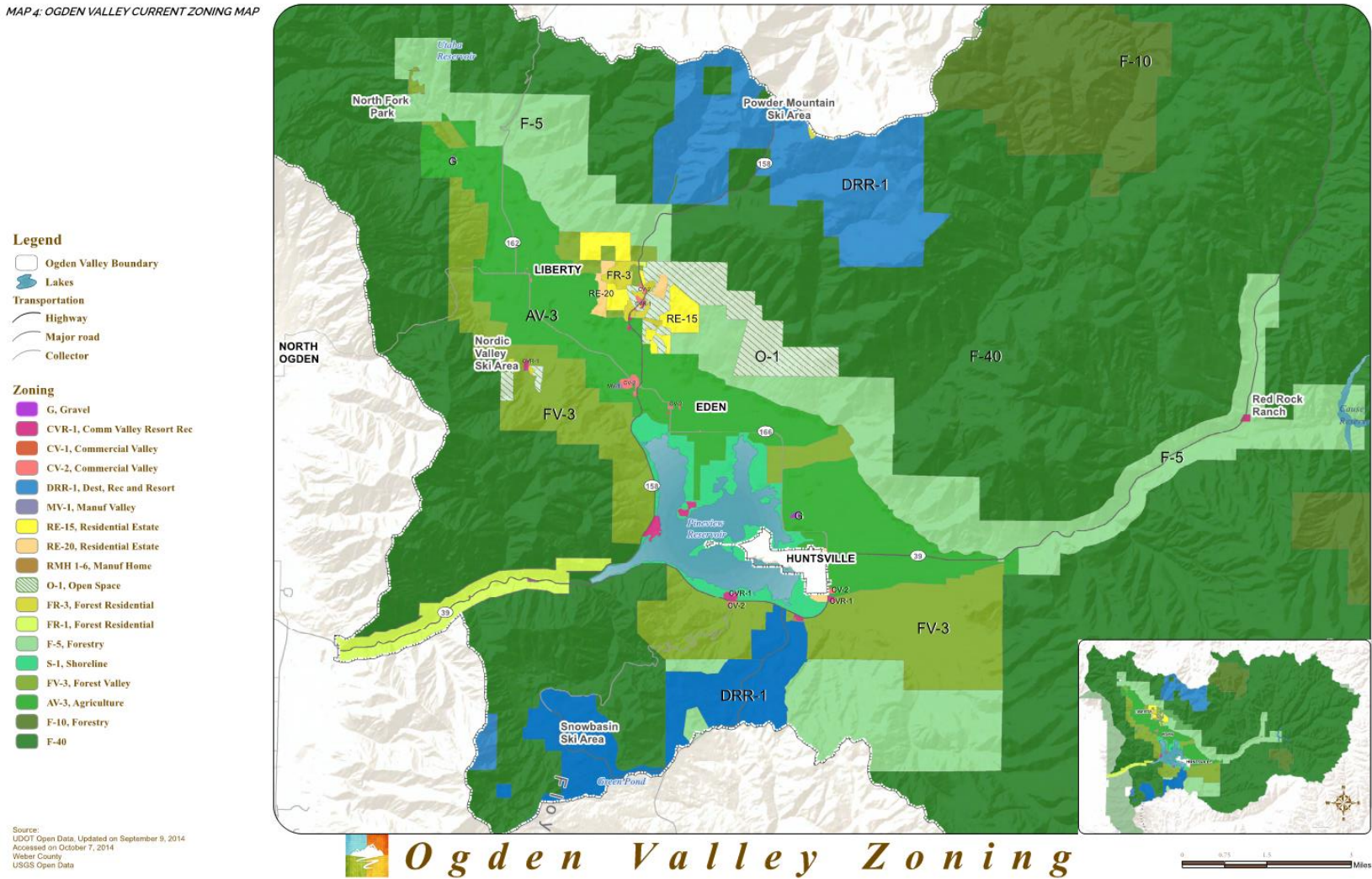


Figure 4: Proposed Zoning Map and the Subject Parcel



Figure 5: Current Zoning Map of the Ogden Valley's General Plan.

MAP 4: OGDEN VALLEY CURRENT ZONING MAP



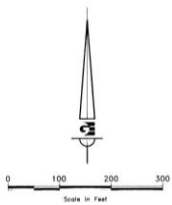
Ogden Valley Zoning

EB-55

THE HIGHLANDS AT WOLF CREEK

PHASE 1
PART OF THE EAST 1/2 OF SECTION 22
AND PART OF THE WEST 1/2 OF SECTION 23
T7N, R1E, S1B&M, U.S. SURVEY

WEBER COUNTY, UTAH
APRIL 2002

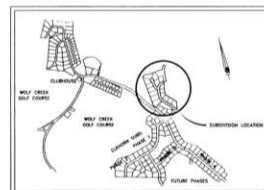
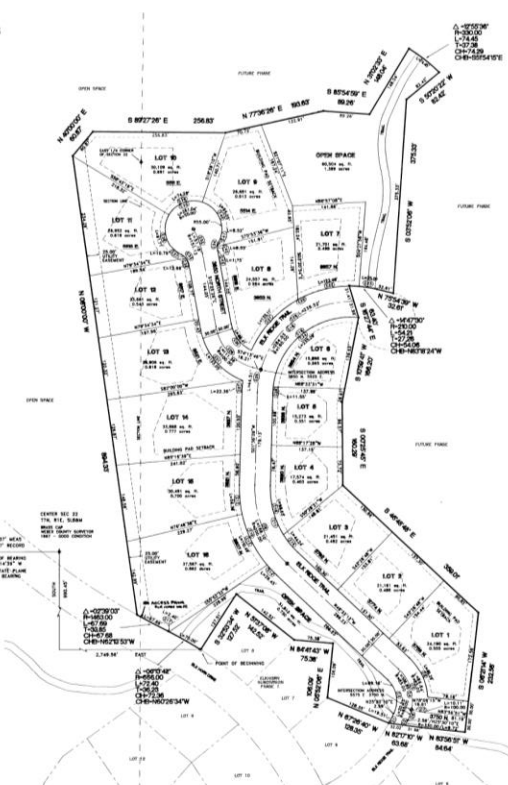


NOTES

- #3 REBAR AND YELLOW PLASTIC SURVEY CAPS SHALL BE SET AT ALL CORNERS AND AT ALL POINTS OF INTERSECTION OF ALL PROPERTY CORNERS.
- 1/2" PUBLIC UTILITY EASEMENT TYPICAL AS SHOWN UNLESS OTHERWISE NOTED.
- LOCATION OF STREET SURVEY MONUMENT TO BE SET

NARRATIVE

THIS SURVEY AND SUBSEQUENT SUBDIVISION PLAT WERE COMPLETED AT THE REQUEST OF THE "WOLF CREEK PROPERTIES, L.P." FOR THE PURPOSE OF SUBDIVIDING THEIR PROPERTY TO CREATE RESIDENTIAL LOTS.



VICINITY MAP

STATION	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE
1	N 89°27'21" E	120.00	N 89°27'21" E	120.00
2	S 89°27'21" E	120.00	S 89°27'21" E	120.00
3	N 89°27'21" E	120.00	N 89°27'21" E	120.00
4	S 89°27'21" E	120.00	S 89°27'21" E	120.00
5	N 89°27'21" E	120.00	N 89°27'21" E	120.00
6	S 89°27'21" E	120.00	S 89°27'21" E	120.00
7	N 89°27'21" E	120.00	N 89°27'21" E	120.00
8	S 89°27'21" E	120.00	S 89°27'21" E	120.00
9	N 89°27'21" E	120.00	N 89°27'21" E	120.00
10	S 89°27'21" E	120.00	S 89°27'21" E	120.00
11	N 89°27'21" E	120.00	N 89°27'21" E	120.00
12	S 89°27'21" E	120.00	S 89°27'21" E	120.00
13	N 89°27'21" E	120.00	N 89°27'21" E	120.00
14	S 89°27'21" E	120.00	S 89°27'21" E	120.00
15	N 89°27'21" E	120.00	N 89°27'21" E	120.00
16	S 89°27'21" E	120.00	S 89°27'21" E	120.00
17	N 89°27'21" E	120.00	N 89°27'21" E	120.00
18	S 89°27'21" E	120.00	S 89°27'21" E	120.00
19	N 89°27'21" E	120.00	N 89°27'21" E	120.00
20	S 89°27'21" E	120.00	S 89°27'21" E	120.00

SURVEYOR'S CERTIFICATE

I, KEVIN GARDNER, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 184270, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE COMMISSION I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND THAT THE REFERENCE MARKERS SHOWN ON THIS SURVEYOR'S PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO REVEAL OR REESTABLISH THIS SURVEY. THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE BELOW DESCRIBED TRACT OF REAL PROPERTY AND OF EACH OF THE LOTS LOCATED ON SAID TRACT AND THIS SURVEYOR'S PLAT COMPLETES WITH THE PROVISIONS OF THE CURRENT SURVEYOR AND ZONING ORDINANCE REGULATIONS OF WEBER COUNTY.

BOUNDARY DESCRIPTION

PART OF THE EAST 1/2 OF SECTION 22, AND PART OF THE WEST 1/2 OF SECTION 23, T7N, R1E, S1B&M, BEGINNING AT A POINT SOUTH 89°45'55" EAST AND EAST 2,749.56 FEET FROM THE CENTER OF SECTION 22, (BASIS OF BEARING: N 89°14'39" W FROM THE CENTER OF SECTION 22 TO THE W 1/4 CORNER OF SECTION 22); THENCE AS FOLLOWS:

COURSE:
NORTHWESTERLY 72.40 FT. ALONG THE NORTH SIDE OF ELKHORN DRIVE; ALONG A CURVE TO THE LEFT TO A REVERSE CURVE: (R=666.00, Δ=90°13'42", T=36.33, CH=73.38, CHB=100°28'34" W); THENCE;
NORTHWESTERLY 87.89 FT. ALONG SAID CURVE TO A NON RADIAL LINE RUNNING NORTHWESTERLY (R=1463.00, Δ=107°39'03", T=53.85, CH=87.88, CHB=102°13'37" W); THENCE;
N 08°00'00" W 894.33 FT. THENCE;
N 40°00'00" E 80.87 FT. THENCE;
S 89°27'21" E 238.83 FT. THENCE;
N 77°36'24" E 193.83 FT. THENCE;
S 85°54'58" E 88.26 FT. THENCE;
N 31°03'53" E 148.04 FT. TO A NON TANGENT CURVE TO THE RIGHT; THENCE;
SOUTHEASTERLY 74.45 FT. ALONG SAID CURVE TO A NON RADIAL LINE (R=330.00, Δ=17°58'56", T=37.36, CH=74.29, CHB=101°14'18" E); THENCE;
S 50°20'22" W 82.42 FT. THENCE;
S 03°52'04" W 375.33 FT. THENCE;
N 79°24'38" W 32.81 FT. TO A TANGENT CURVE TO THE LEFT; THENCE;
NORTHWESTERLY 54.21 FT. ALONG SAID CURVE TO A NON RADIAL LINE (R=210.00, Δ=14°47'30", T=27.26, CH=54.06, CHB=102°12'47" W); THENCE;
S 18°27'44" E 83.40 FT. THENCE;
S 10°59'41" W 166.20 FT. THENCE;
S 00°25'45" E 160.29 FT. THENCE;
S 46°48'48" E 359.01 FT. THENCE;
S 06°21'14" W 230.56 FT. THENCE;
N 83°36'37" W 84.64 FT. TO THE MOST NORTHERLY CORNER OF LOT 5 OF ELKHORN SUBDIVISION, PHASE 1; THENCE;
N 82°17'10" W 63.68 FT. ALONG NORTH BOUNDARY OF ELKHORN SUBDIVISION PHASE 1; THENCE;
N 87°28'40" W 128.35 FT. ALONG NORTH BOUNDARY OF ELKHORN SUBDIVISION PHASE 1; THENCE;
S 00°52'04" E 108.89 FT. ALONG NORTH BOUNDARY OF ELKHORN SUBDIVISION PHASE 1; THENCE;
N 84°41'43" W 70.38 FT. ALONG NORTH BOUNDARY OF ELKHORN SUBDIVISION PHASE 1; THENCE;
N 51°57'08" W 142.52 FT. ALONG NORTH BOUNDARY OF ELKHORN SUBDIVISION PHASE 1; THENCE;
S 32°53'34" W 127.52 FT. TO THE POINT OF BEGINNING.

CONTAINS 582,087 SQ. FT. / 13.362 ACRES



Kevin Gardner
DATE: April 2002
SIGNATURE

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT: THE HIGHLANDS AT WOLF CREEK, PHASE 1.
AND DO HEREBY DEDICATE AND CONVEY TO THE PUBLIC ALL THESE SHOTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THROUGHWAYS, AND DO HEREBY GRANT AND CONVEY TO THE SUBDIVISION OF OWNERS ASSOCIATION, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS COMMON AREAS TO BE USED FOR RECREATIONAL AND OPEN SPACES IN THE SUBDIVISION AND GRANT AND DEDICATE TO WEBER COUNTY THAT COMMON AREA REAR OPEN AND UNDEVELOPED EXCEPT FOR APPROVED RECREATIONAL, PARKING AND OPEN SPACE PURPOSES.
AND HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY DETENTION PONDS, DRAINAGE AND CANALS, MAINTENANCE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE, WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SAID EASEMENTS.

SIGNED THIS 17th DAY OF May, 2002

Kevin Gardner
MANAGING MEMBER

Prepared By: Gardner Engineering
8475 S. ADAMS AVE.
PARKVIEW, UTAH 84405
(801) 478-0000

COUNTY RECORDER
ENTERED IN RECORDS AND PAID \$16.00 FILED FOR RECORD AND RECORDED 6-10-2002. AT 4:38 PM BOOK 555 OF OFFICIAL RECORDS, PAGE 93. RECORDED FOR STEVEN ROBERTS DOLG, COUNTY RECORDER BY: Anna Thompson DEPUTY

WEBER COUNTY PLANNING COMMISSION APPROVAL
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE 17th DAY OF MAY, 2002.
Chairman: Mike Curran

WEBER COUNTY SURVEYOR
I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL IS LIMITED TO THE DATA SUBMITTED TO THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSUMED BY THE SURVEYOR.
SIGNED THIS 17th DAY OF May, 2002
Kevin Gardner

WEBER COUNTY COMMISSION ACCEPTANCE
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WEYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREIN ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.
THIS 4th DAY OF June, 2002
Chairman: Mike Curran

ACKNOWLEDGMENT
STATE OF UTAH)
COUNTY OF WEBER)
ON THIS 4th DAY OF June, 2002
PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF WEBER, IN SAID STATE OF UTAH, THE SIGNER OF THE ABOVE OWNER'S RESIGNATION, ONE (1) IN NUMBER, WHO DULY ACKNOWLEDGED TO ME HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

ACKNOWLEDGMENT (L.C.)
STATE OF UTAH)
COUNTY OF WEBER)
ON THE 17th DAY OF May, 2002, PERSONALLY APPEARED BEFORE ME, Kevin Gardner, who being by me duly sworn did say that he is a member of Wolf Creek Properties, L.P. and that said instrument was signed in behalf of said L.P. by a resolution of its members and Charles Gardner, L.P. acknowledged to me that said L.C. executed the same.
Kevin Gardner
NOTARY PUBLIC

WEBER COUNTY ATTORNEY
I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY INSURANCE APPLICABLE THEREIN AND WITH THE PUBLIC AND STREET.
SIGNED THIS 23rd DAY OF May, 2002
Annelle Newland

WEBER COUNTY ENGINEER
I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.
SIGNED THIS 6th DAY OF June, 2002
Curt Christensen

THIS 4th DAY OF June, 2002
Chairman: Mike Curran
TITLE: Dennis Robinson
ATTEST: Fatima Clifford

NOTARY PUBLIC
STATE OF UTAH)
COUNTY OF WEBER)
ON THIS 4th DAY OF June, 2002
PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF WEBER, IN SAID STATE OF UTAH, THE SIGNER OF THE ABOVE OWNER'S RESIGNATION, ONE (1) IN NUMBER, WHO DULY ACKNOWLEDGED TO ME HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

ACKNOWLEDGMENT (L.C.)
STATE OF UTAH)
COUNTY OF WEBER)
ON THE 17th DAY OF May, 2002, PERSONALLY APPEARED BEFORE ME, Kevin Gardner, who being by me duly sworn did say that he is a member of Wolf Creek Properties, L.P. and that said instrument was signed in behalf of said L.P. by a resolution of its members and Charles Gardner, L.P. acknowledged to me that said L.C. executed the same.
Kevin Gardner
NOTARY PUBLIC

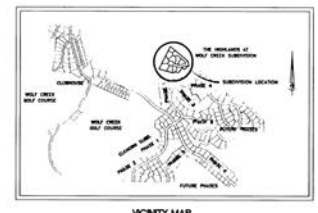
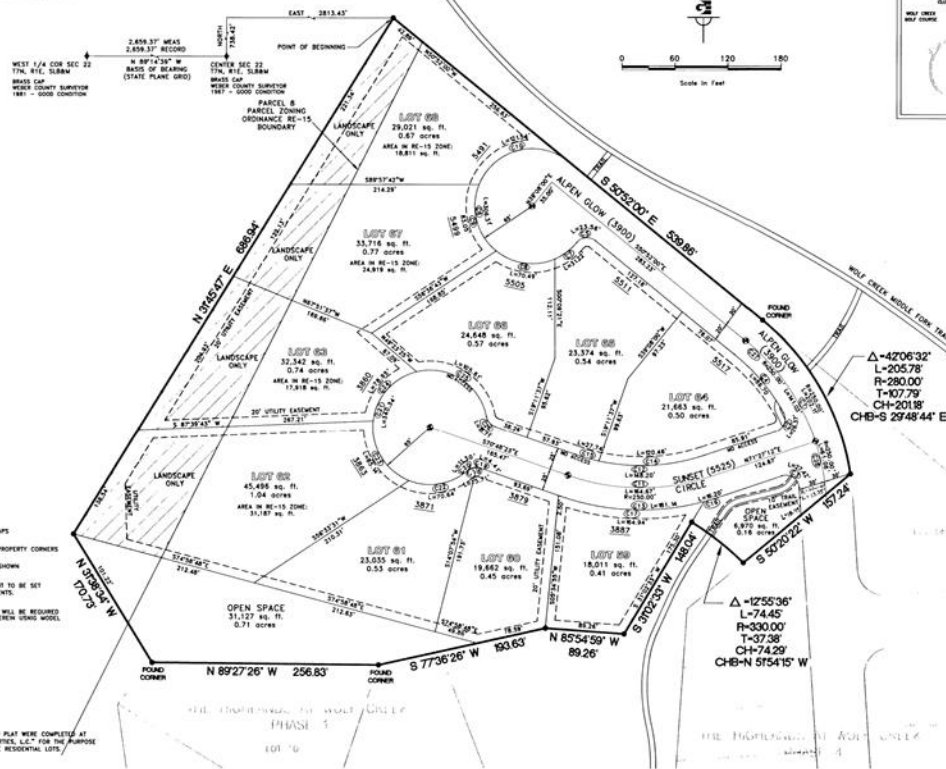
THE HIGHLANDS AT WOLF CREEK

PHASE 5

PART OF THE WEST 1/2 OF SECTION 23
T7N, R1E, S18&M, U.S. SURVEY

WEBER COUNTY, UTAH

FEBRUARY 2005



CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD
C1	200.111	250.000	106.965	48°19'18"	N42°42'32"W	195.65
C2	28.37	15.00	18.11	100°42'20"	N21°55'35"E	23.10
C3	27.41	15.00	18.48	106°43'32"	N06°10'51"W	23.78
C4	86.70	230.00	43.87	21°55'32"	S48°04'24"W	86.19
C5	23.56	15.00	15.00	90°00'00"	S48°08'00"W	21.21
C6	208.31	65.00	130.00	100°00'00"	S00°23'00"E	81.92
C7	31.22	65.00	15.92	27°31'11"	N52°33'25"E	30.92
C8	15.48	65.00	39.16	62°08'37"	S82°18'41"E	61.09
C9	83.05	65.00	48.28	77°32'17"	S14°38'24"E	77.51
C10	117.54	65.00	62.08	102°08'18"	S12°33'57"W	104.98
C11	144.47	250.00	85.43	37°44'24"	S89°40'20"E	141.71
C12	148.14	250.00	81.90	37°44'24"	S89°40'20"E	145.54
C13	148.14	250.00	81.90	37°44'24"	S89°40'20"E	145.54
C14	120.48	250.00	41.71	52°40'24"	S89°47'28"E	119.63
C15	27.4	225.00	13.81	70°55'21"	S07°40'18"E	27.72
C16	18.20	275.00	8.10	72°22'32"	N77°08'28"E	18.20
C17	184.44	275.00	85.08	54°21'58"	S82°59'18"E	181.48
C18	15.71	15.00	8.86	60°00'00"	S78°11'37"W	15.00
C19	4.81	15.00	10.90	100°00'00"	N78°13'47"W	4.81
C20	11.50	15.00	5.83	48°00'23"	S70°46'18"W	11.03
C21	346.14	65.00	27.53	307°00'00"	S17°11'37"W	65.00
C22	17.84	65.00	62.74	100°00'00"	N82°18'00"E	17.22
C23	35.54	65.00	49.92	70°32'50"	S13°00'32"E	79.18
C24	13.95	65.00	45.17	68°55'31"	S47°18'18"W	74.19
C25	120.81	65.00	68.61	87°55'31"	N57°21'09"W	84.37
C26	13.71	15.00	8.66	60°00'00"	S48°48'23"E	13.00
C27	141.63	250.00	72.45	32°19'18"	N42°42'24"W	139.18
C28	81.08	250.00	30.89	128°57'37"	N13°32'46"W	80.84

SURVEYOR'S CERTIFICATE

I, KEN E. GARDNER, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 154220, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE INFORMATION ON THIS PLAN WAS OBTAINED FROM A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW AND THAT THE REFERENCE MARKERS SHOWN ON THIS SUBDIVISION PLAN ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO REPRODUCE OR REESTABLISH THIS SURVEY. THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE BELOW DESCRIBED TRACT OF REAL PROPERTY AND OF EACH OF THE LOTS LOCATED ON SAID TRACT AND THIS SUBDIVISION PLAN COMPLETS WITH THE PROVISIONS OF THE CURRENT SUBDIVISION AND ZONING ORDINANCE REGULATIONS OF WEBER COUNTY.

BOUNDARY DESCRIPTION

PART OF THE NORTHWEST 1/4 OF SECTION 23, T7N, R1E, S18&M, BEGINNING AT A POINT BEING NORTH 338.42 FEET AND EAST 2813.43 FEET FROM THE CENTER OF SECTION 23, T7N, R1E, S18&M (BASIS OF BEARING: N 89°14'39" W FROM SAID CORNER TO THE WEST 1/4 CORNER OF SECTION 23), THENCE AS FOLLOWS:

COURSE:	THENCE:
S 50°23'00" E 538.86 FT.	TO THE WEST LINE OF THE HIGHLANDS AT WOLF CREEK PHASE 4
SUBDIVISION TO A TANGENT CURVE TO THE RIGHT, THENCE:	
SOUTH/EAST/ERLY 205.78 FT.	ALONG SAID CURVE TO A NON TANGENT LINE: (R=280.00, CH=42°08'22", T=107.79, CH=201.18, CHB=52°48'44")
S 50°23'00" W 157.24 FT.	TO THE NORTH LINE OF THE HIGHLANDS AT WOLF CREEK PHASE 1
SUBDIVISION TO A NON-TANGENT CURVE TO THE LEFT, THENCE:	
NORTH/WEST/ERLY 74.43 FT.	ALONG SAID CURVE TO A NON TANGENT LINE: (R=330.00, CH=17°59'24", T=32.38, CH=74.29, CHB=10°34'15")
	ALONG SAID HIGHLANDS SUBDIVISION PHASE 1 BOUNDARY, THENCE:
S 31°02'53" W 148.04 FT.	ALONG SAID HIGHLANDS SUBDIVISION PHASE 1 BOUNDARY, THENCE:
N 82°54'38" W 89.26 FT.	ALONG SAID HIGHLANDS SUBDIVISION PHASE 1 BOUNDARY, THENCE:
S 77°28'28" W 183.83 FT.	ALONG SAID HIGHLANDS SUBDIVISION PHASE 1 BOUNDARY, THENCE:
N 89°27'26" W 256.83 FT.	ALONG SAID HIGHLANDS SUBDIVISION PHASE 1 BOUNDARY, THENCE:
N 32°38'24" W 170.73 FT.	THENCE:
N 31°45'41" E 88.84 FT.	TO THE POINT OF BEGINNING.

CONTAINS 376,787 SQ. FT. / 8.650 ACRES

DATE _____ SIGNATURE _____ MAIL _____

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAN AND NAME SAID TRACT:

THE HIGHLANDS AT WOLF CREEK, PHASE 5

AND DO HEREBY DEDICATE, GRANT AND CONVEY TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THROUGHWAYS, AND DO HEREBY GRANT AND CONVEY TO THE SUBDIVISION LOT OWNERS ASSOCIATION, ALL RIGHTS PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS COMMON AREAS TO BE USED FOR RECREATIONAL AND OTHER PURPOSES OF THE SUBDIVISION AND GRANT AND DEDICATE TO WEBER COUNTY A PERFECTLY OPEN SPACE RIGHT EASEMENT ON AND OVER THE COMMON AREAS TO GUARANTEE TO WEBER COUNTY THAT THE COMMON AREAS REMAIN OPEN AND UNDEVELOPED EXCEPT FOR APPROVED RECREATIONAL, PARKING AND OTHER SPACE PURPOSES.

AND HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THIS PLAN AS PUBLIC UTILITY, STORM WATER DETENTION POND, DRAINAGE AND CANAL, MAINTENANCE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE UNLESS OTHERWISE SPECIFIED BY ANY AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BOUNDARIES OR STRUCTURES BEING ERECTED WITHIN SAID EASEMENTS.

SIGNED THIS 17th DAY OF March, 2005

[Signature]
KIMBERLY PROPERTIES, L.C.
STEVE ROBERTS
MANAGING MEMBER

Prepared By:



8973 S. ADAMS AVE.
PARKVIEW, UTAH 84050
DORRIS D. BAIRD
(801) 478-0500

COUNTY RECORDER

ENTRY NO. _____ FILE NO. _____
RECORDED 17 MAR 2005 AT _____
CLOCK IN BOOK #1 OF OFFICIAL RECORDS, PAGE 29.
Doris D. Baird
BY *[Signature]*
REC'D

NOTES

#1 REBAR AND YELLOW PLASTIC SURVEY CAPS (GARDNER ENG. IS 14170) TO BE SET AT ALL ROAD PROPERTY CORNERS. NAILS TO BE SET IN CURB AT ALL FRONT PROPERTY CORNERS.

#2 PUBLIC UTILITY EASEMENT TYPICAL AS SHOWN UNLESS OTHERWISE NOTED.

#3 LOCATION OF STREET SURVEY MONUMENT TO BE SET UPON COMPLETION OF ROAD IMPROVEMENTS.

#4 ALL ADJACENT BUILT WITHIN THIS SUBDIVISION WILL BE REQUIRED TO INCLUDE A FIRE SPRINKLING SYSTEM THEREIN UNDER MODEL 13-0 FIRE SCHEDULES.

NARRATIVE

THIS SURVEY AND SUBSEQUENT SUBDIVISION PLAN WERE COMPLETED AT THE REQUEST OF THE "WOLF CREEK PROPERTIES, L.L.C." FOR THE PURPOSE OF SUBDIVIDING THEIR PROPERTY TO CREATE RESIDENTIAL LOTS.

WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAN WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE 14th DAY OF March, 2005

[Signature]
CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAN AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THEREIN AND NOW IN FORCE AND EFFECT.

SIGNED THIS 17th DAY OF March, 2005

[Signature]

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAN FOR MATHEMATICAL CORRECTNESS, SECTION CORNER, AND FOR CONFORMANCE WITH LAWS AND ORDINANCES AS RECORDED IN COUNTY OFFICES. APPROVAL OF THIS PLAN BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LANDOWNER OR SURVEYOR WHO EXECUTED THIS PLAN FROM THE RESPONSIBILITIES AND OBLIGATIONS THEREOF.

SIGNED THIS 22nd DAY OF March, 2005

[Signature]
SURVEYOR

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

SIGNED THIS 22nd DAY OF March, 2005

[Signature]
ENGINEER

WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAN, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH

THIS 15th DAY OF March, 2005

[Signature]
CHAIRMAN, WEBER COUNTY COMMISSION

TITLE: Admin Assistant
ATTEST: *[Signature]*

ACKNOWLEDGMENT

STATE OF UTAH } SS
COUNTY OF WEBER }
ON THIS _____ DAY OF _____, 2005

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF WEBER, IN SAID STATE OF UTAH, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, ONE (1) IN NUMBER, WHO DULY ACKNOWLEDGED TO ME HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

ACKNOWLEDGMENT (L.C.)

STATE OF UTAH } SS
COUNTY OF WEBER }
ON THE 17th DAY OF March, 2005, PERSONALLY APPEARED BEFORE ME, THE SIGNER OF SAID L.C., BY A RESOLUTION OF ITS MEMBERS AND SAID MEMBERS ACKNOWLEDGED TO ME THAT SAID L.C. DECEASED THE SAID:

[Signature]
NOTARY PUBLIC

