

Burton, Steven

From: Lleverino, Felix
Sent: Thursday, January 19, 2017 10:26 AM
To: Burton, Steven
Subject: FW: [CAUTION] Plat revisions, engineering & surveying
Attachments: 3611 Roger Dutson amended plat_1-19-2017.pdf

From: Ernest D Rowley, PLS, CFedS [mailto:ernest@landmarksurveyutah.com]
Sent: Thursday, January 19, 2017 10:06 AM
To: Lleverino, Felix
Cc: 'R Dutson'
Subject: [CAUTION] Plat revisions, engineering & surveying

Attached is the revised plat per the comments from the referenced agencies. See responses below.

SURVEYING COMMENTS:

1. Ordinance Entry number? Leave a blank line for entry number at recording.
RESPONSE: This is an interesting comment in that on the Willowood plat I had included a blank line for the recording information of an easement that was part of that plat and surveying commented that you do not accept plats with "blank lines" on them so I had left the blank off of the plat. However, I have now added it to the plat.
2. Boxed the 33 foot distance on the right of way of old snowbasin road.
RESPONSE: I have corrected the dimension.
3. Are all measurements record over record?
RESPONSE: See plat note 3 which describes what the information is. The record ties are being included on this plat only for supplemental purposes to make it clear to a retracing surveyor that the new plat is in the same location as the original plats.
4. Existing public utility easements.
RESPONSE: See engineering comment number 1.
5. The existing location, widths, and other dimensions of all existing or platted easements within and immediately adjacent (within 30') to the tract to be subdivided. WCO 106-1-5(a)(6).
RESPONSE: An examination of the title report shows that there are no easements of record that need to be enumerated on the plat. The only existing easement on "adjacent properties" that I have seen to date is the one on the Hesselgesser plat and that I have shown.
However, you know as well as I do that the title company does not search adjacent properties for encumbrances because adjacent properties have no bearing on the tract being insured or presented in a report. If it is the intention of the county to require such to be shown on the plat then the requirements of the title report should reflect such (meaning the title company should be required to search adjacent properties) and the title company produce a report that meets the requirements of the ordinance. It is not in the surveyor's duty to research the title of the properties when reports of such are required in the process of plat approval. So if you know of easements on adjacent properties that I have not shown please let me know.
Along with this note is another stating, "30' PUE & ROW" with an arrow to the right of way of snowbasin road. Again, these types of items are outside of the plat boundaries as described and have no bearing on the subject property. Nevertheless, it has been shown.
6. Notice must be recorded by planning, stating this sub creates a non conforming lot.
RESPONSE: There is no action on my part or the part of the owner/developer to respond to this comment.
7. A box in the boundary description where a degree symbol should be.
RESPONSE: This have been corrected.

ENGINEERING COMMENTS:

1. On the original plat there were PUE's along these property lines. If they will be removed I believe there is a process for doing so that would require letters from all the utility companies stating that the PUE is not needed

and ok to be vacated. Our Dept. does not have any issues with them being removed, as long as the other utility companies are good with it.

RESPONSES: The easements have been added as requested.

However, just a comment related to this issue. In cases such as this where there are no utilities installed in these easements of either a public or private nature and the fact that the utility companies do not sign the plats as an approving agency (for that matter they don't even see the plat during the review process to even comment on the adequacy of easements), I see no reason that the governing body (county commission) should not be able to approve a vacating of that type of easement.

- 2. Should probably show the existing structures. On a separate plan if needed.

RESPONSE: The county ordinance only requires structures "within 30' " of the boundary to be shown. As previously indicated in other communications, there are no structures within this 30 foot area. However, I have included outlines of the existing house and other structures from aerial photography.

- 3. On the original plat there was a build-able area. This either needs to be shown or contours need to be placed on a plat to determine it if will be an R-Lot or not.

RESPONSE: The area has been digitized from the original plat.

- 4. I believe if this subdivision will include a portion of the neighboring lot then that lot will need to be included in the subdivision. I will let Planning make that call.

RESPONSE: From my past experience with the county such a requirement has never been made in circumstances of this nature. In fact, in several situations (which I can provide if needed) planning has suggested that parcels be reconfigured by deed so that remainders and other parcels were not needed to be part of the process. This is the same situation. It has also been a long standing policy of the county to only require the lot (Hesselgesser in this case) to do an amended plat when they apply for a building permit.

Respectfully,

Ernest D. Rowley, PLS, CFedS

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