



## **PLANNING COMMISSION MEETING STAFF REPORT**

**DATE OF MEETING:** April 11, 2023

**NAME OF PROJECT:** The Reserve at Midway Phase 1

**NAME OF APPLICANT:** Russell Watts & Jack Zenger

**AUTHORIZED REPRESENTATIVE:** Bryan Mickelson

**AGENDA ITEM:** Plat Amendment of Lot 30 and Common Area

**LOCATION:** 8 East Altamount Drive

**ZONING DESIGNATION:** RA-1-43 zone

### **ITEM: 2**

Bryan Mickelson, agent for Russ Watts and Jack Zenger, is requesting a Plat Amendment of lot 30 and Common Area D of Phase 1 of The Reserve at Midway Subdivision. The proposal would adjust the boundary line between lot 30 and common area D. The property is in the RA-1-43 zone.

### **BACKGROUND:**

Russ Watts and Jack Zenger are proposing a plat amendment to The Reserve at Midway Phase 1 plat. The proposed amendment would adjust the lot boundary between Lot 30 and Common Area D. Lot 30 is owned by Zenger Malmrose Family LLC (Jack Zenger) and Common Area D is owned by The Reserve at Midway Homeowners' Association, of which Russell Watts is the president. The boundary line adjustment would remove 0.14 acres of ground from Lot 30 and add the acreage to Common Area D. The acreage of Lot 30 would reduce from 3.87 acres to 3.73 acres. The acreage of Common Area D would increase from 7.73 acres to 7.87 acres.

The applicant has stated the reason for the plat amendment as the following: “The reason for this plat amendment is to adjust the boundary line between lot 30 and Common Area D”.

The proposed amendment will not violate any of the City’s land use laws. Lot 30 will continue to comply with the frontage, acreage, width requirements. Common Area D will increase in size and will continue to comply with the required open space acreage requirements.

## **ANALYSIS:**

A plat amendment is a legislative item and City Council is not obligated to allow any changes even if they feel that the applicant met the requirements of the Code. Subsection 9a-608(5)(a) states “a land use authority may consider at a public meeting an owner’s petition to vacate or amend a subdivision plat if the petition seeks to:

- (iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;

With that being said, a lot line adjustment is an administrative action, according to state law, as long as both properties comply with the land use ordinance. Utah law states that “owners of record of adjacent parcels...may exchange title to portions of those parcels if the exchange of title is approved by the land use authority in accordance with Subsection (5)(b). Utah Code 10-9a-608(5)(a). Subsection (5)(b) states that “the land use authority shall approve an exchange of title under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance.”

## **PROPOSED FINDINGS:**

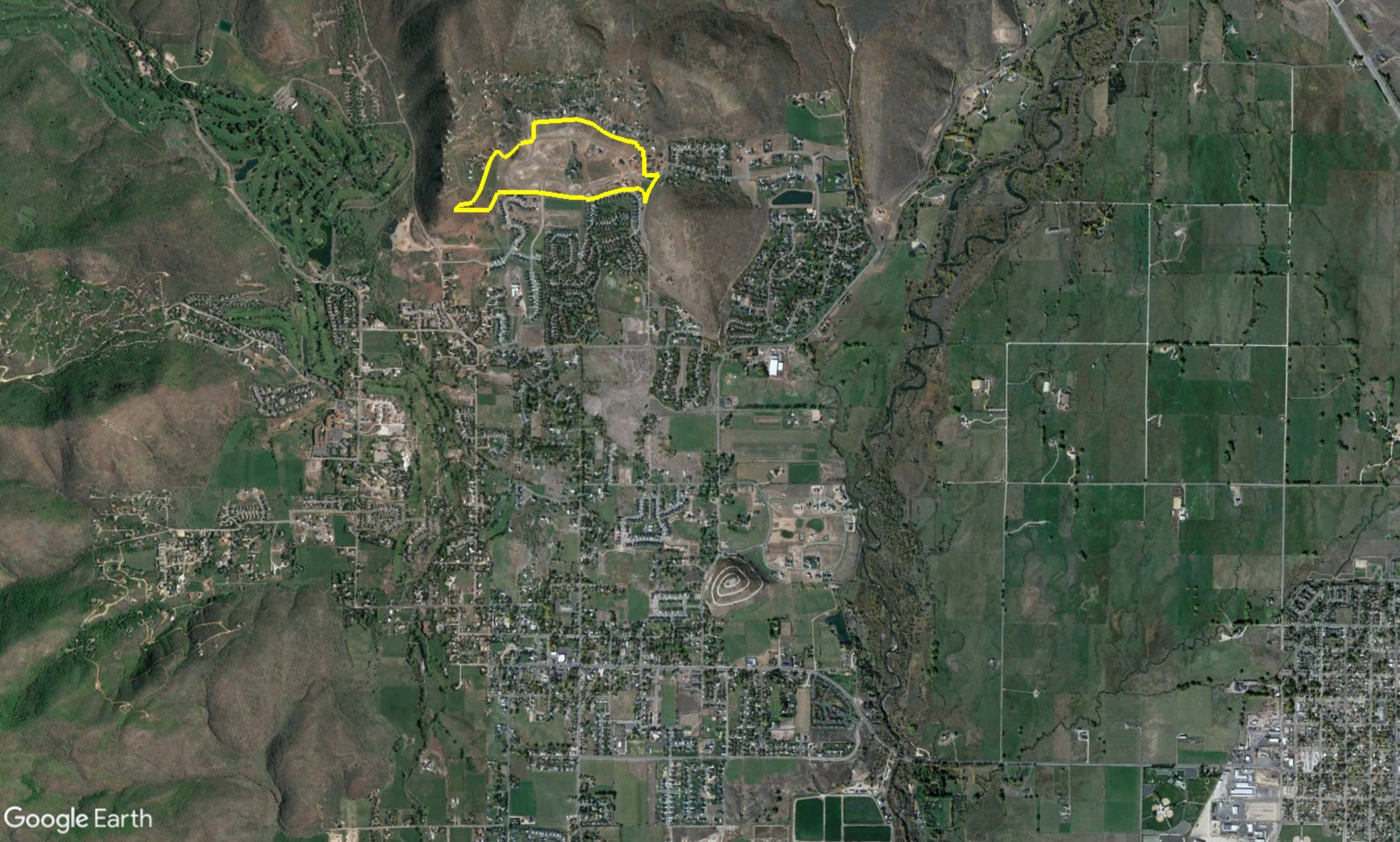
- Lot 30 and Common Area D will both continue to comply with all land use requirements and regulations.
- No public street, right-of-way, or easement will be vacated or altered.
- The duration of a plat amendment approval shall be for one year from the date of approval of the amendment by the City Council. Should the amended plat not be recorded by the County Recorder within the one-year period of time, the plat amendment’s approval shall be voided, and approval must be re-obtained, unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or (b) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within

the sole discretion of the City Council, and an applicant has no right to receive such an extension.

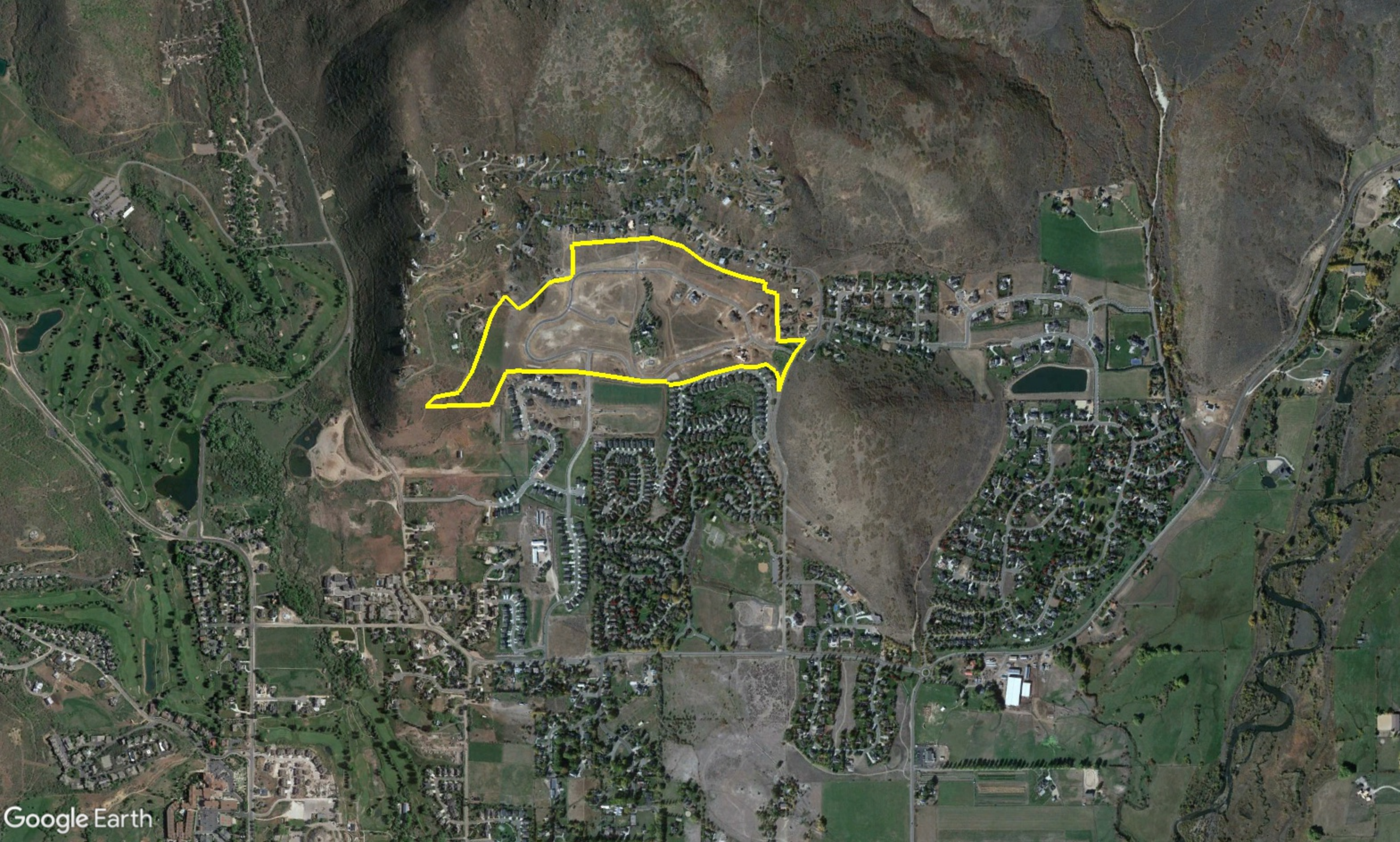
#### **ALTERNATIVE ACTIONS:**

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds there is good cause to approve the proposal.
  - a. Accept staff report
  - b. Reasons for approval (findings)
  - c. Place condition(s) if needed
2. Continuance. This action can be taken if the Planning Commission finds that there are unresolved issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again
3. Recommendation of Denial. This action can be taken if the Planning Commission finds that the request does not meet the intent of the ordinance.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

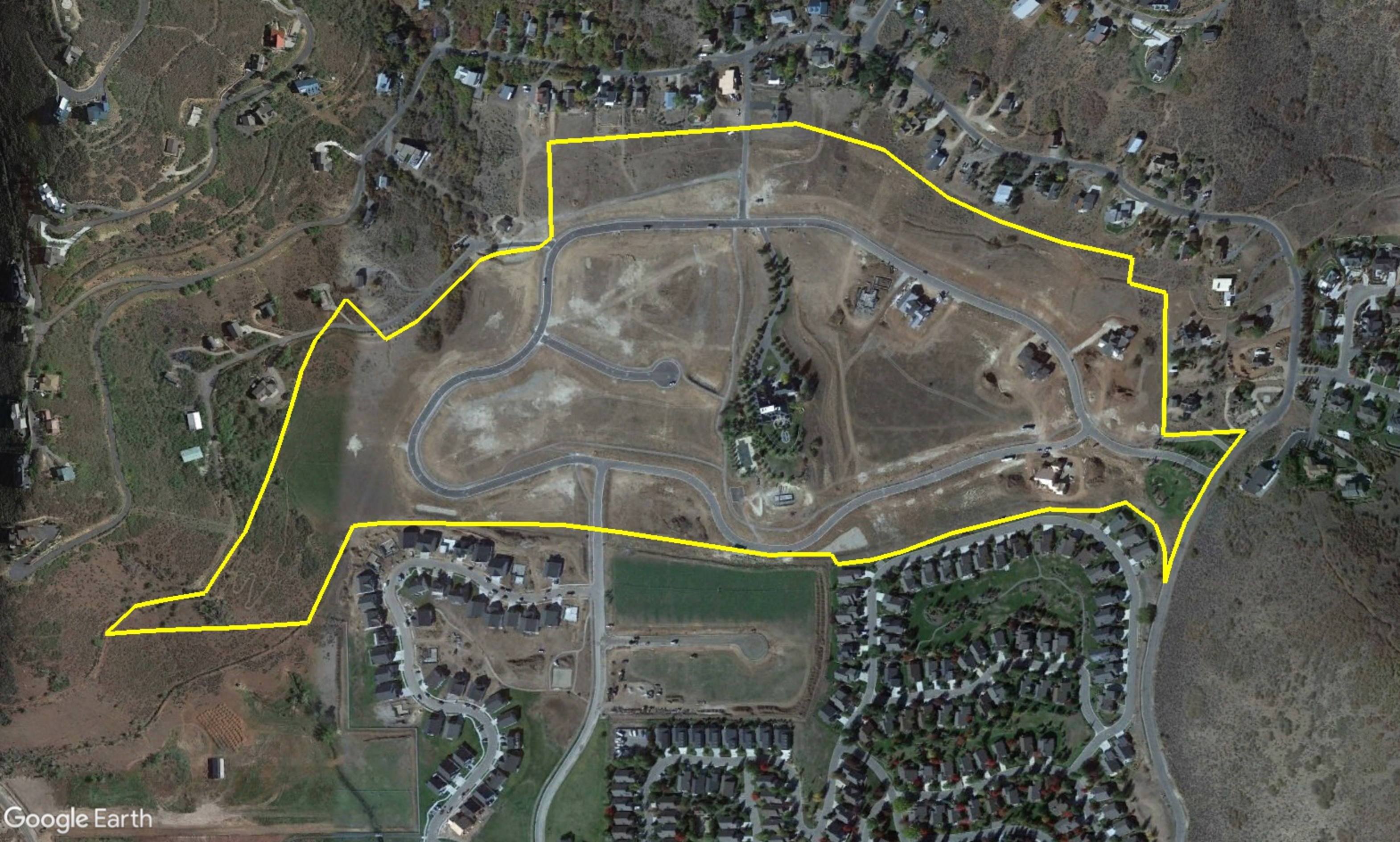




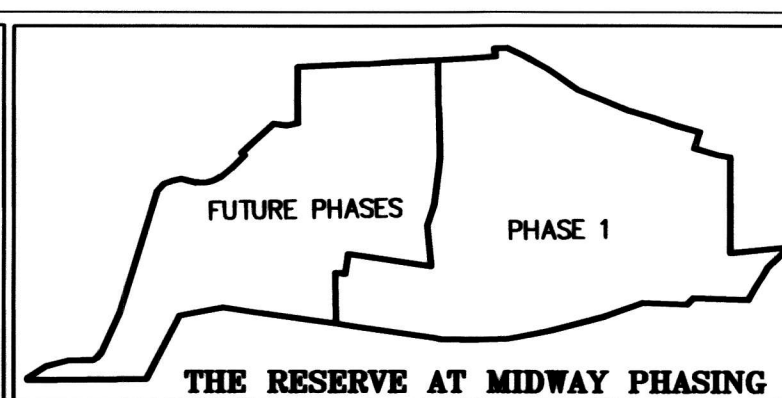






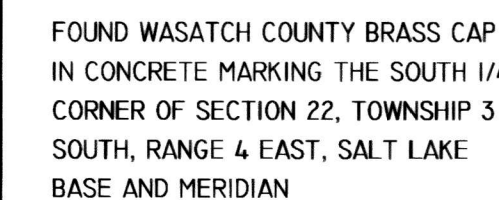






**PHASE 1 - AMENDED**

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 22,  
AND THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP  
3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND  
MERIDIAN



FOUND 1976 ASPEN MONUMENT MARKING THE  
SOUTHEAST CORNER OF SECTION 22 AND THE  
SOUTHWEST CORNER OF SECTION 23, TOWNSHIP  
3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND  
MERIDIAN

FOUND WASATCH COUNTY BRASS CAP  
IN MARKING THE SOUTH 1/4 CORNER  
OF SECTION 23, TOWNSHIP 3 SOUTH,  
RANGE 4 EAST, SALT LAKE BASE AND  
MERIDIAN

THE BASIS OF BEARING IS SOUTH 89°20'00" WEST ALONG THE SECTION  
LINE FROM THE FOUND 1976 ASPEN MONUMENT MARKING THE  
SOUTHEAST CORNER OF SECTION 22 TO THE FOUND WASATCH COUNTY  
BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 22,  
TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH,  
HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF  
LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

THIS 18TH DAY OF OCTOBER A.D. 2021  
 APPROVED [Signature] MAYOR ATTEST [Signature]  
 (SEE SEAL BELOW) CLERK-RECORDER  
 (SEE SEAL BELOW)  
 APPROVED [Signature] CITY ENGINEER APPROVED [Signature] CITY ATTORNEY  
 (SEE SEAL BELOW)

APPROVED THIS 20<sup>th</sup> DAY OF September, A.D. 2021 BY THE  
MIDWAY CITY PLANNING COMMISSION  
Michael K. Rhy Jeff Nicholas  
 DIRECTOR - SECRETARY CHAIRMAN, PLANNING COMMISSION

**SURVEYOR**  
TROY L. TAYLOR, PLS  
ELEMENT LAND SURVEYING  
2296 SOUTH 270 EAST  
HEBER CITY, UTAH 84032  
PHONE (801) 657-8748

DATE OF SURVEY: SEPT 2020

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

SEP. 10, 2021  
DATE

Tracy Long  
SURVEYOR (SEE SEAL BELOW)

BEGINNING AT A POINT LOCATED SOUTH 89°4'13" WEST ALONG THE SECTION LINE 805.51 FEET AND NORTH 278.40 FEET FROM THE FOUND 1976 ASPEN MONUMENT MARKING THE SOUTHEAST CORNER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE NORTH 00°50'11" WEST 283.66 FEET, THENCE ALONG THE ARC OF A 172.00 FOOT RADIUS CURVE TO THE RIGHT 33.45 FEET (CENTRAL ANGLE OF 11°08'32" AND A CHORD BEARING SOUTH 87°05'14" EAST 33.40 FEET); THENCE SOUTH 81°30'58" EAST 18.56 FEET, THENCE NORTH 08°29'02" EAST 106.00 FEET, THENCE SOUTH 81°30'58" EAST 440.36 FEET; THENCE NORTH 06°16'43" WEST 210.48 FEET, THENCE NORTH 18°48'57" EAST 119.69 FEET, THENCE NORTH 06°39'17" EAST 202.66 FEET, THENCE NORTH 05°57'24" EAST 50.39 FEET, THENCE NORTH 01°28'58" WEST 198.79 FEET, THENCE NORTH 02°51'32" WEST 56.02 FEET, THENCE SOUTH 81°30'58" EAST 106.00 FEET, THENCE SOUTH 81°30'58" EAST 440.36 FEET, THENCE THE FOLLOWING 17 (SEVENTEEN) CALLS, SOUTH 87°01'15" EAST 300.34 FEET, NORTH: 08°29'38" WEST 43.25 FEET, NORTH 87°27'20" EAST 62.08 FEET, SOUTH 85°16'58" EAST 101.85 FEET, SOUTH 60°23'31" EAST 60.03 FEET, SOUTH 60°32'44" EAST 68.85 FEET, SOUTH: 56°00'54" EAST 199.49 FEET, SOUTH 67°46'44" EAST 153.22 FEET, SOUTH 67°36'37" EAST 129.45 FEET, SOUTH 73°50'55" EAST 131.14 FEET, SOUTH 71°44'36" EAST 129.27 FEET, SOUTH 74°47'35" EAST 130.89 FEET, SOUTH 26°26'25" WEST 88.71 FEET, SOUTH 74°40'40" EAST 107.18 FEET, SOUTH 61°48'12" EAST 68.76 FEET, SOUTH 61°48'12" EAST 68.76 FEET, SOUTH 83°48'43" EAST 310.47 FEET TO THE BURGH KAMMES SUBDIVISION, THENCE ALONG SAID BURGH HILL RANCHES THE FOLLOWING 3 (THREE) CALLS, SOUTH 46°23'24" WEST 154.00 FEET, SOUTH 31°27'24" WEST 180.00 FEET, SOUTH 21°04'24" WEST 17.79 FEET TO THE NORTH LINE OF THE VALAIS PUT PHASE IX; THENCE ALONG SAID NORTH LINE OF THE VALAIS PHASE IX THE FOLLOWING 3 (THREE) CALLS, NORTH 87°40'17" WEST 288.79 FEET, SOUTH 43°37'36" WEST 47.66 FEET, NORTH 87°40'18" WEST 230.33 FEET TO THE NORTH LINE OF THE VALAIS PUT PHASE IX; THENCE ALONG SAID NORTH LINE OF THE VALAIS PHASE VIII THE FOLLOWING 4 (FOUR) CALLS, SOUTH 69°43'52" WEST 212.44 FEET, SOUTH 75°53'11" WEST 300.17 FEET, SOUTH 77°59'26" WEST 161.90 FEET, SOUTH 79°14'12" WEST 57.61 FEET TO THE JARED AND KURT WILSON FARM LLC PROPERTY; THENCE ALONG THE NORTH LINE OF SAID WILSON FARM PROPERTY THE FOLLOWING 4 (FOUR) CALLS, SOUTH: 88°30'03" WEST 143.93 FEET, NORTH 89°59'22" WEST 199.73 FEET, NORTH 78°22'05" WEST 54.90 FEET, SOUTH 81°56'58" EAST 106.00 FEET, THENCE SOUTH 81°30'58" EAST 440.36 FEET TO THE SCOTCH FIELD PUT PHASE 4A SUBDIVISION; THENCE ALONG SAID HIGLEY PROPERTY THE FOLLOWING 1 (ONE) CALL, NORTH 82°04'13" WEST 92.28 FEET TO THE POINT OF BEGINNING.

CONTAINING: 46.935 ACRES

THE OWNER, HAS DESIGNATED HEREIN CERTAIN COMMON AREAS INTENDED FOR THE USE BY THE OWNERS, THEIR GUESTS, AND INVITEES, AND AREA HEREBY RESERVED FOR THEIR COMMON USE AND ENJOYMENT AS PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF THE RESERVE AT MIDWAY RECORDED MARCH 11, 1971, AS ENTRY NO. 996197, IN BOOK 1344 BEGINNING AT PAGE 1067 (THE RESERVE IS "DECLARATION")

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PRIVATE STREETS, EASEMENTS, AND COMMON AREA, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PRIVATE STREETS, EASEMENTS, AND COMMON AREA, FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS 10 DAY OF OCTOBER, A.D. 2010  
 BY: [Signature]  
MANAGER  
MVWATTS LLC

STATE OF UTAH } S.S.  
COUNTY OF WASATCH }  
ON THE 18 DAY OF October A.D. 2021 PERSONALLY APPEARED  
BEFORE ME, Russell White MYWATTS.UT WHO DULY ACKNOWLEDGED  
TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.  
MY COMMISSION EXPIRES 12-24-2021 Dennis S. White

APPROVED AS TO FORM ON THIS  
DAY OF Sept. 14, 2021.

ROS# 3611.  
James C. Karsman  
COUNTY SURVEYOR

## MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH

SCALE: 1" = 100 FEET (SHEET 1 OF 2)

WASATCH COUNTY RECORDER

ENTRY # 520955 BOOK 1412 PAGE 1713-14  
DATE 16-JUNE-22 TIME 8:44:10 AM FEE \$154.00  
FOR ATLAS TITLE / MYWATTS LLC  
BY HP WASATCH COUNTY RECORDER MARCY M MURRAY

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL



# THE RESERVE AT MIDWAY

PHASE 1 - AMENDED

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 22, AND THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

LINE TABLE			LINE TABLE		
LINE	LENGTH	DIRECTION	LINE	LENGTH	DIRECTION
L1	66.60'	N08°43'53"E	L16	22.01'	N02°51'32"W
L2	58.90'	S81°30'58"E	L17	34.02'	N02°51'32"W
L3	29.37'	N49°14'35"E	L18	8.69'	N00°57'23"W
L4	68.57'	S85°33'50"E	L19	23.67'	N01°44'27"E
L5	21.15'	S57°15'55"E	L20	9.16'	N00°57'23"W
L6	81.85'	S83°44'31"W	L21	32.41'	N08°43'53"E
L7	35.30'	N73°44'53"W	L22	10.05'	S81°30'58"E
L8	69.80'	S54°21'17"W	L23	40.91'	N08°43'53"E
L9	34.41'	S82°04'13"E	L24	56.40'	S08°43'53"W
L10	18.24'	S82°04'13"E	L25	56.04'	N39°04'48"E
L11	46.15'	S81°30'58"E	L26	55.89'	S30°58'58"W
L12	22.00'	N08°29'02"E	L27	50.00'	N52°19'01"W
L13	34.00'	N08°29'02"E	L28	51.56'	S08°55'00"E
L14	22.01'	N31°27'24"E	L29	84.45'	S00°57'23"E
L15	34.01'	N31°27'24"E			

ADDRESS TABLE

LOT	ADDRESS
1	182 EAST ALTAMONT DRIVE
2	148 EAST HAMPTON DRIVE
3	134 EAST HAMPTON DRIVE
4	116 EAST HAMPTON DRIVE
5	98 EAST HAMPTON DRIVE
6	34 EAST HAMPTON DRIVE
7	14 EAST HAMPTON DRIVE
30	8 EAST ALTAMONT DRIVE
31	19 EAST ALTAMONT DRIVE
32	37 EAST ALTAMONT DRIVE
33	53 EAST ALTAMONT DRIVE
34	73 EAST ALTAMONT DRIVE
35	89 EAST ALTAMONT DRIVE
36	105 EAST ALTAMONT DRIVE
37	121 EAST ALTAMONT DRIVE
38	135 EAST ALTAMONT DRIVE
39	169 EAST ALTAMONT DRIVE
40	146 EAST ALTAMONT DRIVE
41	128 EAST ALTAMONT DRIVE
42	108 EAST ALTAMONT DRIVE
43	92 EAST ALTAMONT DRIVE
44	78 EAST ALTAMONT DRIVE
45	62 EAST ALTAMONT DRIVE
46	46 EAST ALTAMONT DRIVE
47	119 EAST HAMPTON DRIVE
48	107 EAST HAMPTON DRIVE
49	93 EAST HAMPTON DRIVE

CURVE TABLE						CURVE TABLE						CURVE TABLE						CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	172.00'	33.45'	011°08'32"	S87°05'14"E	33.40'	C21	391.00'	18.41'	002°41'50"	N00°23'32"E	18.40'	C41	1472.00'	140.23'	005°27'29"	N72°30'03"E	140.17'	C61	2472.00'	73.92'	001°42'48"	S70°04'58"E	73.91'
C2	800.00'	135.27'	009°41'16"	S03°53'15"W	135.11'	C22	832.00'	140.68'	009°41'16"	S03°53'15"W	140.51'	C42	1472.00'	86.17'	003°21'15"	N68°05'41"E	86.16'	C62	2472.00'	160.07'	003°42'37"	S67°22'16"E	160.04'
C3	194.00'	226.35'	066°51'04"	N48°05'26"W	213.73'	C23	12.00'	18.90'	090°14'51"	N36°23'32"W	17.01'	C43	928.00'	95.81'	005°54'56"	S69°22'31"W	95.77'	C63	2472.00'	180.04'	004°10'22"	S63°25'46"E	180.00'
C4	156.00'	182.02'	066°51'04"	S48°05'26"E	171.87'	C24	222.00'	37.60'	009°42'14"	S03°52'46"W	37.55'	C44	928.00'	250.94'	015°29'35"	S80°04'46"W	250.17'	C64	2472.00'	170.34'	003°56'53"	S59°22'09"E	170.30'
C5	206.00'	208.69'	058°02'38"	N69°27'43"E	199.88'	C25	16.00'	21.09'	075°31'21"	S46°29'33"W	19.60'	C45	166.00'	110.84'	038°15'28"	N68°41'49"E	108.79'	C65	2472.00'	7.01'	000°09'45"	S57°18'50"E	7.01'
C6	394.00'	248.89'	036°11'36"	S58°32'12"W	244.77'	C26	16.00'	3.97'	014°13'48"	N88°37'52"W	3.96'	C46	1528.00'	156.36'	005°51'47"	N69°20'57"E	156.29'	C66	366.50'	160.06'	025°01'23"	N69°44'39"W	158.79'
C7	1506.00'	268.51'	010°12'56"	N71°31'31"E	268.16'	C27	210.00'	35.57'	009°42'14"	S03°52'46"W	35.52'	C47	872.00'	33.71'	002°12'55"	S67°31'31"W	33.71'	C67	366.50'	56.92'	008°53'53"	N86°42'17"W	56.86'
C8	894.00'	334.04'	021°24'30"	S77°07'18"W	332.10'	C28	172.00'	200.68'	066°51'04"	N48°05'26"W	189.49'	C48	872.00'	206.61'	013°34'32"	S75°25'14"W	206.13'	C68	310.50'	91.91'	016°57'38"	N82°40'25"W	91.58'
C9	200.00'	134.68'	038°35'02"	N68°32'03"E	132.15'	C29	178.00'	73.49'	023°39'20"	S26°29'34"E	72.97'	C49	872.00'	85.49'	005°37'03"	S85°01'02"W	85.46'	C69	310.50'	91.91'	016°57'38"	N65°42'47"W	91.58'
C10	332.50'	196.85'	033°55'16"	N74°11'36"W	193.99'	C30	178.00'	134.20'	043°11'44"	S59°55'06"E	131.04'	C50	222.00'	132.26'	034°08'05"	N70°45'31"E	130.31'	C70	2528.00'	95.44'	002°09'47"	S58°18'51"E	95.43'
C11	2506.00'	599.50'	013°42'24"	S64°05'10"E	598.07'	C31	228.00'	266.02'	066°51'04"	N48°05'26"W	251.19'	C51	222.00'	14.79'	003°48'57"	N51°47'00"E	14.78'	C71	2528.00'	141.79'	003°12'49"	S61°00'09"E	141.77'
C12	344.00'	367.54'	061°12'59"	N40°19'52"W	350.31'	C32	122.00'	142.35'	066°51'04"	S48°05'26"E	134.41'	C52	12.00'	17.28'	082°29'38"	N88°52'40"W	15.82'	C72	2528.00'	143.31'	003°14'53"	S64°14'00"E	143.29'
C13	250.00'	135.42'	031°02'06"	S25°14'25"E	133.77'	C33	172.00'	174.25'	058°02'38"	N69°27'43"E	166.89'	C53	272.00'	180.08'	037°55'59"	S66°35'50"E	176.81'	C73	2528.00'	145.35'	003°17'40"	S67°30'16"E	145.33'
C14	250.00'	195.50'	044°48'21"	S63°09'39"E	190.56'	C34	228.00'	230.98'	058°02'38"	N69°27'43"E	221.23'	C54	321.50'	158.79'	028°17'56"	N71°24'52"W	157.18'	C74	2528.00'	78.88'	001°47'16"	S70°02'43"E	78.88'
C15	343.50'	169.66'	028°17'56"	N71°24'52"W	167.94'	C35	372.00'	135.21'	020°49'31"	S50°51'09"W	134.47'	C55	377.50'	186.45'	028°17'56"	N71°24'52"W	184.56'	C75	322.00'	84.12'	014°58'06"	N63°27'18"W	83.88'
C16	24.00'	51.06'	121°53'53"	S61°02'28"E	41.96'	C36	428.00'	165.63'	022°10'21"	S51°31'34"W	164.60'	C56	216.00'	285.91'	075°50'28"	S47°38'36"E	265.49'	C76	322.00'	206.70'	036°46'45"	N37°34'53"W	203.17'
C17	75.00'	33.68'	025°43'56"	S70°52'33"W	33.40'	C37	372.00'	99.78'	015°22'05"	S68°56'57"W	99.48'	C57	378.00'	34.71'	005°15'39"	N12°21'12"W	34.69'	C77	322.00'	53.22'	009°28'08"	N14°27'26"W	53.15'
C18	75.00'	29.47'	022°30'36"	N85°00'11"W	29.28'	C38	1528.00'	116.08'	004°21'10"	N74°27'25"E	116.05'	C58	378.00'	151.72'	022°59'49"	N26°28'55"W	150.70'	C78	272.00'	92.89'	019°33'59"	S19°30'22"E	92.44'
C19	36.00'	32.61'	051°53'50"	N80°18'12"E	31.50'	C39	428.00'	104.74'	014°01'15"	S69°37'22"W	104.48'	C59	378.00'	146.27'	022°10'13"	N49°03'56"W	145.35'	C79	272.00'	10.19'	002°08'48"	S30°21'45"E	10.19'
C20	409.00'	19.25'	002°41'50"	S00°23'32"W	19.25'	C40	1472.00'	36.05'	001°24'12"	N75°55'54"E	36.05'	C60	378.00'	71.18'	010°47'19"	N65°32'42"W	71.07'	C80	12.00'	16.97'	081°00'15"	N09°03'58"E	15.59'

## RIGHT TO FARM NOTICE:

PURCHASERS OF LOTS IN THIS DEVELOPMENT ARE HEREBY NOTIFIED THAT THEY ARE PURCHASING PROPERTY ADJACENT TO OR NEARBY FARMLAND AND AGREE TO PROTECT THE RIGHT TO FARM OF THESE PROPERTY OWNERS. PURCHASERS ARE ADVISED THAT FARM HOURS RUN LATE AND BEGIN EARLY AND THAT FARM OPERATIONS AND ANIMALS CREATE NOISE AND ODOORS WHICH MAY BE OBJECTIONABLE TO SOME PURCHASERS. EVEN THOUGH FARMERS MAY NOT DIRECTLY WATER YOUR PROPERTIES, YOU MAY EXPERIENCE GROUND WATER SEEPAGES AND/OR SPRINKLER OVERSPRAY FROM THEIR IRRIGATION. DUMPING GRASS CLIPPINGS OR ANY OTHER MATERIALS ONTO THE PROPERTY OF ANOTHER WITHOUT PERMISSION IS AN ILLEGAL TRESPASS.

## PUBLIC TRAIL EASEMENT:

ALL PRIVATE TRAILS CONTAIN A PUBLIC TRAIL EASEMENT. SEE THE DEVELOPMENT AGREEMENT FOR CONDITIONS REGARDING USE, MAINTENANCE AND LIABILITY. COMMON AREAS C,D,E IS A PUBLIC TRAIL EASEMENT.

## UTILITY EASEMENT:

COMMON AREAS A & E ARE A PUBLIC UTILITY EASEMENT INCLUDING SEWER, CULINARY WATER & PRESSURIZED IRRIGATION.

## PRIVATE STREET NOTE:

ALL PRIVATE ROADS ARE SUBJECT TO AN EASEMENT IN FAVOR OF THE PUBLIC FOR TRAVEL OVER THE PRIVATE ROADS TO ACCESS ADJOINING PUBLIC OR PRIVATE ROADS.

## 20' SEWER EASEMENT NOTE:

20' EASEMENTS FOR SEWER LINES ARE DEDICATED TO THE MIDWAY SANITATION DISTRICT FOR INSTALLATION, OPERATION, AND MAINTENANCE OF SEWER LINES.

## DRIVEWAY ACCESS EASEMENT NOTE:

THE RESERVE AT MIDWAY GRANTS A 20 FOOT DRIVEWAY ACCESS EASEMENT TO LOTS 203, 205 AND 207 OF THE INTERLAKEN SUBDIVISION ACROSS COMMON AREA E AS SHOWN ON THIS PLAT.

## UTILITY EASEMENT NOTES:

- ALL PRIVATE STREETS AND COMMON AREAS ARE DEDICATED AS A PUBLIC UTILITY EASEMENTS. PRIVATE STREETS HAVE A 56 FOOT RIGHT-OF-WAY.
- A 10 FOOT PUBLIC UTILITY EASEMENT IS PROVIDED BETWEEN ADJACENT LOTS AND ALONG LOT BOUNDARIES NOT ADJACENT TO OTHER LOTS.
- THE STORM DRAINAGE COLLECTION SYSTEM WITHIN THE RESERVE IS A PRIVATE UTILITY TO BE MAINTAINED, OPERATED, AND REPAIRED BY THE HOME OWNERS ASSOCIATION.
- THE FUNCTION, ELEVATION, OR GRADE OF STORM DRAIN PONDS SHALL NOT BE ALTERED OR INTERFERED WITH.
- MIDWAY CITY HAS THE RIGHT TO ENTER STORM DRAIN EASEMENTS TO MAINTAIN, OPERATE, AND REPAIR THE STORM DRAIN SYSTEM UPON THE HOME OWNERS ASSOCIATIONS FAILURE TO DO SO.

## PLAT AMENDMENT NOTES:

- RESERVE TRAIL HAS BEEN RENAMED HAMPTON DRIVE
- RESERVE TOP DRIVE HAS BEEN RENAMED ALTAMONT DRIVE

## LEGEND

- SM SURVEY MONUMENT
- SET REBAR WITH CAP MARKED ELEMENT LAND SURVEYING
- 20' SEWER EASEMENT
- 20' SEWER & PRESSURIZED IRRIGATION EASEMENT
- NON-IRRIGATED AREA
- 25% + SLOPES

THE RESERVE AT MIDWAY PHASE 1 AMENDED PLAT - 8 JULY 2021

plotted by ddb

plotted by ddb

plotted by ddb

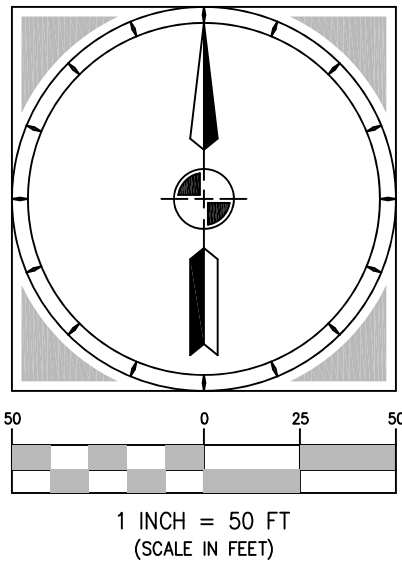
SURVEYOR  
TROY L. TAYLOR, PLS  
ELEMENT LAND SURVEYING  
2206 SOUTH 270 EAST  
HEBER CITY, UTAH 84032  
PHONE (801) 657-8748

DATE OF SURVEY: SEPT 2020

ENTRY# 520955 BK 1412 PG 1714

SHEET 2 OF 2





# THE RESERVE AT MIDWAY LOT 30 AMENDED

## AN AMENDMENT OF LOT 30 AND COMMON AREA D TO THE RESERVE AT MIDWAY PHASE 1 - AMENDED PLAT

### PLAT NOTES:

- ALL PRIOR PLAT NOTES, COVENANTS, AND RESTRICTIONS OF RECORD SHALL REMAIN IN EFFECT FOR THIS NEW LOT. SEE SUBDIVISION PLAT FOR THE RESERVE AT MIDWAY PHASE 1 - AMENDED RECORDED AS ENTRY 520955 IN WASATCH COUNTY OFFICIAL RECORDS.
- REFER TO THE ORIGINAL RECORDED PLAT FOR THE RESERVE AT MIDWAY PHASE 1 - AMENDED SUBDIVISION FOR SECTION TIES, BASIS OF BEARINGS, AND OTHER LOCATION AND SURVEY INFORMATION.

### BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS PER THE ORIGINAL RECORDED SUBDIVISION PLAT FOR THE RESERVE AT MIDWAY PHASE 1 AMENDED SUBDIVISION (ENTRY NO. 520955).

### NARRATIVE

THE PURPOSE OF THIS PLAT AMENDMENT IS TO RECONFIGURE THE WEST BOUNDARY OF LOT 30 WITH COMMON AREA D TO AID IN IMPROVEMENTS BEING ADDED TO COMMON AREA D.

### MIDWAY CITY ATTORNEY

CITY ATTORNEY \_\_\_\_\_ DATE \_\_\_\_\_

### MIDWAY SANITATION DISTRICT

DATE \_\_\_\_\_

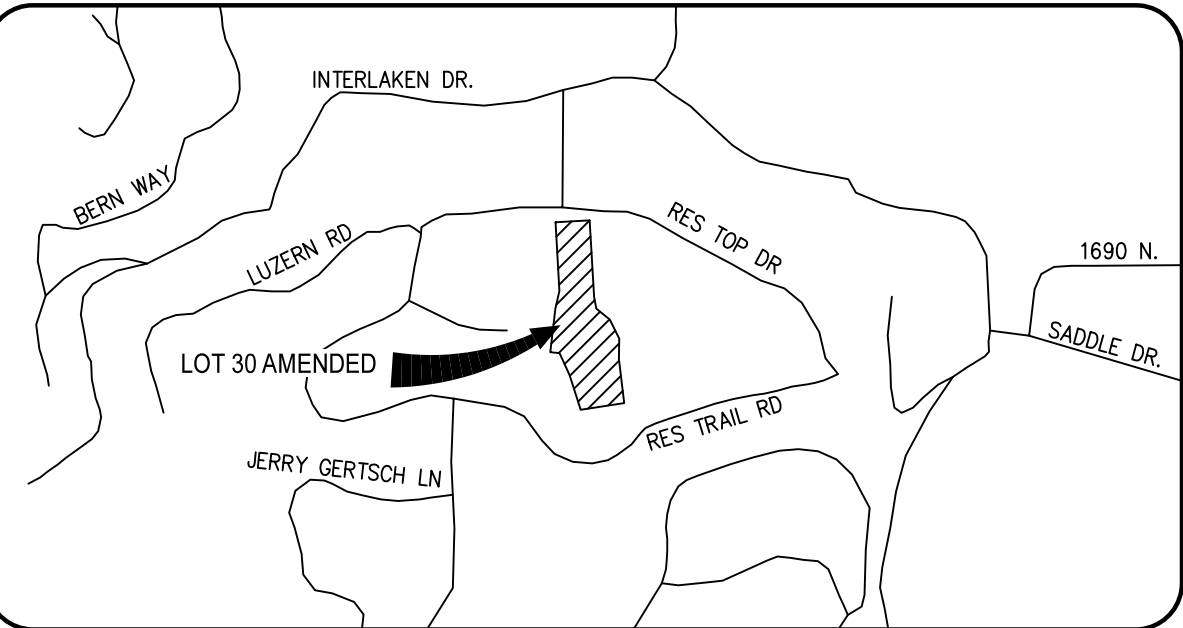
### MIDWAY ENGINEER APPROVAL

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

### MIDWAY IRRIGATION

DATE \_\_\_\_\_

### VICINITY MAP

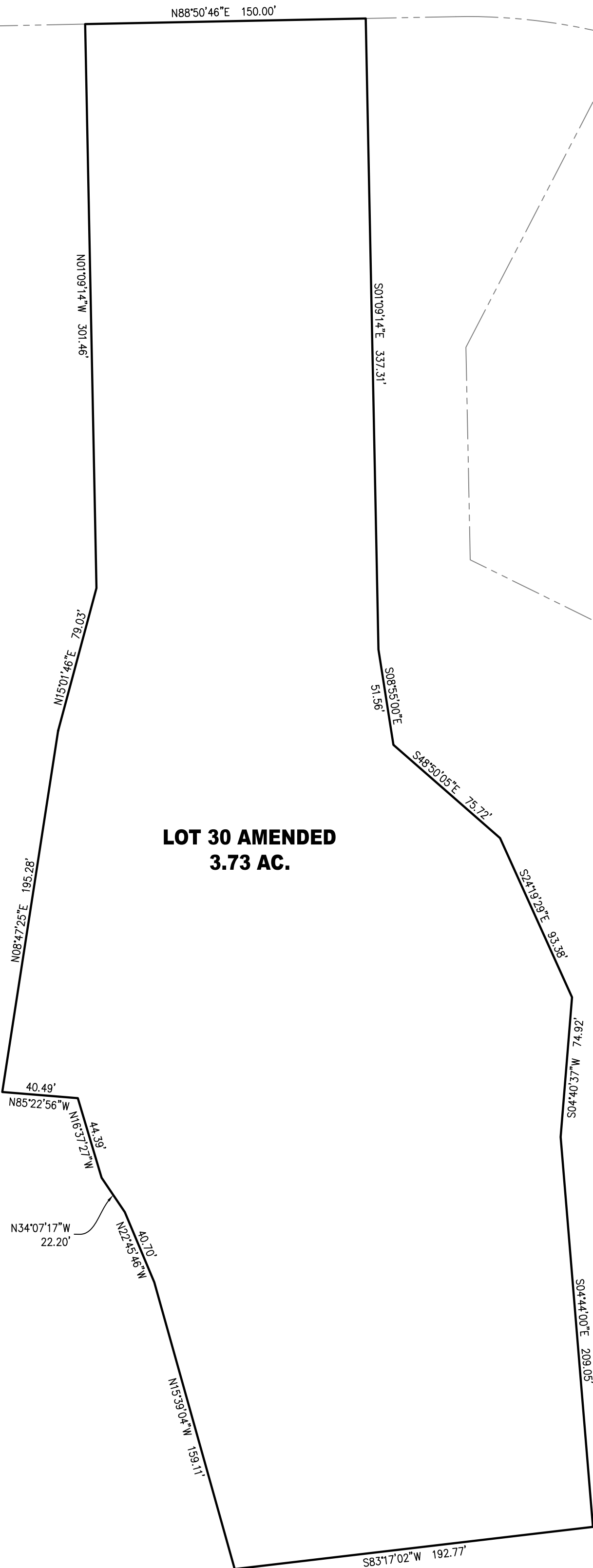


THE RESERVE AT MIDWAY PH.2  
NOT A PART

**LOT 30 AMENDED  
3.73 AC.**

**COMMON AREA D  
7.88 AC.**

**COMMON AREA D  
7.88 AC.**



### SURVEYOR'S CERTIFICATE

I, DEREK KOHLER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 11725351 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW.

**FOR REVIEW**

DEREK KOHLER  
PROFESSIONAL LAND SURVEYOR

DATE \_\_\_\_\_

SURVEYOR'S SEAL

### BOUNDARY DESCRIPTION

ALL OF LOT 30 AND COMMON AREA D OF THE RESERVE AT MIDWAY PHASE 1 - AMENDED SUBDIVISION PLAT (ENTRY NO. 520955), ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF RECORDER, WASATCH COUNTY, UTAH.

### OWNER'S DEDICATION AND CONSENT TO RECORD

WE, THE UNDERSIGNED OWNERS OF LOTS 30 AND COMMON AREA D IN THE RESERVE AT MIDWAY PHASE 1 - AMENDED, DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THIS PLAT AMENDMENT TO BE CREATED, AND GRANT TO MIDWAY CITY THE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON, AND HEREBY GIVE CONSENT TO RECORD THIS PLAT.

ZENGER-MALMROSE FAMILY LLC

BY: JOHN H. ZENGER  
ITS: MANAGER

BY: HOLLY M. ZENGER  
ITS: MANAGER

DATE \_\_\_\_\_

THE RESERVE H.O.A.

BY: RUSSELL WATTS  
ITS: PRESIDENT

DATE \_\_\_\_\_

### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

ON THIS DAY OF \_\_\_\_\_, PERSONALLY APPEARED BEFORE ME JOHN H. ZENGER, MANAGER OF ZENGER-MALMROSE FAMILY LLC, WHO SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD, AND WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

ON THIS DAY OF \_\_\_\_\_, PERSONALLY APPEARED BEFORE ME HOLLY M. ZENGER, MANAGER OF ZENGER-MALMROSE FAMILY LLC, WHO SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD, AND WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

ON THIS DAY OF \_\_\_\_\_, PERSONALLY APPEARED BEFORE ME RUSSELL WATTS, THE RESERVE H.O.A. PRESIDENT, WHO SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD, AND WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

### ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MIDWAY, UTAH, APPROVES THIS SUBDIVISION PLAT AMENDMENT SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MAYOR

CLERK-RECORDER

### PLANNING APPROVAL

APPROVED THIS DAY OF \_\_\_\_\_, BY THE PLANNING DIRECTOR OF MIDWAY, UTAH.

PLANNING DIRECTOR

### WASATCH COUNTY RECORDER

ENTRY #: \_\_\_\_\_, DATE: \_\_\_\_\_, TIME: \_\_\_\_\_

FEE: \_\_\_\_\_, BOOK: \_\_\_\_\_, PAGE: \_\_\_\_\_, FOR: \_\_\_\_\_

BY \_\_\_\_\_ WASATCH COUNTY RECORDER PEGGY FOY SULSER.

PROJECT  
L22-366

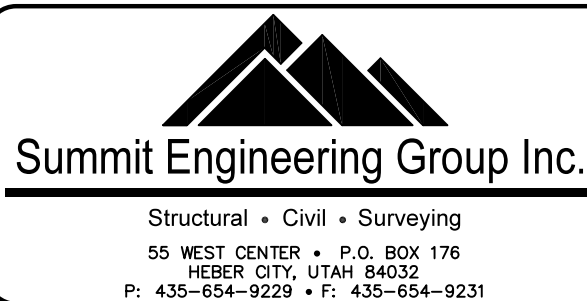
SHEET  
1 OF 1

PREPARED FOR

WATTS ENTERPRISES

PROJECT

THE RESERVE AT MIDWAY PH. 1 - AMENDED,  
LOT 30 AND COMMON AREA D



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#### SEALING/ALTERATION

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND EXACT DESCRIPTION OF THE ALTERATIONS.

## THE RESERVE AT MIDWAY LOT 30 AMENDED

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 22 AND THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SLB&M, MIDWAY CITY, WASATCH COUNTY, UTAH

### COUNTY SURVEYOR APPROVAL

APPROVED AS TO FORM. RECORD OF SURVEY # \_\_\_\_\_

WASATCH COUNTY SURVEYOR

DATE \_\_\_\_\_