

Santaquin City Resolution 01-05-2014

A RESOLUTION ACCEPTING THE DEDICATION OF LAND ADJACENT TO ORCHARD COVE PARK

WHEREAS, During the Orchard Cove Park Expansion Project of 2012-2013, a portion of the fence and landscaping installed by the General Contractor of the project created an encroachment of 286 square feet on the neighboring residential parcels to the west within the Orchards Plat F-1 development; and

WHEREAS, The Developer of the Orchards Plat F-1 and the General Contractor of the city's Orchard Cove Park Expansion Project of 2012-2013 are, in fact, the same individual; Mr. Brigham Ashton of BMA Construction; and

WHEREAS, The proposed remedy to resolve this encroachment is a boundary line adjustment that would dedicated approximately 286 square feet to Santaquin City;

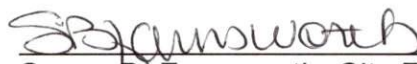
NOW THEREFORE, be it resolved by the City Council of Santaquin City to authorize the Mayor of Santaquin to execute all documents necessary to execute the acceptance of the proposed boundary line adjustment and dedication of land adjacent to Orchard Cove Park.

ADOPTED AND PASSED by the City Council of Santaquin City, Utah, this 15th day of January, 2014.

SANTAQUIN CITY


Kirk F. Hunsaker, Mayor

Attest


Susan B. Farnsworth, City Recorder





MEMORANDUM

November 16, 2007

To: Mayor Hunsaker and City Council
From: Dennis Marker, Community Development Director
RE: Boundary Line Adjustment of Orchard Cove Park

This request is to resolve an encroachment issue between Santaquin City and a property owner near the recently expanded Orchard Cove Park (See the pdf documents titled LLA_Sheet1, LLA_Sheet2, and LLA_Sheet3 in the dropbox).

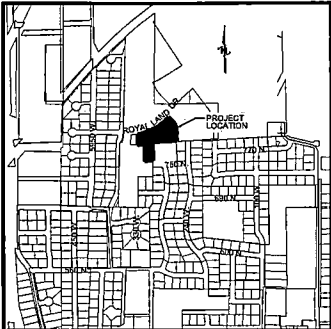
A portion of the fence and landscaping installed with the Orchard Cove Park expansion in 2012-13 was installed on the adjacent residential lot. This created an encroachment on 286 square feet. The affected lot is part of the Orchards Plat F-1 development, which was developed by Mr. Brigham Ashton. Mr. Ashton is offering to adjust the lot boundary such that he would deed the encroached upon property to the City for no price.

All documents to effect the transaction have been prepared by JUB Engineers, Inc. and need Mr. Ashton's signature and the Mayor's signature.

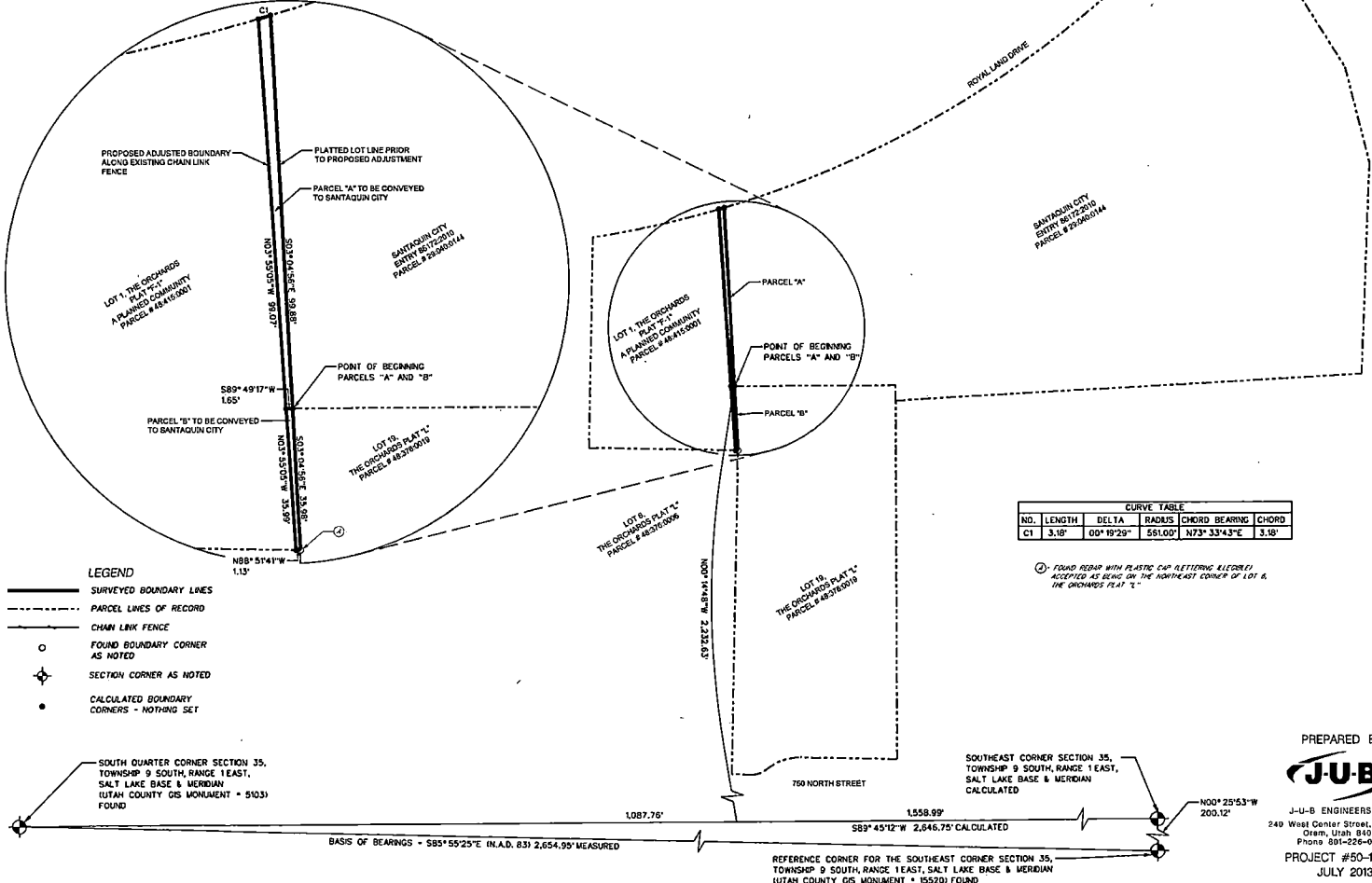
Recommendation:

Staff recommends the City Council authorize the mayor to sign the appropriate documents to complete the transfer of 286 square feet of property from Orchard Cove Santaquin LLC to Santaquin City.

RECORD OF SURVEY AND LOT LINE ADJUSTMENT MAP FOR
**SANTAQUIN CITY PARCEL 29:040:0144 &
 LOT 1, THE ORCHARDS PLAT "F-1" A PLANNED COMMUNITY &
 LOT 19, THE ORCHARDS PLAT "L"**
 SITUATE IN THE SOUTHEAST QUARTER OF SECTION 35,
 TOWNSHIP 9 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
 UTAH COUNTY, UTAH



VICINITY MAP - N.T.S.



CURVE TABLE					
NO.	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD
C1	3.18'	00° 19' 29"	561.00'	N73° 33' 43"E	3.18'

① FOUND CORNER WITH PLASTIC CAP BEARING ELEGRETT ACCEPTED AS BEING ON THE NORTHEAST CORNER OF LOT 1, THE ORCHARDS PLAT "L"

SURVEYOR'S CERTIFICATE
 I, JASON D. WILLES, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 376087 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1993 AS AMENDED. I FURTHER CERTIFY THAT AT THE REQUEST OF THE OWNERS, A SURVEY HAS BEEN MADE UNDER MY DIRECTION OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW. I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1993 AS AMENDED. I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON. I HEREBY STATE THAT THIS RECORD OF SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

 JASON D. WILLES, PLS DATE

PARCEL "A" & PARCEL "B" BOUNDARY DESCRIPTIONS
 SEE SHEET 3

NARRATIVE
 PURPOSE: THE PURPOSE OF THIS SURVEY WAS TO LOCATE AN EXISTING CHAIN LINK FENCE THAT LIES BETWEEN LOT 1, THE ORCHARDS PLAT "F-1", A PLANNED COMMUNITY AND THAT CERTAIN SANTAQUIN CITY PARCEL RECORDED AS ENTRY 861722010. THE FENCE LINE ALSO LIES BETWEEN SAID LOT 1 AND LOT 19, THE ORCHARDS PLAT "L". THE FENCE WAS NOT CONSTRUCTED ON THE PLATTED EAST BOUNDARY LINE OF LOT 1 SO AT THE REQUEST OF SANTAQUIN CITY AND THE OWNER OF SAID LOT 1, DESCRIPTIONS WERE PREPARED FOR THE PURPOSE OF CONVEYING PROPERTY FROM LOT 1 TO SANTAQUIN CITY AND FOR THE PURPOSE OF EXECUTING A LOT LINE ADJUSTMENT PURSUANT TO THE PROVISIONS OF TITLE 10, CHAPTER 9a, SECTION 608, UTAH CODE ANNOTATED, 1993 AS AMENDED. THE INTENT OF ALL PARTIES IS TO ADJUST THE COMMON BOUNDARY BETWEEN THE PROPERTIES TO RUN ALONG THE CHAIN LINK FENCE.

PROCEDURE: THE PLATS AND DEEDS OF RECORD FOR THE SUBJECT AND SURROUNDING PARCELS WERE OBTAINED AND PLOTTED ACCORDING TO THE MATHEMATICAL INSTRUCTIONS CONTAINED THEREIN.

A FIELD SURVEY WAS PERFORMED USING GPS EQUIPMENT TO LOCATE EXISTING PROPERTY CORNERS, FENCE LINES AND OTHER EVIDENCE OF BOUNDARY LINES. THE FIELD WORK WAS CONDUCTED USING A BEARING OF SOUTH 85°52'27" EAST ALONG THE LINE BETWEEN THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND THE REFERENCE CORNER FOR THE SOUTHEAST CORNER OF SAID SECTION.

RESULTS: SEVERAL ORIGINAL PROPERTY CORNER MONUMENTS AND REFERENCE MARKERS WERE LOCATED THROUGHOUT THE ADJACENT SUBDIVISIONS AND NOT JUST IN THE LOCAL AREA IMMEDIATELY SURROUNDING THE CHAIN LINK FENCE LINE. THEIR POSITIONS WERE FOUND TO CORRESPOND VERY WELL WITH PLAT DIMENSIONS OF RECORD. THOSE MONUMENTS FOUND IN THE VICINITY OF THE SUBJECT FENCE LINE ARE SHOWN HEREON. EXISTING LINES OF OCCUPATION AND OTHER IMPROVEMENTS ALSO COINCIDE VERY NEARLY WITH THE PLATTED LOT LINES.

BOUNDARY DESCRIPTIONS WERE PREPARED FOR PARCELS "A" AND "B" WHICH DESCRIBE THE AREA THAT LIES BETWEEN THE CHAIN LINK FENCE AND THE PLATTED LOT LINES OF RECORD. THE INTENT IS TO CONVEY SAID PARCELS FROM LOT 1 TO SANTAQUIN CITY, SHEET 1 DEPICTS THE DIMENSIONS OF SAID PARCELS, SHEET 2 DEPICTS THE POST-ADJUSTMENT DIMENSIONS OF THE PROPERTIES. THE BOUNDARY DESCRIPTIONS PREPARED FOR THIS SURVEY ARE SHOWN ON SHEET 3.

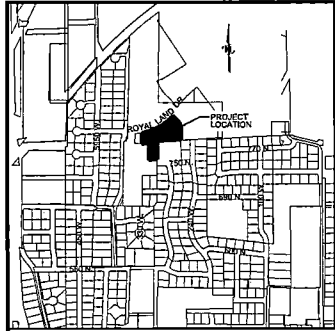
NO MONUMENTS WERE PLACED TO MARK ANY OF THE BOUNDARY CORNERS SHOWN HEREON.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RECORDED OR UNRECORDED PUBLIC UTILITY, ACCESS OR OTHER EASEMENTS, IF ANY, WHICH HAVE BEEN ESTABLISHED AND NOW MAY EXIST BY OPERATION OF LAW, BUILDING SETBACK LINES OR LIMITS, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, PERMITTING ISSUES, ZONING, WATER RIGHTS OR OTHER LAND USE REGULATIONS, AND ANY OTHER FACTS THAT A CURRENT TITLE COMMITMENT AND REPORT MAY DISCLOSE.

THERE MAY EXIST OTHER EVIDENCE, MONUMENTATION AND DOCUMENTS THAT COULD AFFECT THIS SURVEY. ANY NEW EVIDENCE, MONUMENTATION OR DOCUMENTS THAT CONTRADICT THE LOCATION OF THE BOUNDARIES SHOWN AND DESCRIBED HEREON SHOULD BE PROVIDED TO THE SURVEYOR FOR REVIEW AND CONSIDERATION.

PREPARED BY
JUB
 J-U-B ENGINEERS, INC.
 240 West Center Street, Suite 200
 Orem, Utah 84057
 Phone 801-226-0393
 PROJECT #50-12-011
 JULY 2013

RECORD OF SURVEY AND LOT LINE ADJUSTMENT MAP FOR
**SANTAQUIN CITY PARCEL 29:040:0144 &
 LOT 1, THE ORCHARDS PLAT "F-1" A PLANNED COMMUNITY &
 LOT 19, THE ORCHARDS PLAT "L"**
 SITUATE IN THE SOUTHEAST QUARTER OF SECTION 35,
 TOWNSHIP 9 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
 UTAH COUNTY, UTAH
 SCALE 1" = 30'
 SHEET 1 OF 3

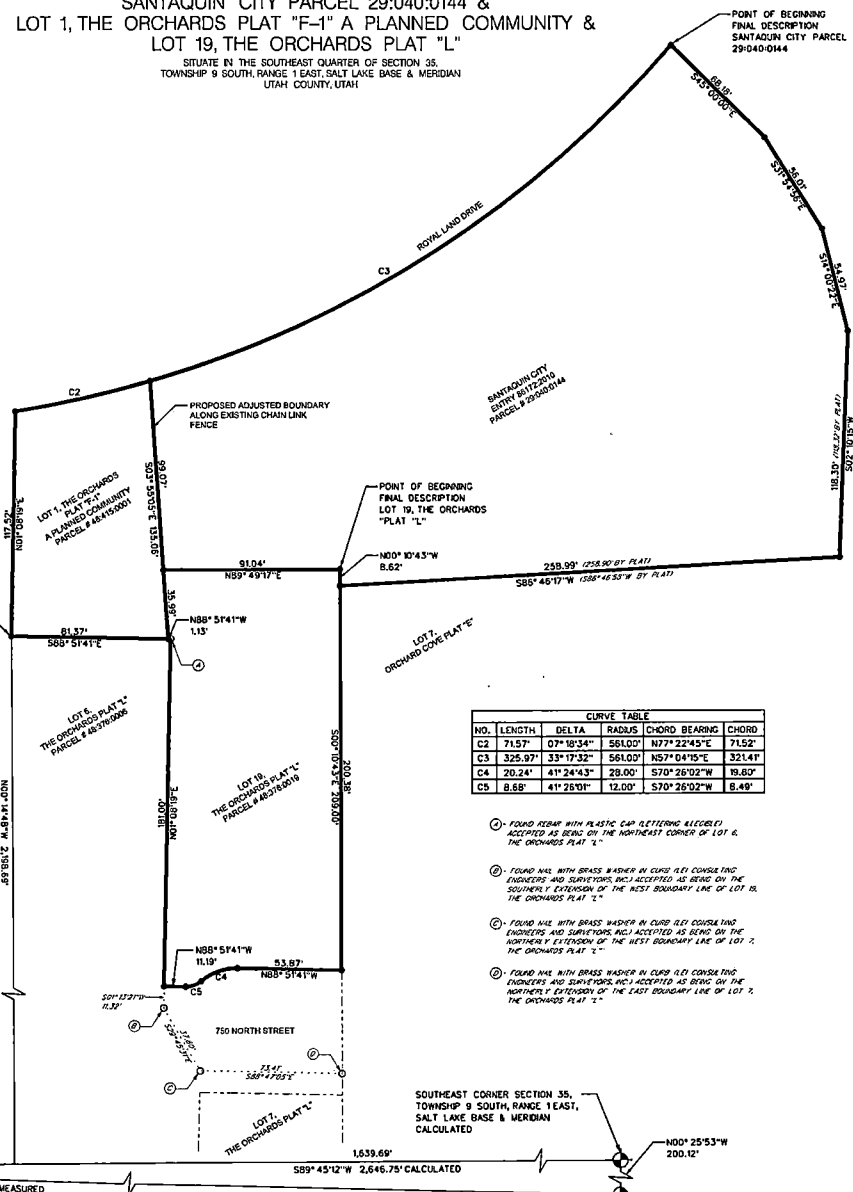
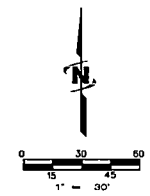


VICINITY MAP - N.T.S.

RECORD OF SURVEY AND LOT LINE ADJUSTMENT MAP FOR
**SANTAQUIN CITY PARCEL 29:040:0144 &
 LOT 1, THE ORCHARDS PLAT "F-1" A PLANNED COMMUNITY &
 LOT 19, THE ORCHARDS PLAT "L"**
 SITUATE IN THE SOUTHEAST QUARTER OF SECTION 35,
 TOWNSHIP 9 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
 UTAH COUNTY, UTAH

FINAL BOUNDARY DESCRIPTIONS

SEE SHEET 3



CURVE TABLE					
NO.	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD
C2	71.57'	07°10'34"	561.00'	N77°22'45"E	71.52'
C3	325.97'	33°17'32"	561.00'	N57°04'15"E	321.41'
C4	20.24'	41°24'43"	28.00'	S70°26'02"W	19.80'
C5	8.88'	41°28'01"	12.00'	S70°26'02"W	8.49'

- ① FOUND REBAR WITH PLASTIC CAP (LETTERING ILLEGIBLE) ACCEPTED AS BEING ON THE NORTHEAST CORNER OF LOT 6, THE ORCHARDS PLAT "L".
- ② FOUND NAIL WITH BRASS WADDER IN CURB (LET COURSE TWO ENGINEERS AND SURVEYORS, INC.) ACCEPTED AS BEING ON THE SOUTHWEST EXTENSION OF THE WEST BOUNDARY LINE OF LOT 19, THE ORCHARDS PLAT "L".
- ③ FOUND NAIL WITH BRASS WADDER IN CURB (LET COURSE TWO ENGINEERS AND SURVEYORS, INC.) ACCEPTED AS BEING ON THE NORTHERN EXTENSION OF THE WEST BOUNDARY LINE OF LOT 7, THE ORCHARDS PLAT "L".
- ④ FOUND NAIL WITH BRASS WADDER IN CURB (LET COURSE TWO ENGINEERS AND SURVEYORS, INC.) ACCEPTED AS BEING ON THE NORTHERN EXTENSION OF THE EAST BOUNDARY LINE OF LOT 7, THE ORCHARDS PLAT "L".

- LEGEND**
- SURVEYED BOUNDARY LINES
 - - - - - PARCEL LINES OF RECORD
 - - - - - CHAIN LINK FENCE
 - FOUND BOUNDARY CORNERS OR REFERENCE MARKERS AS NOTED
 - ◆ SECTION CORNER AS NOTED
 - CALCULATED BOUNDARY CORNERS - NOTHING SET

SOUTH QUARTER CORNER SECTION 35,
 TOWNSHIP 9 SOUTH, RANGE 1 EAST,
 SALT LAKE BASE & MERIDIAN
 (UTAH COUNTY GIS MONUMENT # 5103)
 FOUND

SOUTHEAST CORNER SECTION 35,
 TOWNSHIP 9 SOUTH, RANGE 1 EAST,
 SALT LAKE BASE & MERIDIAN
 CALCULATED

REFERENCE CORNER FOR THE SOUTHEAST CORNER SECTION 35,
 TOWNSHIP 9 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
 (UTAH COUNTY GIS MONUMENT # 15520) FOUND

PREPARED BY
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RECORD OF SURVEY AND LOT LINE ADJUSTMENT MAP FOR
**SANTAQUIN CITY PARCEL 29:040:0144 &
 LOT 1, THE ORCHARDS PLAT "F-1" A PLANNED COMMUNITY &
 LOT 19, THE ORCHARDS PLAT "L"**

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 35,
 TOWNSHIP 9 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
 UTAH COUNTY, UTAH

LOT 1, THE ORCHARDS PLAT "F-1" A PLANNED COMMUNITY DESCRIPTIONS

EXISTING LOT 1 DESCRIPTION

All of Lot 1, The Orchards Plat "F-1" a Planned Community as shown on the official plat thereof on file at the office of the Utah County Recorder.

The above described parcel of land contains 0,787 square feet or 0.224 acre in area, more or less.

PROPOSED PARCEL "A" DESCRIPTION (TO BE EXCLUDED FROM EXISTING LOT 1 AND CONVEYED TO SANTAQUIN CITY)

A parcel of land abuts in The Orchards Plat "F-1", A Planned Community, which parcel is also abuts in the NW1/4SE1/4 of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is North 89°45'12" East 1,087.76 feet along the section line and North 00°14'48" West 2,232.83 feet from the South Quarter Corner of said Section 35 (Basis of bearings: The line between the South Quarter Corner of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian and the reference corner for the Southeast Corner of said section bears South 85°55'25" East; thence South 03°04'58" West 1.65 feet along the westerly projection of the north boundary of Lot 19, The Orchards Plat "F-1", A Planned Community, to a chain link fence; thence North 03°55'05" West 99.07 feet along said chain link fence and the northerly projection thereof to a point of non-tangent curvature on the southeasterly right-of-way of Royal Land Drive; thence following said right-of-way easterly 3.18 feet along the arc of a 591.00 foot radius curve to the left, through a central angle of 00°19'20", the chord of which bears North 73°33'43" East 3.18 feet to a point of non-tangency; thence South 03°04'58" East 99.88 feet to the point of beginning.

The above described parcel of land contains 236 square feet in area, more or less.

PROPOSED PARCEL "B" DESCRIPTION (TO BE EXCLUDED FROM EXISTING LOT 1 AND CONVEYED TO SANTAQUIN CITY)

A parcel of land abuts in The Orchards Plat "F-1", A Planned Community, which parcel is also abuts in the NW1/4SE1/4 of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is North 89°45'12" East 1,087.76 feet along the section line and North 00°14'48" West 2,232.83 feet from the South Quarter Corner of said Section 35 (Basis of bearings: The line between the South Quarter Corner of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian and the reference corner for the Southeast Corner of said section bears South 85°55'25" East; thence South 03°04'58" West 1.65 feet to the south boundary of Lot 1, The Orchards Plat "F-1", A Planned Community; thence North 88°51'14" West 1.13 feet along said boundary to a chain link fence; thence North 03°55'05" West 35.89 feet along said chain link fence to the westerly projection of the north boundary of Lot 19, The Orchards Plat "L"; thence North 89°49'17" East 1.65 feet along said westerly projection to the point of beginning.

The above described parcel of land contains 50 square feet in area, more or less.

PROPOSED FINAL DESCRIPTION (LOT 1 LESS PARCELS "A" & "B")

A parcel of land abuts in The Orchards Plat "F-1", A Planned Community, which parcel is also abuts in the NW1/4SE1/4 of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at the southwest corner of Lot 1, The Orchards Plat "F-1", A Planned Community, which corner is North 89°45'12" East 1,087.06 feet along the section line and North 00°14'48" West 1,958.69 feet from the South Quarter Corner of said Section 35 (Basis of bearings: The line between the South Quarter Corner of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian and the reference corner for the Southeast Corner of said section bears South 85°55'25" East; thence North 01°02'18" East 117.52 feet along the west boundary of said Lot 1 to the northwest corner thereof; thence following the northerly boundary of said Lot 1 easterly 71.57 feet along the arc of a 561.00 foot radius non-tangent curve to the left, through a central angle of 00°19'34", the chord of which bears North 77°22'49" East 71.52 feet to a point of non-tangency on the northerly projection of a chain link fence; thence South 03°55'05" East 155.06 feet along said chain link fence and the northerly projection thereof to the south boundary of said Lot 1; thence North 88°51'14" West 81.37 feet along said boundary to the point of beginning.

The above described parcel of land contains 9,501 square feet or 0.216 acre in area, more or less.

LOT 19, THE ORCHARDS PLAT "L" DESCRIPTIONS

EXISTING LOT 19 DESCRIPTION

All of Lot 19, The Orchards Plat "L" as shown on the official plat thereof on file at the office of the Utah County Recorder.

The above described parcel of land contains 19,806 square feet or 0.452 acre in area, more or less.

PROPOSED PARCEL "B" DESCRIPTION (TO BE ADDED TO EXISTING LOT 19)

A parcel of land abuts in The Orchards Plat "F-1", A Planned Community, which parcel is also abuts in the NW1/4SE1/4 of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is North 89°45'12" East 1,057.76 feet along the section line and North 00°14'48" West 2,232.83 feet from the South Quarter Corner of said Section 35 (Basis of bearings: The line between the South Quarter Corner of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian and the reference corner for the Southeast Corner of said section bears South 85°55'25" East; thence South 03°04'58" West 35.88 feet to the south boundary of Lot 1, The Orchards Plat "F-1", A Planned Community; thence North 88°51'14" West 1.13 feet along said boundary to a chain link fence; thence North 03°55'05" West 35.89 feet along said chain link fence to the westerly projection of the north boundary of Lot 19, The Orchards Plat "L"; thence North 89°49'17" East 1.65 feet along said westerly projection to the point of beginning.

The above described parcel of land contains 50 square feet in area, more or less.

PROPOSED FINAL DESCRIPTION (LOT 19 INCLUDING PARCEL "B")

A parcel of land abuts in The Orchards Plat "L", which parcel is also abuts in the NW1/4SE1/4 of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at the northeast corner of Lot 19, The Orchards Plat "L", which corner is North 89°45'12" East 1,177.15 feet along the section line and North 00°14'48" West 2,232.83 feet from the South Quarter Corner of said Section 35 (Basis of bearings: The line between the South Quarter Corner of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian and the reference corner for the Southeast Corner of said section bears South 85°55'25" East; thence South 00°10'43" East 209.00 feet along the east boundary of said Lot 19 to the southeast corner thereof; thence the following five (5) courses which are along the boundaries of said Lot 19: (1) North 88°51'14" West 53.87 feet to a point of curvature; (2) westerly 23.24 feet along the arc of a 28.00 foot radius curve to the left, through a central angle of 41°24'43", the chord of which bears South 70°28'02" West 19.80 feet to a point of reverse curvature; (3) westerly 8.69 feet along the arc of a 12.00 foot radius curve to the right, through a central angle of 41°26'01", the chord of which bears South 70°25'02" West 6.49 feet; (4) North 88°51'14" West 11.19 feet; (5) North 81°09'16" East 18.50 feet to the northeast corner of Lot 6, The Orchards Plat "L"; thence North 88°51'14" West 1.13 feet along the north boundary of said Lot 6 to a chain link fence; thence North 03°55'05" West 35.89 feet along said chain link fence to the westerly projection of the north boundary of said Lot 19, The Orchards Plat "L"; thence North 89°49'17" East 91.04 feet along said north boundary and the westerly projection thereof to the point of beginning.

The above described parcel of land contains 18,858 square feet or 0.432 acre in area, more or less.

SANTAQUIN CITY PARCEL 29:040:0144 DESCRIPTIONS

EXISTING TRACT DESCRIPTION (ENTRY 86122-200)

Being that land situated in Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, City of Santaquin, County of Utah, State of Utah, and being more particularly described as follows:

Commencing at the East Quarter Corner of said Section 35 and proceeding WEST 129,859 feet; thence SOUTH 185.03 feet to the point of beginning; proceeding thence along said east line East 45°00'02" East for a distance of 68.18 feet; thence South 31°54'58" East for a distance of 56.01 feet; thence South 14°00'22" East for a distance of 54.87 feet; thence South 02°10'15" West for a distance of 47.89 feet; thence North 02°10'15" West for a distance of 70.43 feet; thence South 86°46'28" West for a distance of 258.89 feet; thence North 00°10'43" West for a distance of 8.67 feet; thence South 89°49'17" West for a distance of 83.39 feet; thence North 03°04'58" West for a distance of 99.88 feet; thence to a non-tangent curve; thence, from a long chord that bears North 56°54'30" East a distance of 318.86 feet, along a curve to the left, having a radius of 661.00 feet, through a central angle of 32°08'03.85", an arc length of 322.70 feet to the point of beginning.

PROPOSED PARCEL "A" DESCRIPTION (TO BE ADDED TO EXISTING SANTAQUIN CITY PARCEL 29:040:0144)

A parcel of land abuts in The Orchards Plat "F-1", A Planned Community, which parcel is also abuts in the NW1/4SE1/4 of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is North 89°45'12" East 1,087.76 feet along the section line and North 00°14'48" West 2,232.83 feet from the South Quarter Corner of said Section 35 (Basis of bearings: The line between the South Quarter Corner of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian and the reference corner for the Southeast Corner of said section bears South 85°55'25" East; thence South 89°49'17" West 1.65 feet along the westerly projection of the north boundary of Lot 19, The Orchards Plat "F-1", A Planned Community, to a chain link fence; thence North 03°55'05" West 99.07 feet along said chain link fence and the northerly projection thereof to a point of non-tangent curvature on the southeasterly right-of-way of Royal Land Drive; thence following said right-of-way easterly 3.18 feet along the arc of a 561.00 foot radius curve to the left, through a central angle of 00°19'20", the chord of which bears North 73°33'43" East 3.18 feet to a point of non-tangency; thence South 03°04'58" East 99.88 feet to the point of beginning.

The above described parcel of land contains 236 square feet in area, more or less.

PROPOSED FINAL DESCRIPTION (SANTAQUIN PARCEL 29:040:0144 INCLUDING PARCEL "A")

A parcel of land abuts in the NW1/4SE1/4 and the NE1/4SE1/4 of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at the northwest corner of Lot 23, The Orchards Plat "F-1", A Planned Community, which point is North 89°45'12" East 1,350.28 feet along the section line and North 00°14'48" West 2,505.05 feet from the South Quarter Corner of said Section 35 (Basis of bearings: The line between the South Quarter Corner of Section 35, Township 9 South, Range 1 East, Salt Lake Base and Meridian and the reference corner for the Southeast Corner of said section bears South 85°55'25" East; thence the following four (4) courses which are along the westerly boundary of The Orchards Plat "F-1", A Planned Community: (1) South 45°00'02" East 68.18 feet; (2) South 31°54'58" East 56.01 feet; (3) South 14°00'22" East 54.87 feet; (4) South 02°10'15" West 118.32 feet; thence along the north boundary of Orchard Cove Plat "E"; thence South 89°49'17" West 258.89 (South 85°46'58" West 258.89 by plug) to the east boundary of Lot 19, The Orchards Plat "L"; thence North 00°10'43" West 6.62 feet along said east boundary to the northeast corner thereof; thence South 89°49'17" West 91.04 feet along the north boundary of said Lot 19 and the westerly projection thereof to a chain link fence; thence North 03°55'05" West 99.07 feet along said chain link fence and the northerly projection thereof to a point of non-tangent curvature on the southeasterly right-of-way of Royal Land Drive; thence following said right-of-way northeasterly 325.97 feet along the arc of a 561.00 foot radius curve to the left, through a central angle of 33°17'32", the chord of which bears North 57°04'16" East 321.41 feet to the point of beginning.

The above described parcel of land contains 64,305 square feet or 1.487 acre in area, more or less.

PREPARED BY



JUB ENGINEERS, INC.
240 West Center Street, Suite 200
Orem, Utah 84057
Phone 801-226-0393
PROJECT #50-12-011
JULY 2013

RECORD OF SURVEY AND LOT LINE ADJUSTMENT MAP FOR

SANTAQUIN CITY PARCEL 29:040:0144 &
LOT 1, THE ORCHARDS PLAT "F-1"
&
LOT 19, THE ORCHARDS PLAT "L"

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 35,
TOWNSHIP 9 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
UTAH COUNTY, UTAH



MEMORANDUM

November 16, 2007

To: Mayor Hunsaker and City Council
From: Dennis Marker, Community Development Director
RE: Arrington Request to pay Money in Lieu of Water

On December 18, 2013, Adam Arrington, of Arrington Custom Homes, submitted a request for the City Council to consider allowing him to pay money in lieu of providing water for a development he is considering. His potential development is located at 600 North 400 East and includes 13.78 acres. The property was annexed in 2004 with the Stratton Santaquin Addition annexation. No concept plan for the development has been submitted for review but the property is zoned R-10.

A Development agreement is in place on this property, which requires compliance with the City's water dedication requirements as found in City Code 8-1-10. This section requires "a minimum of 3 acre feet of diversion rights per acre in its undeveloped state", and also gives the City discretion to "accept the cash equivalent in value of the cost of water rights and/or shares required to be dedicated". For the potential development area, a total of 41.34 acre feet must be dedicated.

To ascertain current value of water rights in the area, a survey of three water brokers in Utah County was performed. Two brokers suggested an acre foot price around \$3,200 and the third recommended a price of \$3,500 per acre foot. If the City used the lower value of \$3,200 per acre foot, Mr. Arrington would need to pay \$132,288 in lieu of providing water.

Recommendation:

Staff recommends the City Council grant the petition of Mr. Arrington to provide money in lieu of water based on the following findings and subject to the following conditions.

Findings

1. Development on the subject property must provide at least 3 acre feet of water per acre or approximately 41.34 acre feet.
2. Santaquin City Code, Section 8-1-10.B. allows the City to accept money in lieu of water rights required for development.
3. A survey of water brokers indicates the value per acre foot to be between \$3,200 and \$3,500.

Conditions

1. **The amount of money in lieu of 41.34 acre feet of water to be paid to the City shall be \$132,288, or \$3,200 per acre within the development.**

042:0051
NTAQUIN ORCHARDS GROUP LLC

ue. \$1,025,640 -- 56.98 acres

