CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
October 8, 2013 – REGULAR SESSION

Mission Statement: To provide leadership in advancing core community values; sustain safety, security and health; and provide progressive, caring and effective services. We take pride in building a community where individuals, families and businesses can develop and thrive.

Executive Conference Room
55 South State Street
Third Floor
Clearfield, Utah

6:00 P.M. WORK SESSION
Discussion on the CDBG Funding Allocation
Discussion on the Clearfield Station Master Development Plan
Discussion of the Buxton Retail Leakage Analysis
Discussion on Development of City Property Adjacent to Pinnacle Apartments
and Sundowner Condominiums near the Hillside Subdivision

(Any items not addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session.)

City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

7:00 P.M. REGULAR SESSION

CALL TO ORDER:	Mayor Wood
OPENING CEREMONY:	Councilmember Shepherd
APPROVAL OF THE MINUTES:	September 10, 2013 – Work Session September 24, 2013 – Regular Session

PRESENTATION:

1. PRESENTATION TO TYLER BYINGTON FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

BACKGROUND: Tyler Byington has completed the requirements to receive the rank of Eagle Scout. Mayor Wood and the City Council desire to recognize Tyler and acknowledge his achievement.

2. PRESENTATION OF THE YARD OF THE YEAR AWARD

BACKGROUND: Each year, Clearfield City sponsors a Yard of the Week contest throughout the City. The Parks and Recreation Commission members visit eleven different zones in the City during the summer and submit a weekly winner. At the end of the summer, the Commission members judge the weekly winners and select a winner for Yard of the Year. This year's Yard of the Year winner is William Park. The runners-up are Howard & Karen Kirkpatrick and Rodger and Edith Hanson.

PUBLIC HEARINGS:

3. PUBLIC HEARING ON GPA 1308-0004, A REQUEST BY CLEARFIELD CITY TO AMEND ITS GENERAL PLAN TO INCLUDE REFERENCES TO THE MIXED USE (MU) ZONE

BACKGROUND: In January 2013, the Clearfield City Council approved Ordinance 2013-01, which created the Mixed Use (MU) Zone. However, before the new MU Zone can be utilized, as a matter of housekeeping, it should be incorporated into the General Plan.

RECOMMENDATION: Receive public comment.

4. PUBLIC HEARING ON FSP 1307-0004, A REQUEST BY MARK THAYNE, ON BEHALF OF EVERGREEN HOLDING, LLC, FOR A FINAL SUBDIVISION PLAT TO SUBDIVIDE A COMBINED ACREAGE OF 6.91 ACRES INTO TWO PHASES WITH A TOTAL OF 27 LOTS WHICH WILL BE KNOWN AS THE JON'S PARK SUBDIVISION PHASE 1 AND PHASE 2

BACKGROUND: The request is to subdivide a combined acreage of 6.91 acres into two phases with a total of 27 lots which will be known as the Jon's Park Subdivision Phase 1 and Phase 2. The site is located in the vicinity of 125 North and 150 North Pacific Avenue and is currently zoned R-1-Open (Residential). The public hearing was opened and continued from the meeting on September 10, 2013.

RECOMMENDATION: Receive public comment.

5. PUBLIC HEARING ON RZN 1304-0007, A REQUEST BY MICHAEL CHRISTENSEN, ON BEHALF OF THE THACKERAY GARN COMPANY, FOR A REZONING FROM C-2 (COMMERCIAL) AND M-1 (MANUFACTURING) TO MU (MIXED USE)

BACKGROUND: UTA (Utah Transit Authority) currently owns the 72 acres located at approximately 1250 South State Street and has hired Thackeray Garn to develop it. The rezone is one of the steps required for the development process.

RECOMMENDATION: Open the public hearing and continue until November 12, 2013.

SCHEDULED ITEMS:

6. CITIZEN COMMENTS

7. CONSIDER APPROVAL OF ORDINANCE 2013-11 AUTHORIZING MINOR MODIFICATIONS TO THE CITY'S GENERAL PLAN TO INCLUDE THE NEWLY ENACTED MIXED USE (MU) ZONE ALONG WITH OTHER MINIMAL ASSOCIATED CHANGES

RECOMMENDATION: Approve Ordinance 2013-11 authorizing minor modifications to the City's General Plan to include the newly enacted Mixed Use (MU) Zone along with other minimal associated changes and authorize the Mayor's signature to any necessary documents.

8. CONSIDER APPROVAL OF FSP 1307-0004, A REQUEST BY MARK THAYNE, ON BEHALF OF EVERGREEN HOLDING, LLC, FOR A FINAL SUBDIVISION PLAT FOR JON'S PARK SUBDIVISION PHASE 1 AND PHASE 2

RECOMMENDATION: Approve FSP 1307-0004, a request by Mark Thayne, on behalf of Evergreen Holding, LLC, for a final subdivision plat for Jon's Park Subdivision Phase 1 and Phase 2 and authorize the Mayor's signature to any necessary documents.

9. CONSIDER APPROVAL OF THE ADDENDUM TO THE DEVELOPMENT AGREEMENT FOR JON'S PARK SUBDIVISION

BACKGROUND: On April 22, 2013, the City Council approved the final plat for Jon's Park, and the corresponding Development Agreement was executed on June 29, 2010. However, the final plat was never recorded and no construction ever took place, resulting in the expiration of that plat approval. The Planning Commission approved the plat, with conditions, during its meeting on September 4, 2013. In the course of reviewing the resubmitted plat application, it became apparent the existing Development Agreement would need to be amended.

RECOMMENDATION: Approve the Addendum to the Development Agreement for Jon's Park Subdivision and authorize the Mayor's signature to any necessary documents.

10. CONSIDER APPROVAL OF ORDINANCE 2013-08 AMENDING TITLE 1, CHAPTER 7 OF THE CLEARFIELD CITY CODE BY ADDING SECTION 10, ESTABLISHING A MUNICIPAL ETHICS COMMISSION

BACKGROUND: Recent Legislation established an Ethics Commission to review and address complaints regarding activities of certain elected and appointed officials. The City determined it would be in its best interest to establish its own Ethics Commission for this purpose.

RECOMMENDATION: Approve ordinance 2013-08 amending Title 1, Chapter 7 of the Clearfield City Code by adding Section 10, establishing a Municipal Ethics Commission and authorize the Mayor's signature to any necessary documents.

11. CONSIDER APPROVAL OF RESOLUTION 2013-17 AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE CREATION OF AN ETHICS COMMISSION AS PROVIDED FOR BY STATE LAW

BACKGROUND: The Interlocal Agreement allows the City to participate with Bountiful, Layton and Roy in creating an Ethics Commission as provided for by State Law to review any complaints regarding the actions of a local entity's elected officials and any executive officer.

RECOMMENDATION: Approve Resolution 2013-17 authorizing an Interlocal Agreement with the creation of an Ethics Commission as provided for by State law and authorize the Mayor's signature to any necessary documents.

COMMUNICATION ITEMS:

Mayor's Report
City Councils' Reports
City Manager's Report
Staffs' Reports

*****COUNCIL MEETING ADJOURN*****

Dated this 3rd day of October, 2013.

/s/Nancy R. Dean, City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.

CLEARFIELD CITY CORPORATION
ONE-YEAR ACTION PLAN AMENDMENTS FOR
PROGRAM YEAR **JULY 1, 2011 – JUNE 30, 2012**
PROGRAM YEAR **JULY 1, 2012 - JUNE 30, 2013**

Clearfield City requests to amend the above mentioned One Year Action Plans to include the following:

Originally reported:

Clearfield City's 2011-2012 and 2012-2013 Action Plans originally reported:

2011-2012 Projects	Allocated	Spent	Balance
Davis Community Housing Authority	$10,200	$5,486.00	$4,714.00
CDBG Administration	$41,000	$19,825.25	$21,174.75
2012-2013 Projects			
Clearfield Youth Resource Center	$14,575	$12,650.51	$1,924.49
CDBG Administration	$25,250	$17,255.49	$7,994.51
TOTAL			**$35,807.75**

Proposed Project:

Clearfield City is requesting to reprogram the above-mentioned funds into the following project:

450 West Infrastructure Project: $35,807.75

The 2013-2014 One Year Action Plan currently has $181,995.00 allocated to the 450 West Infrastructure Project. Adding the additional $35,807.75 will increase the CDBG portion to **$217,802.75.**

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. WORK SESSION
September 10, 2013

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Mark Shepherd	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Scott Hodge	Public Works Director
	Kim Dabb	Operations Manager
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Summer Palmer	Acting Administrative Services Dir.
	Steve Guy	City Treasurer
	Marliss Scott	Public Relations/Marketing
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Beverly Bradley – Standard Examiner, Keri Benson – City Council Candidate, Lee Schaffer, Sharon Hinckley, Jennifer Wade, Shannon Anderson, Richard Knapp

Mayor Wood called the meeting to order at 7:33 p.m.

DISCUSSION ON HOMEOWNERS ASSOCIATIONS (HOAS)

Adam Lenhard, City Manager, stated the Springfield Estates Subdivision was developed in 2002 and consisted of four phases with approximately 130 lots. He reported a fire, caused by a transformer, occurred in some of the open space associated with the subdivision caused damage because the property had not been maintained and the water had been shut off. He stated the lack of maintenance of some properties in the development was related to the issues with the establishment of the Homeowners Association (HOA) in that development.

Mr. Lenhard reminded the Council of previous discussions specific to HOAs in the City and indicated the HOAs in the Autumn Ridge and West Park Village developments had been appropriately established. He indicated staff had presented the option of designating a special assessment area (additional property tax) for the subdivisions that would cover costs associated with maintaining the open space areas within the developments eliminating the practice of having the HOA be responsible for the maintenance. He expressed his opinion if homeowner's

disagreed with HOA practice, they would most likely disagree with the designation of a special assessment area for the open space maintenance.

Mr. Lenhard stated circumstances specific to the HOA in Springfield Estates were a different situation. He explained the subdivision was completed in four phases and the development agreement with the City was very specific about requiring that the developer would be responsible for the establishment of the HOA for the purpose of maintaining the four small parcels of open spaces. He reported phase one consisted of 38 lots and the development agreement and CCR's (Codes, Covenants and Restrictions) were recorded against those lots. He mentioned the CCR's were also recorded against the property associated with phase two. He believed home buyers in those two phases should have been made aware of the HOA requirement by the title company at the time of closing.

Mr. Lenhard stated the majority of the building lots were located in phases three and four; however, there was no documentation recorded against any of the lots specific to the HOA requirement. He pointed out signed development agreements could exist but they had not been recorded at the Davis County Recorder's Office and believed the City owned some of the responsibility for the miscommunication with that subdivision. He inquired if Eric Howes, Community Services Director, was able to assemble some numbers specific to the maintenance costs regarding the open spaces. Mr. Howes responded he didn't have cost figures but estimated the costs somewhere between $5,000-$6,000. Mr. Lenhard stated it would be in the best interest of the City to have the four open space parcels deeded to the City if it were to assume the maintenance responsibilities and indicated it appeared the developer still owned them.

Councilmember Bush believed one of the parcels was intended to be a retention basin. A discussion took place specific to ownership of the open space parcels and whether a retention basin was needed. Councilmember Murray inquired if the City would be responsible to install sprinkler system, grass, etc. in addition to completing or contracting maintenance of the open spaces if the properties were deeded to the City. Mr. Lenhard commented there would be some rehabilitation costs associated with maintaining the parcels. Shannon Anderson, resident, reported the small fire on the property had damaged fences belonging to neighboring properties. Mr. Lenhard commented the damaged fence would be a civil issue between property owners. Ms. Anderson briefly explained where the properties were located in the development.

Councilmember LeBaron requested clarification if the failure to have the CCR's recorded at the County offices was the responsibility of the City. Mr. Lenhard responded in the affirmative. Mayor Wood asked the Council for direction on how staff should be directed to proceed; whether contact should be made to the developer or if the City should initiate the process in taking control of the properties. Mr. Lenhard pointed out there was an HOA established for phases one and two in the subdivision. Councilmember Young pointed out this was not the only HOA in the City and it was not the only one in which there were contentions about the validity of the HOA. He expressed concern how other HOAs could perceive the City's involvement specific to the maintenance of the open space and setting precedence. Councilmember LeBaron believed the City was responsible to some extent as it didn't ensure the recording of the HOA for all phases of the subdivision. Mr. Lenhard commented it was always intended for all four phases to share the maintenance responsibility and not just the properties located in phases one and two,

although the open space parcels were located in phases one and two. Brian Brower, City Attorney, commented although the parcels were located in phases one and two he believed the storm water retention requirements were being met for the entire subdivision. Councilmember Murray inquired if the City would become the owners of the property or would it be designated as an assessment area. Mr. Lenhard responded it would be maintained as City owned open space. Councilmember Murray clarified the residents wouldn't fund the maintenance of the property.

Shannon Anderson, resident, expressed her opinion if it came down to an HOA funding the maintenance of the open space the issue would continue for another ten years. She continued residents living in phases one and two had already met with the developer due to the fact that the HOA requirements were never included with closing documents from the title company, except for its inclusion as an amendment included with the warranty deed. She emphasized the realtor who managed the model home wasn't even aware of the HOA requirement.

Mr. Brower mentioned he had been involved with previous discussions with residents over the years that had assured him they too had no knowledge an HOA was tied to their property. He explained how an adequate protest would impact the City's designation of an assessment area. Mayor Wood commented if the residents weren't receptive to participation in an assessment area it made sense they would also be opposed to participation in an HOA. Nancy Dean, City Recorder, reminded the Council how a similar situation regarding another open space parcel of property located within the City had taken place. Mr. Lenhard reported his research of the issue reflected the City hadn't properly fulfilled its obligation under the development agreement specific to the recording of the HOA requirements with Davis County.

Councilmember Young inquired if the developer were still the owner of record for the open space property wouldn't they be liable for the maintenance. Mr. Lenhard responded in the affirmative and indicated the City had continued to send violation notices specific to the maintenance of the open space. Mayor Wood reported the developer would rather pay any fines associated with the neglect of the open space property than to develop or maintain the parcels. A discussion took place regarding ownership of the property.

Councilmember LeBaron expressed his displeasure the City didn't follow through ensuring the creation of the HOA and believed the City should now contact the developer to obtain the property and assume future maintenance responsibilities. He suggested having the city engineer determine the need for the undeveloped parcel previously designated as a retention basin to determine if it was needed for that purpose. He continued if that purpose was not called for it should also be deeded to the City for future maintenance as well. Mayor Wood believed it would also be prudent to include provisions requiring the developer to landscape that parcel specifically identifying the City's expectation.

Councilmember Murray agreed with Councilmember LeBaron and Mayor Wood's comments and believed the City should assume the long term maintenance responsibility; however, the developer should live up to his obligation in regards to developing/landscaping prior to the City's acceptance of the parcels.

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Councilmember Young agreed the City should take over the maintenance and believed the City had responsibility for these parcels. He suggested the City should approach the developer regarding its responsibility specific to the development/landscaping. He stated he would like more information from Mr. Hodge regarding the detention basin. He expressed concern specific to creating a precedence with encouraging other HOAs to approach the City to solicit its involvement or participation in maintaining other open space parcels. He believed the City had some responsibility to the residents.

Councilmember Bush also believed the City shouldered some responsibility regarding the matter and expressed concern with the developer deeding the parcels to the City designated as detention basins. He believed there were options for the City to consider for future long term maintenance.

Mr. Lenhard indicated staff would proceed with future discussions specific to the open space parcels.

Lee Schaffer, Sharon Hinckley, Jennifer Wade and Shannon Anderson left the meeting at 8:10 p.m.

PRESENTATION OF FINANCIAL REPORTS BY CITY TREASURER

Steve Guy, City Treasurer, reviewed the General Fund Expenditures and Revenues for the budget year ending in June 2013. He reminded the Council since the State had increased the amount of excess fund balance from eighteen percent to twenty five percent there was approximately $175,000 which could be appropriated for additional projects, other than what had been designated for in the 2014 Fiscal Year.

DISCUSSION ON THE FISCAL YEAR 2014 MARKETING CAMPAIGN

Marliss Scott, Public Relations/Marketing, explained the December newsletter would be a monthly calendar format for the upcoming year as opposed to the article format. Mayor Wood commented he would like to have his holiday address in the November newsletter and suggested allowing Councilmember Murray the opportunity to share a farewell to the residents.

Ms. Scott reminded the Council the goal of the marketing campaign was to brand and identify the City and to promote a positive image. She shared a visual presentation pertaining to the campaign and reviewed previous costs associated with it. She stated the billboard portion of the campaign was completed and indicated the largest portion of the budget would be directed toward Internet (social media, videos, city website). She mentioned the street banner display would continue and in addition there were eight City vehicles wrapped with advertising. She reported the UTA bus billboards would continue through January 2014. She shared the proposed costs of the current year's marketing campaign with the Council.

She explained the current year's marketing proposal was to make and use quality videos pertaining to the City because video was one of the most effective ways to reach a target audience and she shared some statistics. She shared some video examples with the Council.

Councilmember LeBaron announced he was declaring a conflict of interest as a relative of his owned one of the video companies.

Ms. Scott shared some ideas on how to get the video to be viewed: social media, websites, search engines, etc. and stated the success of the video campaign would be measured by clicks, views or length of engagement. She requested direction and feedback from the Council.

Councilmember Young believed the goal of the video campaign should be directed to businesses desiring to locate within the City. He asked if staff had any strategy on how it desired to reach its target audience. Ms. Scott responded the video company would also assist the City in knowing how and where to make the video available for viewing. She reviewed rough costs provided by some video companies and services provided. She believed the success of the videos would be two fold; not only promoting business/manufacturing but also in promoting the perception of the local area.

JJ Allen, Assistant City Manager, shared an example of how a quality of life video could be used in rebranding the image of Clearfield while another video could be used to entice business/industry to the area with the We've Got It Made campaign. He also indicated where those videos could be placed for viewing such as EDCUtah, Davis County Economic Development, etc.

Councilmember Bush inquired what the cost variance was from the videos submitted by the four companies. Ms. Scott responded there would probably be a significant difference in costs due to the varied representations of videos. Mr. Allen pointed out the procurement process had not been completed; rather, tonight's discussion was to determine if the videos were consistent with the Council's desires discussed during the budget process.

Councilmember Young expressed his opinion the videos should be used to target business/industry as opposed to the City's residents. He suggested even videos highlighting quality of life should be used toward business relocation.

Councilmember LeBaron expressed confidence with the implementation and use of videos because the City would be one of the first to use the advertising tool. A discussion took place relative to costs associated with the implementation of video advertising. Mr. Allen suggested soliciting an RFP (Request for Proposal) with the designation of a set dollar figure and asking for submissions which would identify what could be provided for that specific cost.

Councilmember Bush suggested contacting the neighboring universities to determine if there was interest from students. Ms. Scott responded some of those students had submitted videos for the video contest previously held and believed the City would desire a higher quality.

Mayor Wood shared a personal example of using and selecting a video company for advertising and believed the City could find something less expensive than what had been referred to by one of the companies and a discussion took place.

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The Council directed staff to proceed with the video RFP in conjunction with the marketing campaign.

DISCUSSION ON THE RECREATION SOFTWARE

Eric Howes, Community Services Director, reminded the Council of the previous work session discussion in which the Council had directed staff to locate additional funding of $13,000 which could be used toward the software purchase. He distributed a handout and stated staff had completed research to determine if the City was assessing fees appropriately for its recreation programs. He explained the research was based on the actual number of participants and reported if an additional one dollar was assessed for individual program registration and an additional ten dollars for team registration, the increases would generate thirteen thousand dollars.

Mr. Howes mentioned another option which could be considered would be to increase the membership fees at the Aquatic Center; however, he suggested not making significant changes to those fees at this time. He reported based on the current number of memberships, a small increase of ten dollars would generate eleven thousand dollars. Mr. Howes believed any increase associated with the Aquatic Center should not be implemented until a membership/fee analysis could be completed.

Mr. Howes reminded the Council the cost for the software was approximately $35,000 and only $22,000 had been appropriated for that purchase. He believed the program would pay for itself within five years.

Councilmember Young agreed that until the membership analysis was completed no changes should be made to the membership fees. Mr. Howes clarified the additional one dollar fee would be added to program registrations from now until June to cover the additional software costs. He also explained how use and implementation of the new software could net savings for the City in the long run.

Councilmember Bush expressed agreement with Councilmember Young regarding the Aquatic Center memberships. He suggested holding off with the increase until the sale of the bleachers to determine if the small increase could be lowered. He also believed the analysis would identify other areas in which increases could be implemented.

Mayor Wood summarized results from the discussion were to direct staff to use the proceeds from the sale of the bleachers then implementing the one dollar increase to generate the needed revenue. The Council agreed.

DISCUSSION ON CHRISTMAS DECORATIONS

Eric Howes, Community Services Director, reminded the Council of previous discussions in which it had desired Christmas decorations with a more “traditional” motif and indicated funds had been appropriated during the budget process for the purchase of the new decorations. Councilmember Murray inquired what would be done with the other decorations. Mr. Howes responded the City would retain them for the time and if directed by the Council he could try to

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sell them. Councilmember Murray suggested keeping and using the wreaths. He distributed a handout illustrating the proposed new decorations. He indicated he would proceed with the purchase.

DISCUSSION ON REPAIR TO THE CENTER STREET OVERPASS

Adam Lenhard, City Manager, explained some of the dirt and fill used for the embankment of the 200 South/Center Street overpass had slipped and impacted the parking lot at the Davis County Health Department facility. He reported the City had solicited assessments from geotechnical engineers and contractors specific to the failure and subsequent repair. He indicated the cause of the failure was a combination of a faulty sprinkler system issue compounded by recent rains. He emphasized the overpass was structurally sound and the failure was not related to any previous issues. He pointed out now that the landscaping on the slopes had been established water beyond regular rainfall was not needed.

Mr. Lenhard reported rough estimates from contractors had reflected a cost of approximately $50,000 for the repair and recommended staff proceed immediately with repairing the structure. He stated since funds had not been appropriated for this purpose it would be a General Fund expense and addressed during the reopening of the budget.

Brian Brower, City Attorney, explained how the procurement process identified what would be allowed for the emergency situation. A discussion took place specific to the time frame to repair the structure. Mr. Lenhard emphasized the City would proceed as quickly as the weather permitted for the repair.

The meeting adjourned at 9:10 p.m.

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CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
September 24, 2013

PRESIDING:	Bruce Young	Mayor Pro Tem
PRESENT:	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
EXCUSED:	Don Wood	Mayor
STAFF PRESENT:	Brian Brower	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Rich Knapp	Administrative Services Director
	Scott Hess	Development Services Manager
	Chris Horrocks	Building Permit Specialist
EXCUSED:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Clearfield Boy Scout Troop 582, Keri Benson – City Council Candidate, Gary Baldwin – Mayoral Candidate, Robert Browning

Mayor Pro Tem Young informed the citizens present that if they would like to comment during Citizen Comments there were forms to fill out by the door.

Councilmember Murray conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 10, 2013 REGULAR SESSION

Councilmember LeBaron moved to approve the minutes from the September 10, 2013 regular session as written, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Shepherd. Voting NO – None.

CITIZEN COMMENTS

Robert Browning, resident, expressed concern regarding the City's efforts in communicating information to its residents. He stated he frequently reviewed the agenda a few days prior to the meetings and had perused the CAPER located in the Community Development Department. He

mentioned programs similar to that of Community Development Block Grant (CDBG) had the opportunity to directly benefit the residents and expressed concern no citizen comments had been received during the comment period. He challenged the City to continually look for ways to use the City's website, newsletter and other media to inform residents.

Mayor Pro Tem Young inquired if Mr. Browning was aware that the CAPER was reflective of implementing the CDBG plan and program. Mr. Browning believed the CDBG program and funding could directly make a difference to the City's residents.

Councilmember LeBaron commented the City's current website could be difficult to navigate and reported the City was currently in the process of updating the website to be more user friendly with a desired goal that information could be obtained within three clicks. He believed this tool would be a significant advantage to residents looking for information specific to the City.

Mayor Pro Tem Young pointed out specifications to the CDBG program required noticed public hearings accepting the CAPER and the initial CDBG Action Plans. He emphasized these were advertised and took place during regular City Council meetings which allowed comments from the public.

Gary Baldwin, mayoral candidate, requested clarification on the cost of the 200 South road improvements. Councilmember Murray couldn't recall the exact figure but believed it was less than one million dollars. Mayor Pro Tem Young indicated Scott Hodge, Public Works Director, could research and provide the figures.

Mr. Baldwin inquired about the engineering fees associated with the Barlow Street project and why the City used the same engineering firm on all projects. Mayor Pro Tem Young responded the City completed the bid process to select engineering services for a designated time period. Mr. Baldwin suggested the City could use engineering students from Weber State to complete the necessary engineering work. Councilmember LeBaron responded City projects required a professional engineering license and briefly reviewed the criteria to obtain the necessary credentials. He surmised engineering students were not qualified.

Councilmember Bush pointed out the advantages associated in being familiar with the City's infrastructure on behalf of the engineer.

Mayor Pro Tem Young announced he received an anonymous citizen comment form which he would read into the record: Fluoride in the drinking water – Take it out!

<u>APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR PROGRAM YEAR JULY 1, 2012 TO JUNE 30, 2013</u>

Scott Hess, Development Services Manager, stated the Council received a copy of the 2012/2013 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER), which explained how the City carried out its CDBG program strategies,

programs and activities. He stated it identified expenditures associated with the $217,184 which had been appropriated. Citizens were given the opportunity to review the plan in the Community Development Department from August 21, 2013 to September 5, 2013. No public comments were received. He read a statement prepared by Stacy Millgate, CDBG Coordinator; "During the 2012/2013 Program Year, Clearfield City received $7,355 more than the previous year. During both years the City had provided funding to the Clearfield Youth Resource Center and Family Connection Center. This year funding was provided for Davis Community Learning Center, whereas last year funds went to the Davis County Housing Authority. The City also allocated funds for the Administration's staff and completed two separate infrastructure projects, 100 North in 2012 and Locust Street in 2013, with the majority of those funds going to the infrastructure projects as per CDBG guidelines that only fifteen percent of the fund in total could be spent on soft costs or service provision."

Councilmember Shepherd moved to approve the Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER) and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Pro Tem Young – nothing to report.

Councilmember Bush

1. Stated he attended the Utah League of Cities and Towns conference a few weeks ago and indicated he had emailed the Council his notes earlier in the day.
2. Reported he attended a meeting with residents from 550 East. He believed it was successful in educating the residents regarding the improvements which would be completed next year.
3. Informed the Council that the North Davis Sewer District had approved the new Impact Fee Schedule. He stated no public comments were made. He pointed out the new fee schedule would be implemented 90 days after passage which would be December 12, 2013.
4. Announced the Parks & Recreation Commission had selected the Yard of the Year winner at its meeting on Wednesday, September 18, 2013.
5. Informed the Council that Curtis Dickson, Community Services Deputy Director, had been assembling the new bleachers for the parks. He expressed his opinion the illustrations and instructions were difficult to follow.
6. Indicated he had attended the car show and carnival at Chancellor Garden and Rocky Mountain Healthcare facilities. He commented there were nice looking cars on display and there was good food to enjoy.
7. Announced he would be walking to school with students attending Doxey Elementary on Wednesday, September 25, 2013.

Councilmember LeBaron – expressed his opinion the feedback by staff involved with the redesign of the website was very insightful. He believed the new site would be user friendly allowing citizens' input prior to its completion. He stated it would be a great communication tool.

Councilmember Murray – nothing to report.

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Councilmember Shepherd

1. Reported he had also attended the Utah League of Cities and Towns meetings.
2. Announced the new leadership for the Kiwanis Club would be installed at the next meeting on Thursday, September 26, 2013.

STAFFS' REPORTS

Brian Brower, City Attorney – Reported on the repair of the Center Street/200 South Overpass. He clarified the bridge itself was not in need of repair; rather that of the land slide or sloughing of soil from the south embankment on the east side. He indicated the bridge was closed just a little over a week. He stated two soil engineers were consulted and although the structure was sound, they both recommended closure of the bridge to eliminate any additional erosion caused by vibration from vehicular traffic. He stated an emergency procurement process had been completed and announced Scott Hodge, Public Works Director, would update the Council on the process.

Scott Hodge, Public Works Director – Reminded the Council of the informal direction to staff to proceed with the repair of the embankment repair associated with the Center Street/200 South Overpass. He stated staff solicited proposals from three different contractors. He stated the lowest bid was $47,550, the next bid was $47,900 and the last bid was $75,800. He explained as part of the proposal the City inquired as to how quickly the contractor could begin the repair work in addition to analyzing the dollar amounts in the proposal. He reported the contractor which had submitted the bid of $47,900 stated they could begin work on Sunday and after analyzing the bid figures, believed it was the best proposal. He announced the cost to complete the repair was actually less than the submitted proposal. Mr. Brower pointed out the difference in line items included the proposals submitted by the two lowest contractors specific to the unit costs associated with fill product. He continued even with the $2,100 change order, the repair cost to the City was ultimately cheaper than if the City had gone with the lowest proposal. He requested any questions regarding the repair cost be directed to himself or Mr. Hodge. Councilmember Bush asked if the sprinkling system associated with the erosion/land slide had been addressed. Eric Howes, Community Services Director, responded the sprinkler issue had been addressed.

Councilmember Bush welcomed the Boy Scouts to the meeting.

Mayor Pro Tem Young expressed appreciation to the Boy Scout leaders.

There being no further business to come before the Council Councilmember Murray moved to adjourn at 7:35 p.m., seconded by Councilmember LeBaron. All voting AYE.

DRAFT

Clearfield City we've got it made	**City Council** **STAFF REPORT**	AGENDA ITEM **#7**

TO: **Clearfield City Council**

FROM: **Scott A. Hess**
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: **October 8, 2013**

SUBJECT: Public Hearing, Discussion and Possible Action on **GPA 1308-0004**, a request by Clearfield City to amend its General Plan to include references to the Mixed Use (MU) Zone. The operation of adopting changes to the General Plan is completed through **Ordinance 2013-11**.

RECOMMENDATION

After taking comment during the public hearing, move to **approve** GPA 1308-0004, an amendment of the General Plan to include references to the Mixed Use (MU) Zone and other related minor modifications.

BACKGROUND

In January 2013, the Clearfield City Council approved Ordinance 2013-01, which created the Mixed Use (MU) Zone. However, before the new MU Zone can be utilized, as a matter of housekeeping, it should be incorporated into the General Plan.

PROPOSED GENERAL PLAN AMENDMENTS

The MU Zone can be accommodated in the General Plan with a few minor modifications. The proposed amendments are highlighted in the attached version of the General Plan, and are explained as follows:

1. The General Plan includes brief descriptions of the City's different zoning designations and lists them in a chart. Accordingly, the MU Zone should be described and listed. These changes are seen on pages 11 and 13.

2. The Affordable Housing Element of the General Plan includes a provision that does not allow rezoning for the purpose of multi-family residential development "…except as part of an approved R-3R, C-R, or D-R Zone project." The MU Zone is similar to the Commercial Residential (C-R) Zone in that they both aim to encourage a combination of uses (commercial and residential) on a property. Since the intent of this provision in the General Plan is to allow multi-family residential development in a mixed use type project,

given the similarities between the MU and C-R Zones, the MU Zone should also be included. This revision is seen on page 22.

It is also proposed that the affordable housing data on page 22 be updated. Figure 4.1, the "Profile of Clearfield" table, contains old data, and the study that generated that table has not been updated. However, more recent statistics can be found on www.census.gov. Therefore, the amendment would delete the table and a few other phrases, and insert a couple sentences referencing newer data pertaining to affordable housing in Clearfield.

On September 4, 2013, Clearfield City Planning Commission held a public hearing for this item, and forwarded to the City Council a unanimous decision to recommend approval of the proposed General Plan amendments.

ATTACHMENTS

1. Clearfield City Ordinance 2013-11, Ordinance Amending the General Plan
2. Clearfield City General Plan, with amendments

CLEARFIELD CITY ORDINANCE 2013-11

AN ORDINANCE AMENDING THE CLEARFIELD CITY GENERAL PLAN

PREAMBLE: This Ordinance makes minor modifications to the Clearfield City General Plan to bring it current based upon newly enacted ordinances by adding the Mixed Use (MU) Zone along with other minimal associated changes.

WHEREAS, earlier this year the Clearfield City Council created the new Mixed Use (MU) Zone; and

WHEREAS, in order to allow the use of the new MU Zone within the City, corresponding changes need to be made to the City's General Plan to reflect the inclusion of the new zone; and

WHEREAS, after a public hearing on the matter, the Clearfield City Planning Commission recommended the Clearfield City Council adopt the minor modifications to the City's General Plan as set forth in Exhibit "A" attached to this ordinance; and

WHEREAS, the Clearfield City Council received and reviewed the minor modifications recommended by the Clearfield City Planning Commission; and

WHEREAS, following proper notice, as set forth by state law, the City Council held a public hearing on the matter and received input thereon; and

WHEREAS, after the public hearing, the City Council carefully considered comments made during the public hearing as well as the Planning Commission's recommendations regarding the proposed modifications; and

WHEREAS, following its public deliberation, the City Council has determined that the minor modifications to the City's General Plan as set forth in Exhibit "A" attached hereto are in the best interests of Clearfield City, its residents as well as businesses and will most effectively implement the City's long term planning and development efforts;

NOW THEREFORE BE IT ORDAINED, by the Clearfield City Council that:

<u>Section 1. General Plan Amendment:</u> The minor modifications to the Clearfield City General Plan as set forth in Exhibit "A" attached hereto are hereby adopted and incorporated into the City's General Plan.

<u>Section 3. Effective Date:</u> This Ordinance shall become effective immediately upon its posting in three public places within Clearfield City.

DATED this 8th day of October, 2013, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

_____

Donald W. Wood, Mayor

ATTEST

_____

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

ACKNOWLEDGMENTS

CITY COUNCIL

DON WOOD, *MAYOR*
MARILYN FRYER
KATHRYN MURRAY
MARK SHEPHERD
DOYLE SPRAGUE
BRUCE YOUNG

PLANNING COMMISSION

NIKE PETERSON, *CHAIR*
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STAFF

GREGG BENSON
City Planner

BRIAN BROWER
City Attorney

TRACY HEUN
Community Services Director

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City Manager

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GREG KRUSI
Police Chief

ADAM LENHARD
Community Development Director

MICHAEL MCDONALD
Building Inspector

SCOTT NELSON
City Engineer

BOB WYLIE
Administrative Services Director

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EXHIBIT 2: TRANSPORTATION MAP OF THE GENERAL PLAN

EXHIBIT 3: TRAILS MASTER PLAN AND MAPS

CHAPTER 1 - INTRODUCTION

BACKGROUND

This General Plan has been prepared as a guide for the future growth and development of Clearfield City. It contains goals and policies that, if followed, are intended to promote new economic growth, encourage neighborhood stability, and improve the overall character of the community.

This plan consists of three main elements:

1) Land Use

2) Transportation

3) Affordable Housing

The Maps referred to throughout this document and attached as exhibits are an essential part of the Plan. The 2004 Trails Master Plan is also included as previously adopted by the City.

LEGISLATIVE AUTHORITY

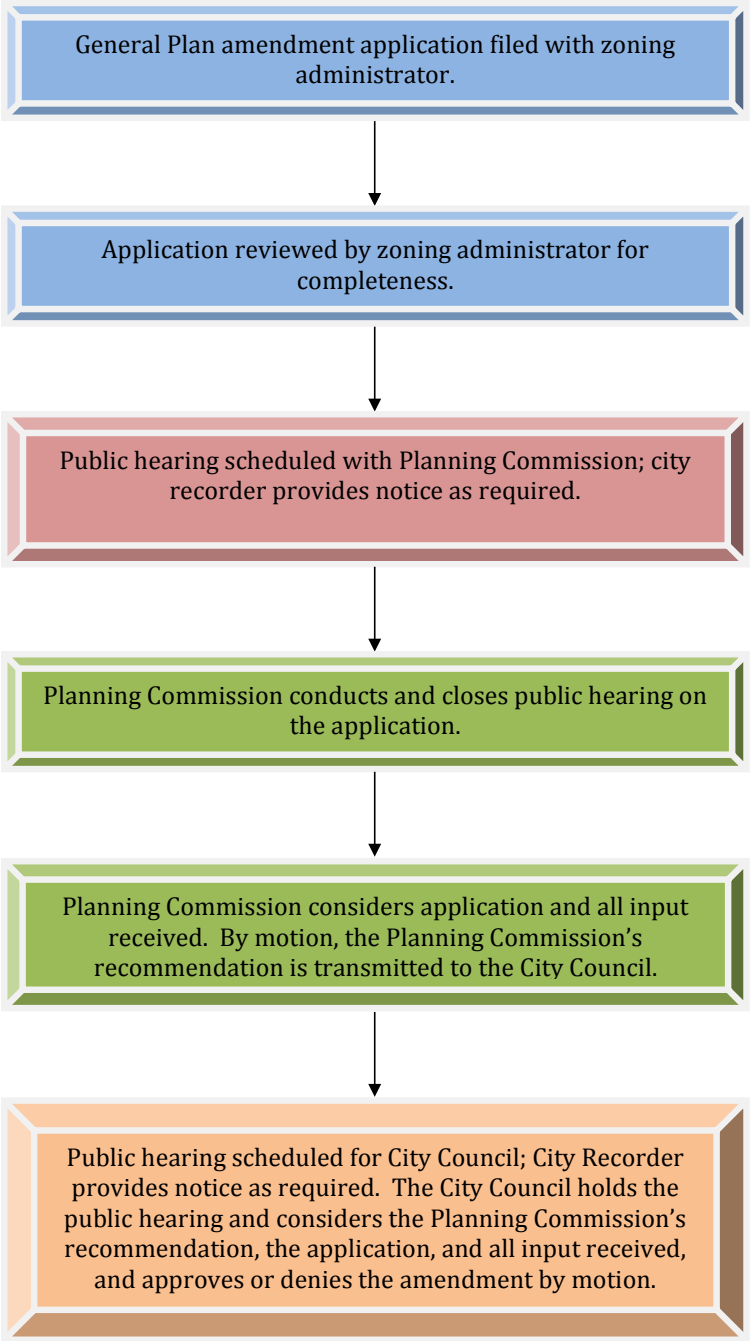
The City has prepared and adopted this General Plan in accordance with Utah Code Title 10 - *Cities and Towns*, Chapter 9a - *Municipal Land Use Development and Management*.

DYNAMICS OF THE GENERAL PLAN

This General Plan is intended to be a living document. It should be updated or amended as necessary every five to seven years to ensure that it reflects the current goals and objectives of the City. Amendments to the Plan may be initiated by the Planning Commission, the City Council, City Staff, or the Public. Once the General Plan has been adopted, the Planning Commission and City Council should refer to it for guidance before making decisions pertaining to the physical development of the City.

AMENDMENTS TO THE PLAN

The following flowchart illustrates the process of adopting or amending the General Plan:


General Plan amendment application filed with zoning administrator.
Application reviewed by zoning administrator for completeness.
Public hearing scheduled with Planning Commission; city recorder provides notice as required.
Planning Commission conducts and closes public hearing on the application.
Planning Commission considers application and all input received. By motion, the Planning Commission's recommendation is transmitted to the City Council.
Public hearing scheduled for City Council; City Recorder provides notice as required. The City Council holds the public hearing and considers the Planning Commission's recommendation, the application, and all input received, and approves or denies the amendment by motion.

COMMUNITY VISION

It is Clearfield City's community vision to provide for a strong, positive civic image and identity based on a high-quality living environment in a clean and attractive physical setting.

The Objectives of this Community Vision are to:

1. Recognize and promote Clearfield as a leading Davis County community with a positive environment, consistent with its traditional family-oriented values.

2. Promote Clearfield as a regional center for manufacturing, governmental, and commercial facilities with excellent accessibility and a high-quality business environment.

3. Encourage redevelopment to take full advantage of Clearfield's strategic location with respect to major rail and highway amenities and proximity to air transportation.

4. Preserve, protect and enhance the historical, cultural, and natural resources of the community.

5. Ensure the continued and orderly growth of the City through long-term utility and infrastructure planning for culinary water, sewer, storm drainage, and waste removal.

6. Channel future growth and development into areas that can be efficiently and effectively served by public infrastructure and facilities.

7. Ensure that new development is of exceptional quality and expresses attractive architectural and site design standards consistent with its particular use and location.

8. Promote intergovernmental cooperation and communication regarding issues of future development within and around Clearfield City.

9. Promote the goals of the Vision 2020 Plan.

CHAPTER 2 – LAND USE ELEMENT

INTRODUCTION

This Element of the General Plan is intended to provide land use policy direction and guidance to decision-makers as they address future land use changes within the City. The Land Use Element is to be used in conjunction with Exhibit 1, *Land Use Map of the General Plan*.

CURRENT LAND USE

Clearfield encompasses approximately 4,800 acres of land (7.5 square miles), including transportation corridors, parks and open space, and a portion of the west side of Hill Air Force Base. Figures 2.1 and 2.2 show the current distribution of land throughout the City:

Land Use Type	Total Acres by Type	Percent of Total
Manufacturing	1,063	22%
Residential	1,490	31%
Public (parks, schools, government)	142	3%
Hill Air Force Base	425	9%
Commercial	256	6%
Vacant, Agriculture, Undeveloped	592	12%
Road, Rail & HWY	832	17%
Total Land Use	4,800	100%

Figure 2.1 Current Land Use by Type

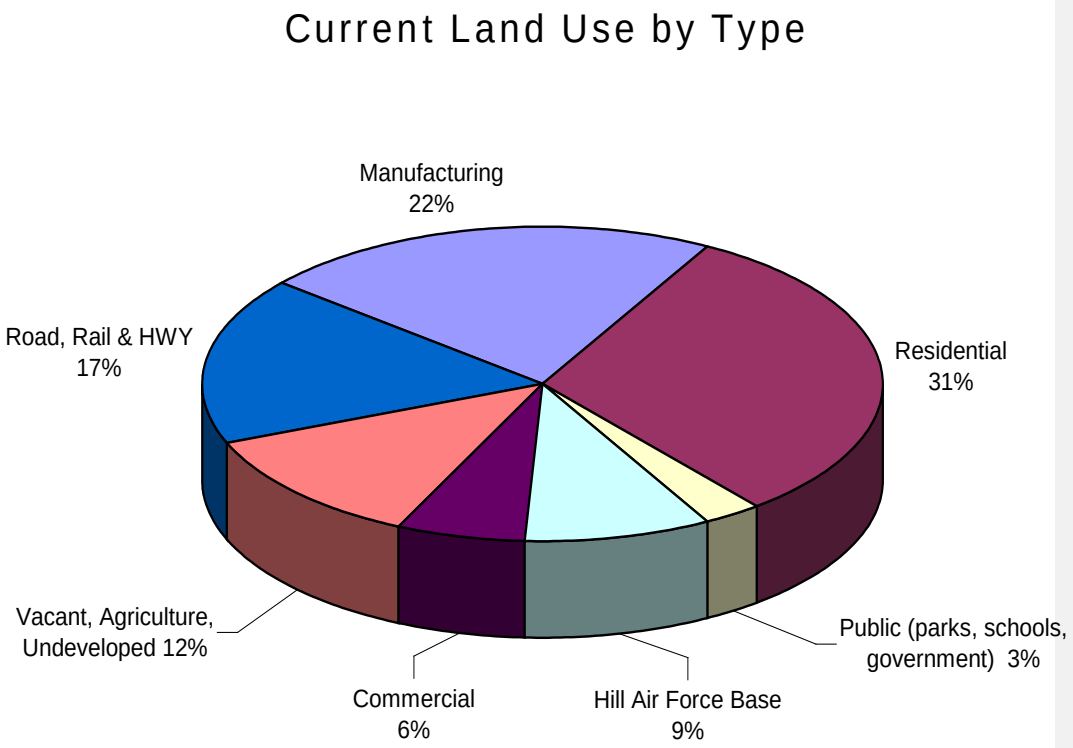


Figure 2.2 Current Land Use by Type

CURRENT ZONING

There are currently 20 zoning classifications in Clearfield City – two overlay zones, two agricultural zones, eight residential zones, five commercial zones, one manufacturing zone, one public facilities zone, and the Hill Air Force Base Zone. Figure 2.3 shows the percentage of land by zoning category. A short description of the general intent and uses allowed in each zone is presented in the following text.

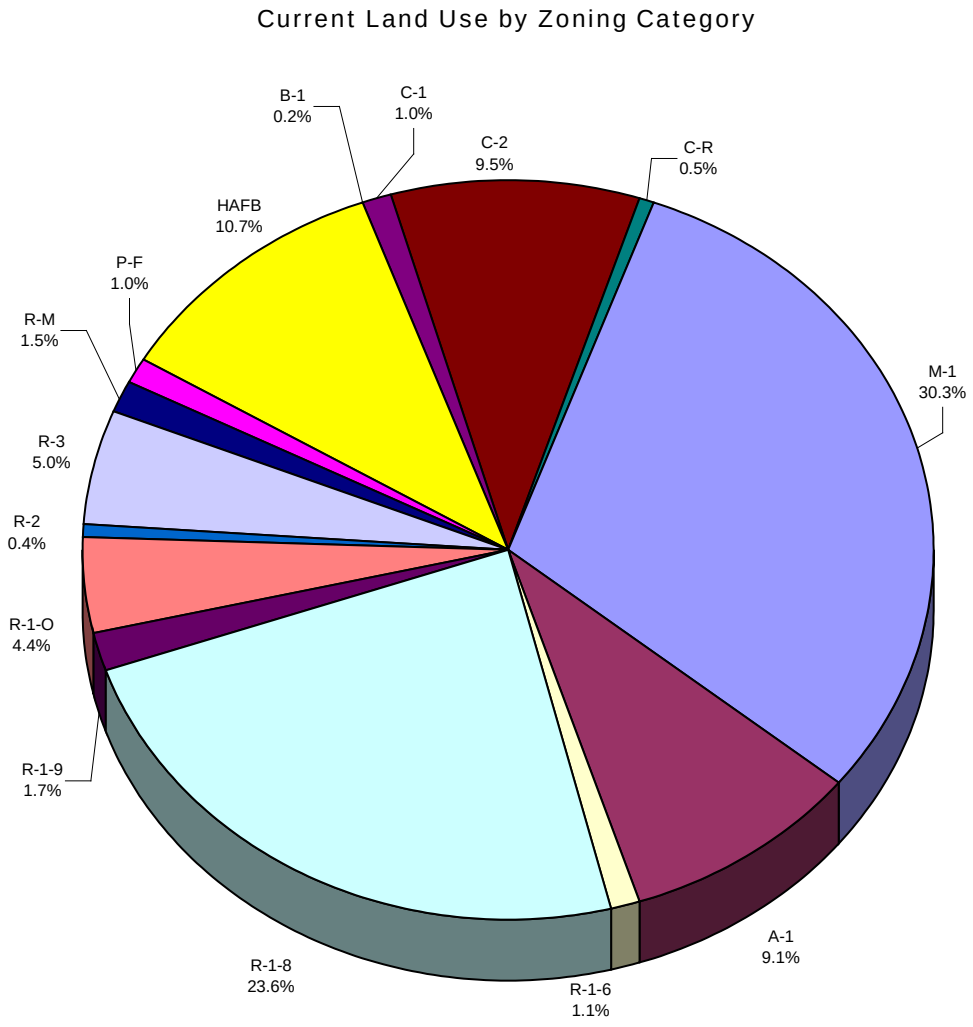


Figure 2.3 Current Land Use by Zoning

Overlay Zones:
The P-D Planned Development Overlay Zone was originally created to guide development of the City's remaining high-density residential properties. In late 2009 the City adopted comprehensive amendments to the land use ordinance that accomplish the purposes of the P-D Overlay Zone. Therefore, it is the City's policy that no new parcels of land be rezoned with a P-D Overlay. Any property with an existing P-D overlay may continue with that designation until such time as it is removed or changed in accordance with applicable law.

The S-P Special Purpose Overlay Zone is a contract zone that was originally intended to provide a flexible approach to land use regulations based on the proposed use of the property. The 2009 land use ordinance amendments contain numerous regulations that accomplish the purposes of the S-P Overlay Zone. Therefore, it is the City's policy that no new parcels of land be rezoned with an S-P Overlay. Any property with an existing S-P overlay may continue with that designation until such time as it is removed or changed in accordance with applicable law.

Agricultural Zones:
The A-1 Agriculture Zone is the oldest zone in the City. It provides for agricultural uses on lots that are a minimum of ten thousand (10,000) square feet in size.

The A-2 Agriculture Zone was created in 2009 to provide for agricultural uses and certain animal rights on existing, developed single-family lots that are a minimum of fourteen thousand five hundred twenty (14,520) square feet in size.

Residential Zones:
The R-1-6 Zone was created for single family use with building lots a minimum of six thousand five hundred (6,500) square feet in size. Due to the large number of existing single family lots developed throughout the City under the provisions of the R-1-6 Zone and in order to promote a more balanced pattern of land use development, it is the City's policy that no new parcels of land be rezoned to R-1-6. Any property with existing R-1-6 zoning may continue with that designation until such time as it is removed or changed in accordance with applicable law.

The R-1-8 Zone was developed to allow for slightly larger single-family lots within the City. A majority of the residential neighborhoods in the City were built under this Zone. Building lots in this Zone must be a minimum of eight thousand (8,000) square feet.

The R-1-9 Zone is one of the newer residential zones adopted by the City. This Zone requires single-family building lots that are at least nine thousand (9,000) square feet. In order to simplify the administration of the City's zoning ordinance and to promote a more balanced pattern of land use development, it is the City's policy that no new parcels of land be rezoned to R-1-9. Any property with existing R-1-9 zoning may continue with that designation until such time as it is removed or changed in accordance with applicable law.

The R-1-Open Zone calls for single-family homes built around an open space element. The intent is to provide local parks or open space for the City's residents. Since its inception in 1998 this Zone has been preferred by developers for new residential developments. The 2009 zoning ordinance amendments contain numerous regulations that accomplish the purposes of the R-1-

Open Zone. Therefore, it is the City's policy that no new parcels of land be rezoned to R-1-O. Any property with an existing R-1-O designation may continue with that designation until such time as it is removed or changed in accordance with applicable law.

The R-M Zone is for mobile homes or modular housing, generally built at higher densities than other residential zones. The City has adopted several new zones which provide for high density residential development in a variety of configurations, including the R-2 Zone, R-3 Zone, and R-3R Redevelopment Zone. Therefore, it is the City's policy that no new parcels of land be rezoned to R-M. Any property with existing R-M zoning may continue with that designation until such time as it is removed or changed in accordance with applicable law.

The R-2 Zone is designated for multi-family dwelling units with a density up to eight (8) units per acre. Developments under this Zone are typically arranged as duplexes, twin homes, or townhome-style units.

The R-3 Zone is designated for high-density multi-family dwelling units in configurations up to sixteen (16) units per acre. There have been numerous apartment complexes and condominium projects built under this Zone.

The R-3R Redevelopment Zone was created in 2009 to provide an attractive setting for new and redeveloped high density multiple-family dwellings with upgraded design features. It is primarily intended to encourage the redevelopment of existing high-density residential developments within the City. Certain nonresidential uses that are compatible with residential development are also anticipated and provided for.

Commercial Zones:

The B-1 Buffer Zone was developed to separate intense uses in the Commercial and Manufacturing Zones from less-intense residential neighborhoods. This Zone has helped in the development of several service-oriented businesses which are located in close proximity to their clientele. The 2009 zoning ordinance amendments contain numerous regulations that accomplish the purposes of the B-1 Buffer Zone. Therefore, it is the City's policy that no new parcels of land be rezoned to B-1. Any property with an existing B-1 designation may continue with that designation until such time as it is removed or changed in accordance with applicable law.

The C-1 Zone is intended to provide areas for general office and service use mixed with light retail. This Zone is also used to provide personal and clerical services near residential neighborhoods and hospitals.

The C-2 Zone is for general commercial business activities. This is the primary Zone found along the major transportation corridors of the City.

The C-R Commercial Residential Zone is intended to allow for a more traditional mix of compatible residential and commercial uses within the same area.

The D-R Downtown Redevelopment Zone is a new zone intended to provide for an attractive, vibrant, and safe downtown in the City; to encourage the development of vacant or underutilized

parcels of land; and to encourage the replacement, renovation, or rehabilitation of dilapidated or decaying structures.

The MU Mixed Use Zone is intended to provide a variety of land uses that are purposely combined for larger areas (40 acre minimum) located near transportation nodes and corridors. Mixed use areas are intended to support a broad range of land uses such as commercial, office, entertainment, recreational, civic and residential uses within single buildings (vertical mixed use) or within neighborhoods (horizontal mixed us). The mixed use zoning permits nonresidential development (i.e. commercial or employment), or nonresidential and residential development, but it does not permit residential development without a substantial nonresidential component.

Manufacturing Zone:
The M-1 Manufacturing Zone provides areas within the City for processing, assembling, manufacturing, warehousing and storage activities. This Zone is primarily utilized in and around the Freeport Center.

Public Facilities Zone:
The P-F Public Facilities Zone is appropriate for uses such as churches, schools, public buildings, open space, parks, public utilities and other related uses, although many of these uses are also allowed as permitted or conditional uses in other zones.

Hill Air Force Base Zone:
The HAFB Hill Air Force Base Zone consists of property within the boundaries of the federally-owned Hill Air Force Base on the northeast side of the City. This Zone is utilized primarily for Base housing and other military-related activities. It is currently shown on the City's Zoning Map, but no corresponding regulations exist for the zone due to the City's limited land use authority over property owned by the Federal Government.

FUTURE ZONING

It may be necessary to amend the City's zoning classifications from time to time to ensure that the goals of the City are being reached. The Planning Commission and City Council approved comprehensive amendments to the land use ordinance in 2009 and 2010. Those amendments should be carefully monitored to ensure they accomplish their stated purposes.

FUTURE LAND USE

The Future Land Use Map is attached to this Plan as Exhibit 1. It is an idealized "snapshot" of the City's land use at a future date, and is an integral part of this General Plan. The following land use categories of the Map are intended to help guide future land use decisions:

> **Commercial.** Lands designated as "Commercial" on the Future Land Use Map are to be used primarily for commercial activities, including office and retail.

Business Park. The primary purpose of the Business Park designation is job creation in an attractive office / light manufacturing / commercial environment.

Falcon Hill. Lands designated as "Falcon Hill" on the Future Land Use Map are part of the Falcon Hill Master Plan at Hill Air Force Base. The primary uses of this land will be for office and other commercial activities, as well as other uses identified in the Falcon Hill Master Plan approved by the Base.

Hill Air Force Base (HAFB). A majority of the land occupied by Hill Air Force Base is designated with the HAFB land use category. This land will be used for ongoing military operations and training.

Manufacturing. Lands designated as "Manufacturing" on the Future Land Use Map are to be used primarily for manufacturing-related activities.

Mixed-Use. Lands designated as "Mixed-Use" on the Future Land Use Map are places where a variety of land uses are purposely combined. Mixed-Use areas are intended to support a broad range of residential, commercial, recreational, entertainment, office, and civic uses within single buildings (vertical mixed-use), or within neighborhoods (horizontal mixed-use). The Mixed-Use designation allows for commercial development or commercial and residential development, but not for residential development without a significant commercial component.

Residential. Lands designated as "Residential" on the Future Land Use Map are to be used primarily for residential activities in a variety of configurations and densities. A portion of the existing housing on Hill Air Force Base is included in this designation.

Figure 2.4 below lists appropriate zoning classifications for each of the categories on the Future Land Use Map of the General Plan:

General Plan Land Use Category	Appropriate Zoning Classification(s)
Commercial	**C-1** **C-2** **B-1****
Business Park	**C-1** **C-2** **M-1**
Falcon Hill	**Falcon Hill***
HAFB	**HAFB**
Manufacturing	**M-1**
Mixed-Use	**C-R** **C-1** **C-2** **D-R** **MU**
Residential	**A-1** **A-2** **R-1-9**** **R-1-8** **R-1-6**** **R-1-Open**** **R-2** **R-3** **R-3R** **R-M****
Public Use	**Public Facilities**

***Indicates appropriate zoning classifications that do not currently exist at the time of adoption of this General Plan**
****Existing zoning only, not to be applied to additional parcels**

LAND USE GUIDELINES

The following land use guidelines should be followed throughout the City:

1. The identity of Clearfield should be strengthened by land uses which improve the image of the community and foster a positive, healthy living environment conducive to long-term residency.

2. The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.

3. Redevelopment should emphasize the reuse of developed areas and existing community resources in such a way as to increase the livability and aesthetics of the City.

4. The Land Use Plan should provide for a full range and mix of land uses including residential, commercial, manufacturing, and public use areas.

5. Transitions between differing land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available. Adequate screening and buffering should be required to protect existing residential areas from more intense land uses.

6. Growth should be guided to locations contiguous to existing development to provide City services and transportation in a cost-effective and efficient manner.

7. Development approval should be tied to the construction of culinary water, sewer, storm drainage, and circulation systems.

8. Density increases should be considered only after adequate infrastructure and resource availability have been sufficiently demonstrated.

9. An interconnecting public open space system should be provided, including pedestrian linkages, recreational areas, natural areas, and drainage ways.

10. Commercial and manufacturing uses should be highly accessible, clustered near the center of their service areas, and developed in harmony with the uses and character of surrounding districts.

11. Land use patterns should be encouraged that reduce travel distances, limit pollution, allow for alternative modes of transportation, and conserve energy.

12. The few remaining vacant properties in the City should be developed at their highest and best use to maximize their value to the landowner and the City.

13. The quality and usefulness of parks and open space should be maximized. Open spaces that are small, inaccessible, difficult to maintain, or encumbered by utilities, drainage basins, or excessive slopes should not be encouraged.

14. Manufacturing and industrial activities should be limited to those areas already zoned for such uses.

15. Properties registered with the County or State for agricultural or industrial protection should be recognized by the City to allow such land uses.

16. Land use decisions should be based on a comprehensive understanding of their effects on the environment and surrounding areas. Desirable natural resources should be conserved.

GOALS AND POLICIES OF THE LAND USE ELEMENT:

Goal 1: **To maintain consistency between the City's Land Use Ordinance and the General Plan.**

Policy: Continue to update the City's Land Use Ordinance as necessary to maintain consistency with this General Plan.

Implementation Measure #1: Establish new zoning designations as necessary for the Downtown Redevelopment Zone and R-3R Redevelopment Zone.

Implementation Measure #2: Evaluate the efficacy of existing zones and make amendments as necessary.

Goal 2: **Facilitate the Development of Falcon Hill at Hill Air Force Base**

Policy: Continue to work with the Military Installation Development Authority (MIDA), Hill Air Force Base, and the Falcon Hill developers to begin construction of the Falcon Hill project.

Implementation Measure: Continue to be actively involved in all Falcon Hill discussions and meetings with MIDA, Hill AFB, and the developers.

Goal 3: **Increase Employment and Commercial Opportunities for Clearfield's Residents.**

Policy: Promote the creation of new jobs, businesses, and retail opportunities in the City.

Implementation Measure #1: Continue to actively work with the Economic Development Corporation of Utah (EDCUTAH), the Governor's Office of Economic Development (GOED), and other similar organizations to attract new businesses and jobs to Clearfield.

Implementation Measure #2: Work with the owners of the Freeport Center to develop a revitalization plan to increase the Center's desirability and ability to compete against newer manufacturing centers.

Goal 4: Revitalize Deteriorating Neighborhoods and Commercial Districts.

Policy: Encourage redevelopment and renovation of deteriorating neighborhoods and commercial districts.

Implementation Measure #1: Facilitate the redevelopment of downtown Clearfield through public-private partnerships.

Implementation Measure #2: Create land use ordinances that allow and encourage infill and redevelopment.

Implementation Measure #3: Continue to prioritize code enforcement and property maintenance throughout the City.

Implementation Measure #4: Encourage the use of the R-3R Zone and make land use decisions that encourage and increase home ownership and owner-occupied housing.

CHAPTER 3 - TRANSPORTATION ELEMENT

INTRODUCTION

This Element of the General Plan is intended to provide for the safe and efficient movement of people and goods in the City, reinforce surrounding land development patterns, and enhance regional transportation facilities. As a General Plan document, it does not necessarily indicate existing facilities. The Transportation Element is to be used in conjunction with Exhibit 2, *Transportation Map of the General Plan.*

The primary purpose of the Transportation Element is to balance future demands generated by the Land Use Element with corresponding vehicular and pedestrian infrastructure improvements.

The recommendations included herein represent street capital improvements that may ultimately be needed if Clearfield's entire planning area is fully developed according to the Land Use Element. It is important to emphasize that the results do not necessarily suggest needs in the next five, ten, or even twenty years. Also, inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes.

Appropriate use of Clearfield's long-range Transportation Element should be to:

1. Secure right-of-way prior to or concurrent with land development.

2. Determine if outlying potential development could degrade existing streets, and consider actions to limit or concentrate future land-use densities, if required.

3. Anticipate long-range financial demands and search for additional methods of street improvement funding.

Thus, the recommendations of the long-range Transportation Element should be noted, but actual improvements must be tied to future growth.

TRANSPORTATION AMENITIES

Clearfield is easily accessed through a well-developed network of transportation amenities, including the Utah Transit Authority's Frontrunner commuter rail service, Interstate I-15, Highway 193, Antelope Drive (1700 South), State Street, 300 North and 800 North. It is the intent of this element to preserve and enhance these amenities in a manner that maximizes their usefulness and service to the community.

TRANSPORTATION MAP

Exhibit 2, *Transportation Map of the General Plan* depicts transportation infrastructure in accordance with future build out and capacity. The following street classifications are utilized:

Freeways. Streets designated as Freeways on the Transportation Map are to be designed to safely handle very large volumes of through-traffic. Direct access should be limited to widely-spaced interchanges. Design, construction, and operation of Freeways shall be provided by the Utah Department of Transportation.

Arterial Streets. Streets designated as Arterial Streets on the Map are intended to provide through-traffic circulation between areas of the City and across the City. Direct access to adjacent uses should be limited. Arterials have two categories: major and minor.

Collector Streets. Streets designated as Collector Streets on the Map are intended to provide for traffic movement between Arterial and Local Streets. Center left-turn lanes should be provided where possible to allow for greater access to adjacent uses. Driveway accesses should be evenly spaced. Collectors also have two categories: major and minor.

Local Streets. Streets designated as Local Streets on the Map (not all shown) are intended to provide for direct access to abutting land uses as needed and for local traffic movement.

TRANSPORTATION GUIDELINES

The following transportation guidelines should be followed throughout the City:

1. Land use and transportation planning should be coordinated to maximize the development opportunities created by major transportation routes and interchanges within and around Clearfield.

2. Arterial Streets should be protected from encroachment resulting from improper access to adjacent land uses.

3. An adequate thoroughfare system should be designed within future growth areas and sufficient rights-of-way should be designated prior to land development or through the plan approval process.

4. There should be adequate access to and around commercial and manufacturing areas, public facilities, and other activity centers.

5. Localized traffic congestion and operational problems should be minimized and mitigated as much as possible.

6. All roadways in the community should have properly designed surfaces with drainage facilities which are maintained in adequate condition.

7. The overall design and appearance of roadways within the community should be improved.

8. Transportation facilities should be designed and developed in harmony with the natural environment and with respect to adjacent land uses such as schools, churches, libraries, and other public facilities.

9. Non-local and commercial traffic should be minimized within residential neighborhoods.

10. Adequate off-street parking facilities should be provided for all activity centers.

11. Safe and convenient bicycle and pedestrian movement should be provided.

12. The City should continue to provide for alternative modes of transportation, including the integration of the UTA Frontrunner Rail Stop into the City's overall transportation plan.

13. Efforts should be made to provide for the safe and efficient movement of trucks and service vehicles within the community in a manner that does not adversely affect nearby land uses.

14. Pedestrian signals should be provided only at vehicular signal locations. Crosswalks should be restricted to intersections.

15. Street lighting should be consistent with the intensity of adjacent land uses, aesthetics, and the need for public safety.

16. Streets in developing areas should provide for the free flow of traffic when the construction is complete.

17. Existing streets should be upgraded to minimize congestion. Where congestion can be attributed to new construction, needed improvements should be the responsibility of the developer.

18. Street classification should be determined by projected traffic volumes, desired operation speeds, projected traffic types, projected construction phasing, and location.

19. Intersections should be located at intervals which maximize street capacities and provide necessary access. Traffic signals should be installed as needed.

20. The demands generated by private development should be equal to its participation in street system improvements through the payment of impact fees, the dedication of land, and the construction of necessary facilities.

21. Sidewalks should be provided in all commercial and residential areas.

22. The City should continue to work in a cooperative manner with other governmental agencies and organizations in the planning and construction of transportation infrastructure that benefits City residents.

23. Safe and efficient transportation routes should be provided to and from commonly used public facilities such as parks, schools, libraries, and churches.

GOALS AND POLICIES OF THE TRANSPORTATION ELEMENT:

Goal 1: **To preserve, enhance, and beautify the City's main transportation corridors.**

Policy: Promote the preservation, enhancement and beautification of State Street, North Main Street, 700 South, 200 South, 1700 South, 300 North, and 800 North.

Implementation Measure #1: Implement the D-R Downtown Redevelopment Zone to improve the appearance of the City's main transportation corridors. Adhere to strict application of design standards in the main transportation corridors.

Implementation Measure #2: Work with developers to encourage high-quality, attractive development at the main entrances to the City.

Goal 2: **Facilitate the construction of the extension of State Highway 193 (700 S. / 200 S. corridor).**

Policy: Aid and encourage the development of the State Highway 193 extension.

Implementation Measure #1: Pursue state and local funding for necessary environmental and engineering studies for the road.

Implementation Measure #2: Pursue state and local funding to begin construction of the road.

Goal 3: **Promote the development of alternative modes of transportation throughout the City and to the Salt Lake and Ogden metropolitan areas.**

Policy: Encourage the development of opportunities for alternative modes of transportation between Clearfield and the Salt Lake and Ogden metropolitan areas.

Implementation Measure #1: Take advantage of existing infrastructure such as streets, highways, and railroads to allow for alternative modes of transportation.

Implementation Measure #2: Facilitate the construction of the commuter rail platform and associated site improvements.

Goal 4: **Improve the City's existing transportation infrastructure.**

Policy: Improve, maintain, and repair the City's existing streets and trails.

Implementation Measure #1: Maximize available resources to repair and maintain in good condition the City's streets and trails.

Implementation Measure #2: Update the City's Capital Facilities Plan for streets.

Goal 5: **Make Clearfield more pedestrian-friendly.**

Policy: Encourage the development of trails and walkable areas in the City.

Implementation Measure #1: Encourage site planning methods that result in pedestrian connectivity between developed areas.

Implementation Measure #2: Preserve adequate space for future trail corridors where appropriate.

Implementation Measure #3: Plan for crosswalks at intersections, avoiding unsafe mid-block crossings.

CHAPTER 4 – AFFORDABLE HOUSING ELEMENT

In 1996 the Utah State Legislature passed H.B. 295 - "Providing Affordable Housing," which states that "the availability of moderate income housing is an issue of statewide concern." The Legislature mandated that every municipality must provide an opportunity for all types of housing, including moderate income housing, to meet the needs of all people desiring to live in a particular community.

The Legislature required all municipalities in the State to complete the Utah Affordable Housing Study by Dec. 31, 1998, to determine the affordable housing needs in each municipality. Affordable housing is defined as housing that can be occupied by persons whose household income is 80% or less than the county or regional median income without undue cost burdens. Housing is considered to be affordable when a household pays less than 30% of its gross monthly income (GMI) for housing, including taxes and insurance.

Current data show that ~~almost~~ more than 55% of the City's housing stock is considered affordable. According to the 2007-2011 American Community Survey 5-Year Estimates (census.gov), of the 9,702 households in Clearfield, 5,302 (55%) have an income of less than $50,000 (72.3% of the Davis County area median—$69,147). A reasonable estimate of the number of Clearfield households at or below 80% ($55,318) of the area median income is 59%.

There are still approximately five acres of undeveloped high-density residential property in the City; therefore, current policy is that no additional property will be rezoned for the development of two-family or multi-family dwellings, except as part of an approved R-3R, MU, C-R, or D-R Zone project~~, until new Census data becomes available and the study can be updated accordingly~~.

~~**Figure 4.1** below shows affordable housing data for Clearfield from the 2000 Census:~~

PROFILE OF CLEARFIELD

Demographics, Tenure and Income - 2000			*Measures of Affordability*			
Demographics	*Total*		*Affordable Home Price (County) – 2002*	<$147,526	---	---
Population	25,974	---	*New Home Cost (City) – 2002*			
Households	7,918	---	Median Price	$165,602	---	---
Tenure	*Total*	*%*	*New Residential Units Built 1997 – 2002*	*Total*	*# Afford.*	*% Affordable*
Homeowners	4,402	56%	Single-family Homes	889	300	34%
Renters	3,516	44%	Twin Homes	2	2	100%
Total Occupied Units	7,918	100%	Condominiums/Town Homes	56	56	100%
Tenure by Income	*Total*	*%*	Manufactured/Modular Homes	0	0	---
@ or < 80% AMI*	---	---	Apartments	794	470	59%
Homeowners	1,831	42%	Total	1,741	828	48%
Renters	2,520	72%	*Fees – 2002*	*Total*	*Rank*	*% Home Cost*
Households by Income	*Total*	*%*	Hook-up and Impact Fees	$4,847	34	2.9%
Total Households	7,918	100%	Building Permit Fee	$1,331	47	0.8%
@ or < 80% AMI	4,351	55%	Total	$6,178	37	3.7%

*AMI = area median income (county)

~~Source: http://www.envisionutah.org/resourcesfiles/31/2003%20Housing%20Affordability%20Study.pdf~~

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Clearfield City we've got it made	***CITY COUNCIL*** **STAFF REPORT**	AGENDA ITEM **#8**

TO: **Mayor Wood and City Council members**

FROM: **JJ Allen**
Assistant City Manager
jj.allen@clearfieldcity.org (801) 525-2788

MEETING DATE: **October 8, 2013**

SUBJECT: Public Hearing, discussion and possible action on **FSP 1307-0004**, a request by Mark Thayne, on behalf of Evergreen Holding, LLC, for a final subdivision plat to subdivide a combined acreage of 6.91 acres into two phases with a total of 27 lots that will be known as the Jon's Park Subdivision Phase 1 and Phase 2. The site is located in the vicinity of 125 North and 150 North Pacific Avenue and is currently zoned R-1-Open (Residential).

RECOMMENDATIONS

After the public hearing, move to approve as conditioned FSP 1307-0004, a Final Subdivision Plat known as Jon's Park (Phase 1 and Phase 2), based on the discussion and findings provided in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	Jon's Park
Site Location	Vicinity of 125 North and 150 North Pacific Avenue
Applicant	Mark Thayne Evergreen Holding, LLC
Proposed Actions	Preliminary Subdivision Plat Final Subdivision Plat
Current Zoning	R1-O (Open)
Land Use Classification	Residential
Gross Site Area	6.91 acres
Number of lots	27 lots

Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	Pacific Park Subdivision	R1-O (Open Residential)	Residential
East	Frontrunner and Union Pacific Railroad Lines	N/A	N/A
South	Existing Residential Subdivision	R1-8 (Single Family Residential)	Residential
West	Existing Residential Subdivision	R-3 (SP) Multiple Family Residential/Special Purpose Overlay and R1-8 (Single Family Residential)	Residential

ANALYSIS

Background

Jon's Park subdivision had previously obtained approvals, most recently by City Council on April 22, 2010, but the final plat was never recorded, and pursuant to 12-7-5 of the Subdivision Ordinance, the approvals have subsequently expired. A development agreement was executed on June 29, 2010, and it does impact the development of the property as discussed in further detail in the report.

On September 4, 2013, the Clearfield City Planning Commission approved (with the same conditions described later in this staff report) the resubmitted Preliminary Subdivision Plat, and recommended that the City Council approve the Final Subdivision Plat.

Master Plan and Zoning

The parcels are master planned residential. The zoning is R1-Open, which although is a zoning established through a development agreement, it has similar characteristics of R1-6, which is a single-family residential zone with lots a minimum of 6,000 square feet in size. The subdivision consists of 27 lots on 6.91 acres which is a density of approximately 3.9 DU/acre. Under R1-Open, a minimum of 5% open space is required.

Subdivision Plat Approval

Although deficiencies were identified in the technical review regarding lot standards, specifically that the configuration of Lots 206 and Lots 207 did not meet 12-10-2(B), the situation had apparently been contemplated by the previous Development Agreement. Unique standards

were specifically identified for those lots, including the orientation of the home, and that the driveway would be a shared driveway between the two lots.

Also in the technical review, the open space was identified as exceeding 30% slopes, which has subsequently been revised to not have slopes greater than 30%. Although the open space has limited access from the lots and predominantly serves as the development's storm water detention, it does contain the minimum square feet outside of the detention areas and has slopes not greater than 30% and meets the minimum 5% of open space required.

In addition, the City Engineer identified that the crown of the road (Pacific Street) should be shifted so as to be located in the middle of road. However, through further discussions, staff has agreed that the crown shift should occur at the time that the City improves Pacific Street as a whole, and should be the City's responsibility. Also, the City's standard for paving has changed since the original Development Agreement, and the City would be in support of reimbursing the developer for the difference in cost between installing a chip seal (with a fog coat material) versus the slurry seal described in the original Development Agreement. An addendum to the Development Agreement has been prepared to incorporate these and other items, and should be executed prior to final plat recordation.

Development Agreement
Other items discussed in the development agreement are the following:

- Minimum construction standards and materials of the homes to be built
- The development of the flag lots located in the subdivision
- Minimum landscaping requirements to be provided in the Open Space parcels
- Proposed fencing locations and material
- Required road improvements
- Improvements eligible for reimbursement by the City

Public Comment
A couple of residents to the west voiced some concern over drainage impacting their properties and maintenance of the open spaces. The applicant has met with at least one of these parties, and the concerns appear to have been addressed.

CONDITIONS OF APPROVAL

1) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated August 22, 2013. However, the crown shift will no longer be required.

2) An amended development agreement to incorporate a new final plat, introducing the option for an assessment area instead of an HOA, and to address the road improvement material and items to be escrowed for shall be executed prior to final plat recordation.

3) Pursuant to the Subdivision Ordinance 12-4-5, an estimate of public improvements (as outlined in 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by

the City Engineer and City Attorney and an escrow account shall be established prior to recordation of the Final Plat.

4) Either a Homeowners' Association (HOA) or an assessment area shall be in place and recorded against the properties prior to the issuance of any building permits. If an HOA, declarations and any necessary CC&Rs shall be recorded at the time of final plat recordation, and the HOA shall be responsible for all maintenance of the development's open space. Likewise, if an assessment area is selected as the preferred approach, it must be in place at the time of final plat recordation.

ATTACHMENTS

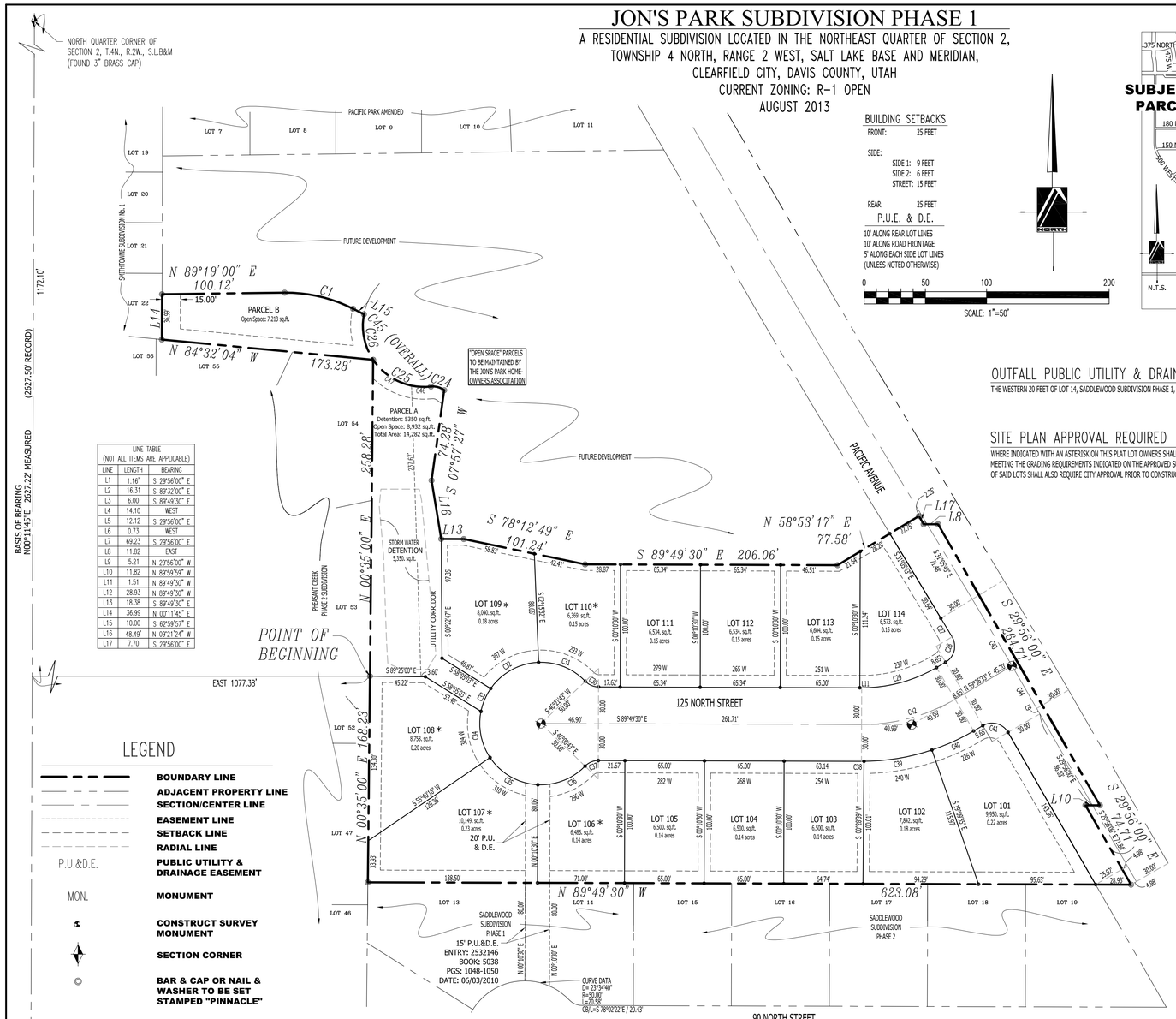
1. Jon's Park Final Plat
2. Development Agreement, June 29, 2010
3. Proposed Addendum #1 to Development Agreement
4. Engineer Review Letter, dated August 22, 2013

JON'S PARK SUBDIVISION PHASE 1

A RESIDENTIAL SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

CURRENT ZONING: R-1 OPEN

AUGUST 2013



LINE TABLE (NOT ALL ITEMS ARE APPLICABLE)		
LINE	LENGTH	BEARING
L1	1.16'	S 29°56'00" E
L2	16.31	S 89°32'00" E
L3	6.00	S 89°49'30" E
L4	14.10	WEST
L5	12.12	S 29°56'00" E
L6	0.73	WEST
L7	69.23	S 29°56'00" E
L8	11.82	EAST
L9	5.21	N 29°56'00" W
L10	11.82	N 89°59'59" W
L11	1.51	N 89°49'30" W
L12	28.93	N 89°49'30" W
L13	18.38	S 89°49'30" E
L14	36.99	N 00°11'45" E
L15	10.00	S 62°59'57" E
L16	48.49'	N 09°21'24" W
L17	7.70	S 29°56'00" E

LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SECTION/CENTER LINE
- EASEMENT LINE
- SETBACK LINE
- RADIAL LINE
- P.U.&D.E. — PUBLIC UTILITY & DRAINAGE EASEMENT
- MON. — MONUMENT
- CONSTRUCT SURVEY MONUMENT
- SECTION CORNER
- BAR & CAP OR NAIL & WASHER TO BE SET STAMPED "PINNACLE"

BUILDING SETBACKS

FRONT: 25 FEET

SIDE:
SIDE 1: 9 FEET
SIDE 2: 6 FEET
STREET: 15 FEET

REAR: 25 FEET

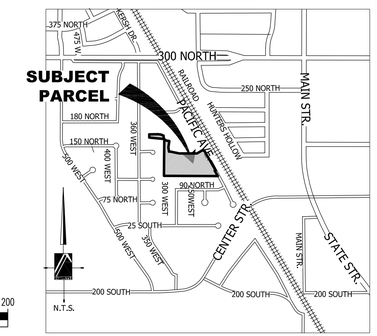
P.U.E. & D.E.

10' ALONG REAR LOT LINES
10' ALONG ROAD FRONTAGE
5' ALONG EACH SIDE LOT LINES
(UNLESS NOTED OTHERWISE)

0 50 100 200

SCALE: 1"=50'

VICINITY MAP



OUTFALL PUBLIC UTILITY & DRAINAGE EASEMENT

THE WESTERN 20 FEET OF LOT 14, SADDLEWOOD SUBDIVISION PHASE 1, DAVIS COUNTY, STATE OF UTAH.

SITE PLAN APPROVAL REQUIRED

WHERE INDICATED WITH AN ASTERISK ON THIS PLAT LOT OWNERS SHALL BE REQUIRED TO SUBMIT A SITE AND FINAL GRADING PLAN TO CLEARFIELD CITY MEETING THE GRADING REQUIREMENTS INDICATED ON THE APPROVED SUBDIVISION DEVELOPMENT PLANS. SUSEQUENT CHANGES TO THE SITE OR GRADING OF SAID LOTS SHALL ALSO REQUIRE CITY APPROVAL PRIOR TO CONSTRUCTION.

CURVE TABLE (NOT ALL ITEMS ARE APPLICABLE)					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH. BEARING
C1	57.86	119.74	27°41'03"	57.30	S 76°50'28" E
C2	14.19	50.00	16°15'37"	14.14	S 18°52'15" W
C3	14.19	50.00	16°15'37"	14.14	N 35°07'52" E
C4	43.50	50.00	49°50'45"	42.14	N 68°11'03" E
C5	46.07	50.00	52°47'16"	44.45	S 67°29'55" E
C6	26.10	50.00	29°54'33"	25.81	S 19°09'00" E
C7	13.08	50.00	49°58'28"	12.67	S 29°10'57" E
C8	60.14	50.00	23°45'54"	59.71	N 66°03'07" W
C9	30.09	145.00	11°53'26"	30.04	S 83°52'47" E
C10	64.36	120.00	30°43'52"	63.59	N 74°46'34" E
C11	23.43	15.00	89°29'55"	21.12	N 14°41'41" E
C12	4.76	50.00	00°03'16"	4.76	S 30°01'38" E
C13	49.34	4970.00	00°34'08"	49.34	S 30°17'04" E
C14	47.12	4970.00	00°32'36"	47.12	S 30°50'25" E
C15	23.42	15.00	89°28'24"	21.12	N 75°49'10" W
C16	31.74	180.00	10°06'06"	31.69	S 64°29'41" W
C17	57.07	180.00	18°10'01"	56.83	N 78°37'45" E
C18	80.45	150.00	30°43'52"	79.49	N 74°46'34" E
C19	7.74	180.00	2°27'45"	7.74	N 88°56'38" E
C20	1.72	205.00	00°28'53"	1.72	N 89°35'04" W
C21	61.17	205.00	17°05'44"	60.94	N 80°47'45" W
C22	121.79	175.00	39°52'29"	119.35	S 69°53'15" E
C23	70.34	205.00	19°39'34"	70.00	N 62°25'07" W
C24	11.48	15.00	43°49'57"	11.20	S 74°30'18" E
C25	54.68	50.00	62°39'30"	52.00	S 65°05'32" E
C26	38.84	50.00	44°30'14"	37.87	S 11°30'40" E
C27	17.81	5000.00	00°12'15"	17.81	S 31°00'36" E
C28	23.70	15.00	90°31'02"	21.31	S 14°21'02" W
C29	64.02	120.00	30°33'52"	63.26	N 74°53'32" E
C30	12.09	15.00	46°11'13"	11.77	N 66°43'54" W
C31	42.43	50.00	48°37'15"	41.17	N 67°56'55" W
C32	46.20	50.00	52°56'14"	44.58	S 67°16'06" W
C33	20.38	50.00	23°21'09"	20.24	N 23°07'10" E
C34	39.42	50.00	45°10'14"	38.41	N 11°08'32" W
C35	46.52	50.00	53°18'42"	44.86	N 60°22'59" W
C36	42.74	50.00	48°58'23"	41.45	S 68°28'28" W
C37	12.09	15.00	46°11'13"	11.77	N 67°04'54" E
C38	2.12	180.00	00°40'29"	2.12	N 89°50'16" E
C39	56.38	180.00	17°56'56"	56.16	S 80°31'34" W
C40	37.52	180.00	11°56'32"	37.45	N 65°34'50" E
C41	23.68	15.00	90°27'27"	21.30	N 75°09'43" W
C42	80.02	150.00	30°33'57"	79.08	N 74°53'32" E
C43	63.32	5030.00	00°43'17"	63.32	S 30°45'05" E
C44	40.15	5030.00	00°27'27"	40.15	S 30°09'43" E
C45	93.52	50.00	107°09'44"	80.47	S 42°50'25" E
C46	15.93	50.00	43°49'57"	15.87	N 87°17'37" W
C47	38.75	50.00	44°23'59"	37.78	N 55°57'46" W

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No.191517 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

JON'S PARK SUBDIVISION PHASE 1

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A SUBDIVISION LOCATED IN THE NORTHEAST EAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF PHEASANT CREEK PHASE 2 SUBDIVISION AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH 00°11'45" WEST ALONG SECTION LINE 1172.10 FEET AND EAST 1077.38 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION AND RUNNING
THENCE NORTHERLY AND WESTERLY ALONG SAID SUBDIVISION THE FOLLOWING TWO (2) CALLS:
NORTH 00°35'00" EAST 258.28 FEET,
NORTH 84°32'04" WEST 173.28 FEET TO A POINT ON THE SOUTH LINE OF SMITHTOWNE SUBDIVISION No. 1 AS RECORDED WITH SAID RECORDER;
THENCE NORTH 00°11'45" EAST ALONG THE EAST LINE OF SAID SUBDIVISION 36.99 FEET TO A POINT ON THE SOUTH LINE OF JON'S PARK SUBDIVISION PHASE 2 (NOT YET RECORDED);
THENCE EASTERLY, SOUTHEASTERLY, SOUTHERLY AND EASTERLY THE FOLLOWING ELEVEN (11) CALLS ALONG SAID SUBDIVISION (NOT YET RECORDED);
(1) NORTH 89°19'00" EAST 100.12 FEET TO A POINT OF CURVATURE (2) SOUTHEASTERLY ALONG THE ARC OF A 119.74 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 27°41'03" A DISTANCE OF 57.86 FEET (CHORD BEARS: S 76°50'28" E 57.30 FEET) (3) SOUTH 62°59'57" EAST 10.00 FEET TO A POINT ON THE ARC OF 50 FOOT NON-TANGENT CURVE TO THE LEFT (4) SOUTHEASTERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 107°09'44" A DISTANCE OF 93.52 FEET (CHORD BEARS S 42°50'25" E 80.47 FEET) TO A POINT OF REVERSE CURVATURE (5) SOUTHEASTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH CENTRAL ANGLE OF 43°49'57" A DISTANCE OF 11.48 FEET (CHORD BEARS: S 74°30'18" E 11.20 FEET) (6) SOUTH 07°57'27" WEST 74.28 FEET (7) SOUTH 09°21'24" EAST 48.49 FEET (8) SOUTH 89°49'30" EAST 18.38 FEET, (9) SOUTH 78°12'49" EAST 101.24 FEET, (10) SOUTH 89°49'30" EAST 206.06 FEET, (11) NORTH 58°53'17" EAST 77.58 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION AND THE EASTERLY RIGHT OF WAY LINE (PER DEED); THENCE SOUTHEASTERLY ALONG SAID EAST LINE THE FOLLOWING FIVE (5) CALLS: (1) SOUTH 29°56'00" EAST 7.70 FEET (2) EAST 11.82 FEET (3) SOUTH 29°56'00" EAST 264.71 FEET (4) THENCE NORTH 89°59'59" WEST 11.82 FEET (5) THENCE SOUTH 29°56'00" EAST 74.71 FEET TO THE NORTH LINE OF SADDLEWOOD SUBDIVISION PHASE 2 EXTENDED AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER; THENCE NORTH 89°49'30" WEST 623.08 FEET TO AND ALONG SAID SUBDIVISION AND ALONG THE NORTH LINE OF PHASE 1 OF SAID SUBDIVISION TO THE EAST LINE OF SAID PHEASANT CREEK PHASE 2 SUBDIVISION AS RECORDED WITH SAID COUNTY RECORDER; THENCE NORTH 00°35'00" EAST 168.23 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. CONTAINING: 163,321 SQ.FT. (3.75 ACRES - 14 LOTS)

DATE

STEPHEN J. FACKRELL
LICENSE NO. 191517

OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown on the plat and name said tract JON'S PARK SUBDIVISION PHASE 1 and do hereby:

a) Public Streets: dedicate, grant and convey to Clearfield City, Utah all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever.

b) Public Utility, and Drainage Easements: grant and dedicate a perpetual right and easement over, upon and under the lands designated on the plat as public utility, drainage easements, the same to be used for the installation, maintenance and operation of public utility service lines, storm drainage facilities whichever is applicable as may be authorized by Clearfield City, Utah, with no buildings or structures being erected within such easements.

c) Open Space Parcels: dedicate, grant and convey to Jon's Park Homeowners Association all those parts or portions of said tract of land designated as open space parcels the same to be used as open space forever. Open space parcels shall be maintained by the Jon's Park Homeowners Association.

In witness whereof the undersigned have hereunto set their signatures

this_____day of _____A.D., 20___.

NEIL WALL

ACKNOWLEDGMENT

STATE OF UTAH)
County of Davis)

On the ____ day of _____ A.D., 20____ , personally appeared before me, the undersigned Notary public, in and for said County of Davis in said State of Utah, the signer ( ) of the above Owner's dedication, _____in number, who duly acknowledged to me that _____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

JON'S PARK SUBDIVISION PHASE 1

A PORTION OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

PINNACLE Engineering & Land Surveying, Inc.
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

CITY ATTORNEY APPROVAL

APPROVED AS TO FORM SIGNED THIS _____ DAY OF_____ , 20_____ ,

CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS_____ DAY OF_____ , 20_____, BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF ____ , 20_____, BY THE CLEARFIELD CITY ENGINEER.

CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF ____ , 20 ___, BY THE CLEARFIELD CITY COUNCIL.

ATTEST:

CLEARFIELD CITY RECORDER CLEARFIELD CITY MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF , 20_____AT_____IN BOOK _____OF OFFICIAL RECORDS PAGE_____

DAVIS COUNTY RECORDER

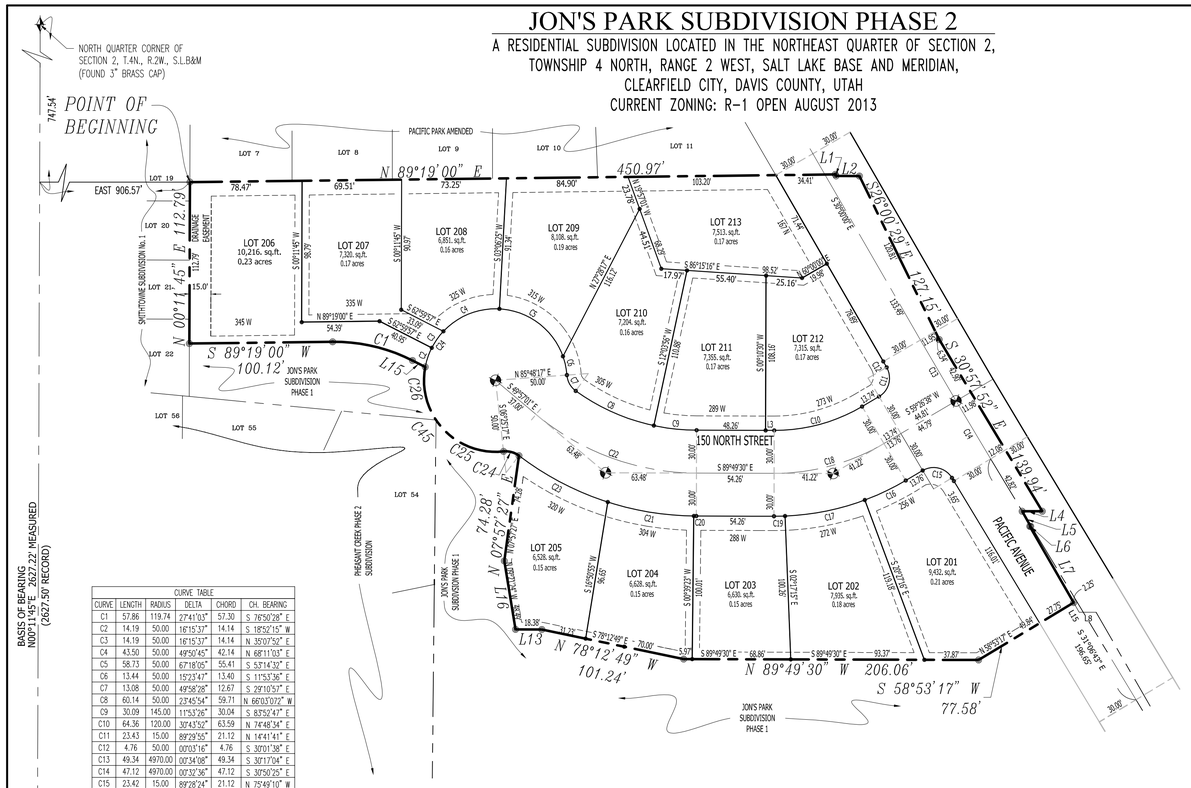
BY_____

DEPUTY REORDER

JON'S PARK SUBDIVISION PHASE 2

A RESIDENTIAL SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

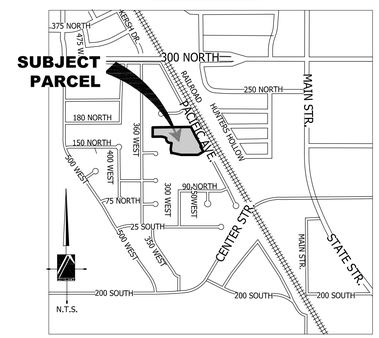
CURRENT ZONING: R-1 OPEN AUGUST 2013

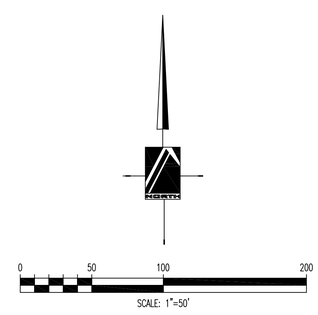


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH. BEARING
C1	57.86	119.74	27°41'03"	57.30	S 76°50'28" E
C2	14.19	50.00	16°15'37"	14.14	S 18°52'15" W
C3	14.19	50.00	16°15'37"	14.14	N 35°07'52" E
C4	43.50	50.00	49°50'45"	42.14	N 68°11'03" E
C5	58.73	50.00	67°18'05"	55.41	S 53°14'32" E
C6	13.44	50.00	15°23'47"	13.40	S 11°53'36" E
C7	13.08	50.00	49°58'28"	12.67	S 29°10'57" E
C8	60.14	50.00	23°45'54"	59.71	N 66°03'07" W
C9	30.09	145.00	11°53'26"	30.04	S 83°52'47" E
C10	64.36	120.00	30°43'52"	63.59	N 74°48'34" E
C11	23.43	15.00	89°29'55"	21.12	N 14°41'41" E
C12	4.76	50.00	00°03'16"	4.76	S 30°01'38" E
C13	49.34	4970.00	00°34'08"	49.34	S 30°17'04" E
C14	47.12	4970.00	00°32'36"	47.12	S 30°50'25" E
C15	23.42	15.00	89°28'24"	21.12	N 75°49'10" W
C16	31.74	180.00	10°06'06"	31.69	S 64°29'41" W
C17	57.07	180.00	18°10'01"	56.83	N 78°37'45" E
C18	80.45	150.00	30°43'52"	79.49	N 74°48'34" E
C19	7.74	180.00	2°27'45"	7.74	N 88°56'38" E
C20	1.72	205.00	00°28'53"	1.72	N 89°35'04" W
C21	61.17	205.00	17°05'44"	60.94	N 80°47'45" W
C22	121.79	175.00	39°52'29"	119.35	S 69°53'15" E
C23	70.34	205.00	19°39'34"	70.00	N 62°25'07" W
C24	11.48	15.00	43°49'57"	11.20	S 74°30'18" E
C25	54.68	50.00	62°39'30"	52.00	S 65°05'32" E
C26	38.84	50.00	44°30'14"	37.87	S 11°30'40" E
C27	17.81	5000.00	00°12'15"	17.81	N 31°00'36" W
C28	23.70	15.00	90°31'02"	21.31	N 14°21'02" E
C29	64.02	120.00	30°33'57"	63.26	N 74°53'32" E
C30	12.09	15.00	46°11'13"	11.77	N 66°43'54" W
C31	42.43	50.00	48°37'15"	41.17	N 67°56'55" W
C32	46.20	50.00	52°56'44"	44.58	S 61°16'06" W
C33	20.38	50.00	23°21'09"	20.24	S 23°07'10" W
C34	39.42	50.00	45°12'14"	38.41	N 11°08'32" W
C35	46.52	50.00	53°18'42"	44.86	N 60°22'59" W
C36	42.74	50.00	48°58'23"	41.45	S 68°28'28" W
C37	12.09	15.00	46°11'13"	11.77	N 67°04'54" E
C38	2.12	180.00	00°40'29"	2.12	N 89°50'16" E
C39	56.38	180.00	17°56'56"	56.16	S 80°31'34" W
C40	37.52	180.00	11°56'32"	37.45	N 65°34'50" E
C41	23.68	15.00	90°27'27"	21.30	N 75°09'43" W
C42	80.02	150.00	30°33'57"	79.08	N 74°53'32" E
C43	63.32	5030.00	00°43'17"	63.32	S 30°45'05" E
C44	40.15	5030.00	00°27'27"	40.15	S 30°09'43" E
C45	93.52	50.00	107°09'44"	80.47	S 42°50'25" E

LINE TABLE		
LINE	LENGTH	BEARING
L1	1.16'	S 29°56'00" E
L2	16.31	S 89°32'00" E
L3	6.00	S 89°49'30" E
L4	14.10	WEST
L5	12.12	S 29°56'00" E
L6	0.73	WEST
L7	61.53	S 29°56'00" E
L8	11.82	WEST
L9	5.21	N 29°56'00" W
L10	11.82	S 89°59'59" E
L11	1.51	N 89°49'30" W
L12	28.93	N 89°49'30" W
L13	18.38	N 89°49'30" W
L14	45.22	N 89°25'00" W
L15	10.00	N 62°59'57" W
L16	48.49'	N 09°21'24" W

VICINITY MAP





LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SECTION/CENTER LINE
- EASEMENT LINE
- SETBACK LINE
- RADIAL LINE
- P.U.&D.E. — PUBLIC UTILITY & DRAINAGE EASEMENT
- MON. — MONUMENT
- CONSTRUCT SURVEY MONUMENT
- SECTION CORNER
- BAR & CAP OR NAIL & WASHER TO BE SET STAMPED "PINNACLE"

BUILDING SETBACKS

FRONT: 25 FEET

SIDE:
SIDE 1: 9 FEET
SIDE 2: 6 FEET
STREET: 15 FEET

REAR: 25 FEET

P.U.E. & D.E.

10' ALONG REAR LOT LINES
10' ALONG ROAD FRONTAGE
5' ALONG EACH SIDE LOT LINES
(UNLESS NOTED OTHERWISE)

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No.191517 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

JON'S PARK SUBDIVISION PHASE 2

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7 PACIFIC PARK AMENDED SUBDIVISION SAID POINT BEING LOCATED SOUTH 00°11'45" WEST ALONG SECTION LINE 747.54 FEET AND EAST 906.57 FROM THE NORTH QUARTER CORNER OF SAID SECTION AND RUNNING THENCE NORTH 89°19'00" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION 450.97 FEET TO THE EASTERLY RIGHT OF WAY LINE (PER DEED); THENCE SOUTHEASTERLY THE FOLLOWING EIGHT (8) CALLS ALONG SAID RIGHT OF WAY: (1) SOUTH 29°56'00" EAST 1.16 FEET (2) SOUTH 89°32'00" EAST 16.31 FEET (3) SOUTH 26°00'29" EAST 127.15 FEET; (4) SOUTH 30°57'52" EAST 139.94 FEET (5) WEST 14.10 FEET (6) SOUTH 29°56'00" EAST 12.12 FEET (7) WEST 0.73 FEET (8) SOUTH 29°56'00" EAST 61.53 FEET; THENCE SOUTH 58°53'17" WEST 77.58 FEET; THENCE NORTH 89°49'30" WEST 206.06 FEET; THENCE NORTH 78°12'49" WEST 101.24 FEET; THENCE NORTH 89°49'30" WEST 18.38 FEET; THENCE NORTH 09°21'24" WEST 48.49 FEET; THENCE NORTH 07°57'22" EAST 74.28 FEET TO A POINT ON THE ARC OF A 15.00 FOOT NON-TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°49'57" A DISTANCE OF 11.48 FEET (CHORD BEARS: N 74°30'18" W 11.20 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF 50.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 107°09'44" A DISTANCE OF 93.52 FEET (CHORD BEARS: N 42°50'25" W 80.47 FEET); THENCE NORTH 62°59'57" WEST 10.00 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 119.74 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 27°41'03" A DISTANCE OF 57.86 FEET (CHORD BEARS: N 76°50'28" W 57.30 FEET); THENCE SOUTH 89°19'00" WEST 100.12 FEET TO THE EAST LINE OF SMITHTOWNE SUBDIVISION No.1 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDERS OFFICE; THENCE NORTH 00°11'45" EAST 112.79 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE POINT OF BEGINNING.

CONTAINS: 137,832 SQ.FT.(3.16 ACRES - 13 LOTS)

DATE

STEPHEN J. FACKRELL
LICENSE NO. 191517

OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown on the plat and name said tract JON'S PARK SUBDIVISION PHASE 2 and do hereby:

a) Public Streets: dedicate, grant and convey to Clearfield City, Utah all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever.

b) Public Utility, and Drainage Easements: grant and dedicate a perpetual right and easement over, upon and under the lands designated on the plat as public utility, drainage easements, the same to be used for the installation, maintenance and operation of public utility service lines, storm drainage facilities whichever is applicable as may be authorized by Clearfield City, Utah, with no buildings or structures being erected within such easements.

c) Open space parcels in Jon's Park Phase 1 shall be maintained by the Jon's Park Homeowners Association.

In witness whereof the undersigned have hereunto set their signatures

this_____day of _____A.D., 20___.

ACKNOWLEDGMENT

STATE OF UTAH)
County of Davis)

On the ___ day of _____ A.D., 20____ , personally appeared before me, the undersigned Notary public, in and for said County of Davis in said State of Utah, the signer ( ) of the above Owner's dedication, _____in number, who duly acknowledged to me that_____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:_____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

JON'S PARK SUBDIVISION PHASE 2

A PORTION OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

PINNACLE Engineering & Land Surveying, Inc.
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

09-073

CITY ATTORNEY APPROVAL

APPROVED AS TO FORM SIGNED THIS _____ DAY OF_____ , 20____ ,

CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS_____ DAY OF_____ , 20____, BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF ____ , 20____, BY THE CLEARFIELD CITY ENGINEER.

CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF ____ , 20 ___, BY THE CLEARFIELD CITY COUNCIL.

ATTEST:

CLEARFIELD CITY RECORDER CLEARFIELD CITY MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF , 20_____AT_____IN BOOK _____OF OFFICIAL RECORDS PAGE_____

DAVIS COUNTY RECORDER

BY_____
DEPUTY REORDER

DEVELOPMENT AGREEMENT

for

JON'S PARK SUBDIVISION, PHASES 1 AND 2

between

CLEARFIELD CITY CORPORATION

and

EVERGREEN HOLDING, LLC

THIS DEVELOPMENT AGREEMENT is entered into this 29th day of June, 2010, by and between Clearfield City Corporation (hereinafter "City"), a Utah Municipal Corporation, and Evergreen Holding, LLC, (hereinafter "Developer").

RECITALS

A. Developer intends to develop certain property situated in Clearfield City, Davis County, Utah, more particularly described in the approved Jon's Park Subdivision Final Plats, Phases 1 and 2, which Plats and Improvement Drawings are hereby incorporated into and attached to this Agreement as Exhibit "A," and hereafter referred to as the "Property."

B. Developer owns or has a contractual right to purchase the Property.

C. The Developer desires to develop the Property according to Exhibit "A" as well as this Agreement.

D. The City has approved the Final Subdivision Plats of Phases 1 and 2 for the development of the Property.

E. The Developer and City are entering into this Development Agreement as part of the approval process for development of the Property.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and the terms and conditions herein stated and for other valuable consideration, the adequacy of which is acknowledged by the parties hereto, it is agreed as follows:

1. Developer's Undertakings:

a. Developer hereby agrees to construct and to install all improvements described in Exhibit "A" (the approved Plats and Improvement Drawings). Developer agrees to pay for such improvements. In the event that Developer does not complete such improvements according to the specific plans set forth in Exhibit "A," the City shall have the right to cause such work to be done as is necessary to reasonably complete the installation of the improvements, and Developer shall be liable for the cost of such additional work.

b. Bonding: The Developer must comply with the City's requirements for bonding as set forth in Title 12, Chapter 9 of the Clearfield City Code, except that all deadlines

specifically set forth in this Agreement for completion of improvements shall be met in lieu of any contradicting time requirements in the Code.

c. All new dwelling units within the Property shall be single-family dwellings. Each unit shall have a two-car garage.

d. All new dwelling units shall have at least one thousand two hundred (1,200) square feet of finished floor space above grade if the unit is one story with a basement. Ramblers with no basement or units with two stories above grade shall have at least one thousand five hundred (1,500) square feet of finished floor space above grade. No slab on grade construction without footings is allowed.

e. The following setbacks shall be the minimum required for each main building:

1. Front Yard: Twenty five feet (25') to the garage;

2. Side Yards: Nine feet (9') on the garage side of the lot and six feet (6') on the other side. Side yards on the corner (east) side of corner lots shall be a minimum of fifteen feet (15'); and

3. Rear Yards: Twenty five feet (25').

f. All new dwelling units shall have vinyl siding on units where siding is used, and front elevations shall have at least fifty percent (50%) brick or rock. Side and rear exterior finishes may consist of brick, stucco, rock, vinyl siding, or combinations thereof.

g. A dwelling unit currently exists on lot number 213. This unit may remain on the Property in its current configuration. Any new structure built on the Property must meet the requirements of this Agreement.

h. The dwelling units on lots 206 and 207 shall face a southerly direction. The front yard setback for these units will be measured from the southernmost property line of each lot. These lots will have a shared driveway consisting of the entire width of both flag stems, and the driveway for lot number 206 shall be designed so that vehicles can turn around and access the street while facing forward. The west side of lot 206 shall be developed to provide a swale for overflow from the retention basin in Pacific Park Phase 2 Subdivision, which will connect to the swale in the open space identified on the Plat as "Parcel B."

i. The Developer shall construct residential dwelling units on the Property in conformance with requirements of Title 11 of the Clearfield City Code and this Development Agreement.

j. Parcels A and B shall be fully landscaped by the Developer. The landscaping shall consist of sod and a minimum of three trees per Parcel, each with a caliper of no less than two inches (2"). An automatic sprinkler system shall be installed for both Parcels. Parcel A

shall also contain a twenty (20') wide access between lots 108 and 109 and a four foot (4') wide path and park bench as shown in Exhibit "A." The Developer shall establish a homeowners' association to provide for the ownership and maintenance of open space Parcels A and B. The association shall include all of the lots shown on the Final Plats. In the event that the homeowners' association fails to maintain the open space areas, the City shall have the right, but not the obligation, to perform said maintenance and bill any costs associated therewith (including administrative overhead) to the Property owners.

k. The Developer shall install a six foot (6') tall vinyl fence as follows:

1. Along the property line between Parcel A and lots 205, 108, and 109. The height shall be reduced to thirty six inches (36") in the front yard set back of those lots.

2. Along the full length of the west side of Parcel A.

3. Along the full length of the south and west sides of Parcel B.

l. The Developer shall record this Agreement with the Davis County Recorder as covenants running with the lots and land in the Development.

m. The Developer shall install a complete asphalt overlay of Pacific Street beginning at the north side of lot 213, southward to and including the cul-de-sac on the north side of the Center Street bridge.

n. The City shall reimburse the Developer for costs incurred to install approximately three hundred thirty feet (330') of curb and gutter on the east side of Pacific Street, from the south side of lot 101 to the end of the cul-de-sac on the north side of the Center Street bridge, and to upgrade the storm water box in the cul-de-sac. In no case, however, shall the City's reimbursement to the Developer exceed five thousand dollars ($5,000.00) without prior written authorization from the City.

o. No building permits shall be issued until all improvements set forth in this Agreement and shown in Exhibit "A" are complete.

p. The Developer shall install a Type 3 slurry seal coat as per City standards on the entire width of 300 West following the construction of the new sanitary sewer and storm drain.

2. City's Undertakings:

The City agrees to allow the development of the Property pursuant to applicable law and in conformance with the Developer's Undertakings set forth above, and shall issue building permits for the construction of dwelling units on lots 101 – 114 and 201 – 213 on the Property accordingly.

3. General Terms and Conditions:

a. Integration Clause. This document and those incorporated by reference constitute the entire agreement between the Parties and may not be amended except in writing signed by the Parties.

b. Exhibits Incorporated. Each exhibit attached to and referred to in this Agreement is hereby incorporated by reference as though set forth in full where referred to herein.

c. Attorneys' Fees. In the event of any action or suit by a party against the other party for any reason of any breach of any of the covenants, conditions, agreements, provisions on the part of the other party arising out of this Agreement, the prevailing party in such action or suit shall be entitled to have and recover from the other party all costs and expenses incurred therein, including reasonable attorneys' fees.

d. Governing Law. It is mutually understood and agreed that this Agreement shall be governed by the laws of the state of Utah, both as to interpretation and performance. Any action at law, suit in equity, or other judicial proceeding for the enforcement of this Agreement or any provision thereof shall be instituted only in courts within the State of Utah.

e. Remedies for Breach. In addition to any other remedies allowed under law or equity, the City shall specifically be entitled to the Developer's specific performance of the terms and conditions under this Agreement.

f. Successors and Assigns of the Parties. This Agreement shall be binding upon the parties and their successors and assigns, and where the term "Developer", "Party" or "Parties" is used in this Agreement it shall mean and include the successors and assigns of Developer. In addition, Developer may assign the rights to develop part of the Property to a third party pursuant to the terms of this Agreement, provided that such third party agrees in writing to be bound by the terms of this Agreement and that such written agreement has been provided to the City.

g. Headings. The paragraph headings of this Agreement are for the purposes of performance only and shall not limit or define the provisions of this Agreement or any of said provisions.

h. Severability or Partial Validity. If any term, covenant, paragraph, or condition of this Agreement or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each such remaining term, covenant, or condition of this Agreement shall be valid and enforceable to the full extent permitted by law.

i. Warranty of Authority. Each party signing or executing this Agreement warrants that they have full authority to sign this Agreement and by signing said Agreement do bind the parties thereto.

j. Warranty Inspections. The Developer agrees to reimburse the City or pay directly to the City's engineer any costs associated with the intermediate and final warranty inspections that are required prior to acceptance of the subdivision improvements by the City.

IN WITNESS WHEREOF, the Developer and Clearfield City have executed this Agreement effective as of the date first above written.

CLEARFIELD CITY CORPORATION,

Donald W. Wood

Donald W. Wood, Mayor

EVERGREEN HOLDING, LLC

ATTEST:

Nancy R. Dean

Nancy R. Dean, City Recorder

CLEARFIELD CITY CORPORATE SEAL Clearfield City A MUNICIPAL CORPORATION

APPROVED AS TO CONTENT:

Community Development Director

APPROVED AS TO FORM:

Brian Brower

City Attorney's Office

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
§
COUNTY OF DAVIS)

On the 29th day of June, 2010 personally appeared before me, Neil Jay Wall, as signer of the foregoing document, who duly acknowledged to

me that he has corporate authority on behalf of Evergreen Holding, LLC to execute the same.

NOTARY PUBLIC
Residing: Weber County

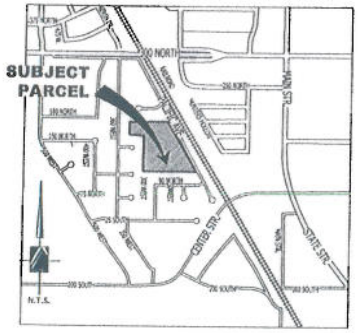
JORDAN KONKOL
Notary Public • State of Utah
Commission # 582851
COMM. EXP. 05-24-2014

EXHIBIT "A"

JON'S PARK PHASES 1 & 2

125 NORTH AND 150 NORTH PACIFIC AVENUE
CLEARFIELD CITY, UTAH

VICINITY MAP



UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND /OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

CONTRACTOR FURTHER AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

TRAFFIC CONTROL & SAFETY NOTES

1. BARRICADING AND DETOURING SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE CURRENT STATE OF UTAH DEPARTMENT OF TRANSPORTATION MANUAL OF TRAFFIC CONTROLS FOR CONSTRUCTION AND MAINTENANCE WORK ZONES, AND THE CURRENT CLEARFIELD CITY STANDARD DRAWING, AND SHALL BE APPROVED BY THE ENGINEER PRIOR TO ANY WORK.

2. NO STREET SHALL BE CLOSED TO TRAFFIC WITHOUT WRITTEN PERMISSION FROM THE CITY TRAFFIC ENGINEER, EXCEPT WHEN DIRECTED BY LAW ENFORCEMENT OR FIRE OFFICIALS.

3. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROVIDE FOR SMOOTH TRAFFIC FLOW AND SAFETY. ACCESS SHALL BE MAINTAINED FOR ALL PROPERTIES ADJACENT TO THE WORK.

4. DETOURING OPERATIONS FOR A PERIOD OF SIX CONSECUTIVE CALENDAR DAYS, OR MORE, REQUIRE THE INSTALLATION OF TEMPORARY STREET STRIPING AND REMOVAL OF INTERFERING STRIPING BY SANDBLASTING. THE DETOURING STRIPING PLAN OR CONSTRUCTION TRAFFIC CONTROL PLAN MUST BE SUBMITTED TO THE CITY TRAFFIC ENGINEER FOR REVIEW AND APPROVAL.

5. ALL TRAFFIC CONTROL DEVICES SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE END OF THE WORK TO THE SATISFACTION OF THE CITY TRAFFIC ENGINEER.

6. TRAFFIC CONTROL DEVICES (TCDs) SHALL REMAIN VISIBLE AND OPERATIONAL AT ALL TIMES.

GENERAL NOTES

1) ALL WORK SHALL WITHIN THE PUBLIC RIGHT-OF-WAY SHALL CONFORM WITH CLEARFIELD CITY STANDARDS & SPECIFICATIONS.

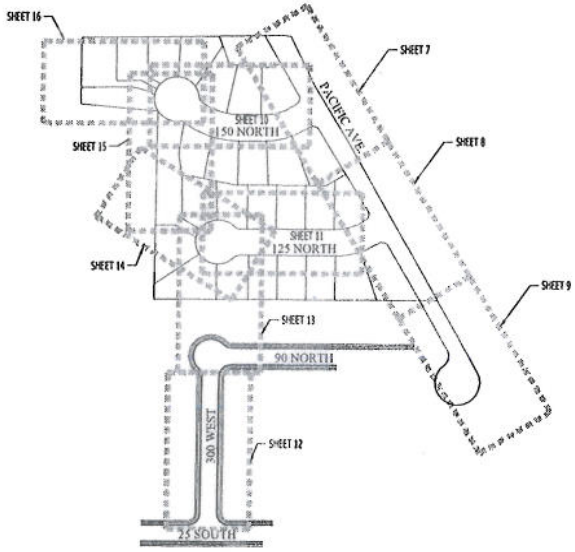
2) CALL BLUESTAKES 48 HOURS PRIOR TO DIGGING.

3) BENCHMARK IS THE NORTH QUARTER CORNER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M., ELEVATION = 4478.12

4) ALL CONSTRUCTION SHALL COMPLY WITH THE CLEARFIELD CITY STANDARD PLANS.

5) CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF ALL EXISTING MANHOLES AND OTHER UTILITIES BEFORE BUILDING OR STAKING ANY UTILITY LINES.

6) THE RELOCATION OF ALL MAILBOXES SHALL BE COORDINATED WITH THE POST OFFICE AND THE LAND OWNER.



DEVELOPER

NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203
KAYSVILLE, UTAH 84037
(801) 499-5114

ENGINEER / SURVEYOR

PINNACLE
Engineering & Land Surveying, Inc.
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

DRAWING INDEX

1 COVER
2 PHASE 1 PLAT
3 PHASE 2 PLAT
4 NOTES
5 DETAILS
6 SITE PLAN
7 PACIFIC STREET PLAN & PROFILE STATION 0+00 TO 4+00
8 PACIFIC STREET PLAN & PROFILE STATION 4+00 TO 8+50
9 PACIFIC STREET PLAN & PROFILE STATION 8+50 TO 12+00
10 150 NORTH STREET PLAN & PROFILE
11 125 NORTH STREET PLAN & PROFILE
12 UTILITY OUTFALL PLAN & PROFILE 0+00 TO 4+00
13 UTILITY OUTFALL PLAN & PROFILE 4+00 TO 6+50
14 UTILITY OUTFALL PLAN & PROFILE 6+50 TO 7+50
15 UTILITY OUTFALL PLAN & PROFILE 7+50 TO 10+25
16 OPEN SPACE B PLAN
17 STORM WATER POLLUTION PREVENTION PLAN
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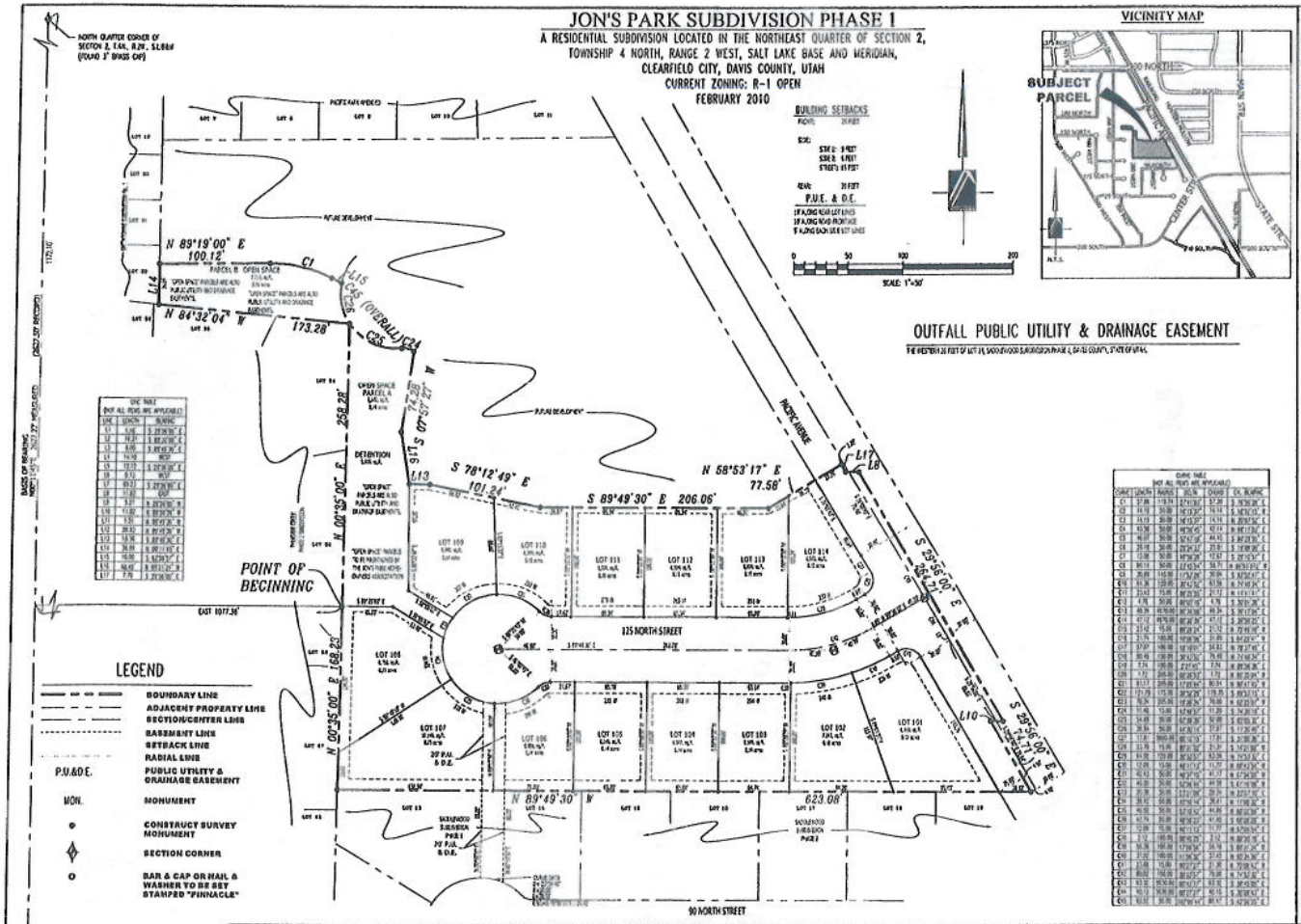
JON'S PARK PHASES 1 & 2

JON'S PARK SUBDIVISION PHASE 1

A RESIDENTIAL SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

CURRENT ZONING: R-1 OPEN

FEBRUARY 2010



LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SECTION/CENTER LINE
- EASEMENT LINE
- SETBACK LINE
- RADIAL LINE
- P.U.&D.E. — PUBLIC UTILITY & DRAINAGE EASEMENT
- MON. — MONUMENT
- CONSTRUCT SURVEY MONUMENT
- SECTION CORNER
- BAR & CAP OR NAIL & WASHER TO BE SET STAMPED "PINNACLE"

BUILDING SETBACKS

FRONT: 20 FEET

SIDE: SIDE 1: 8 FEET; SIDE 2: 8 FEET; STREET: 15 FEET

REAR: 20 FEET

P.U.E. & D.E.

10' ALONG REAR LOT LINES
10' ALONG ROAD FRONTAGE
5' ALONG EACH SIDE LOT LINES

SCALE: 1"=50'

VICINITY MAP

OUTFALL PUBLIC UTILITY & DRAINAGE EASEMENT

THE WESTERLY 30 FEET OF LOT 24, SAGEWOOD SUBDIVISION PHASE 2, DAVIS COUNTY, STATE OF UTAH.

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No.191517 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

JON'S PARK SUBDIVISION PHASE 1

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF PINEHURST CREEK PHASE 2 SUBDIVISION AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH 89°49'30" WEST ALONG SECTION LINE 1,172.36 FEET AND EAST 1077.36 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION AND RUNING

THENCE NORTHERLY AND WESTERLY ALONG SAID SUBDIVISION THE FOLLOWING TWO (2) CALLS:

NORTH 84°32'04" EAST 173.28 FEET;

NORTH 89°19'00" WEST 100.12 FEET TO A POINT ON THE SOUTH LINE OF SPRINGVIEW SUBDIVISION NO. 3 AS RECORDED WITH SAID RECORDER;

THENCE NORTH 00°35'00" EAST ALONG THE EAST LINE OF SAID SUBDIVISION 258.28 FEET TO A POINT ON THE SOUTH LINE OF JON'S PARK SUBDIVISION PHASE 2 (NOT YET RECORDED);

THENCE EASTERLY, SOUTHEASTERLY, SOUTHERLY AND EASTERLY THE FOLLOWING ELEVEN (11) CALLS ALONG SAID SUBDIVISION (NOT YET RECORDED):

(1) NORTH 89°19'00" EAST 206.06 FEET TO A POINT OF CURVATURE; (2) SOUTHEASTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37°41'12" A DISTANCE OF 9.86 FEET (CHORD BEARS S 78°12'49" E 9.68 FEET); (3) SOUTH 89°49'30" EAST 101.24 FEET TO A POINT OF CURVATURE; (4) SOUTHERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 23.56 FEET (CHORD BEARS S 44°49'30" E 21.21 FEET); (5) SOUTH 00°10'30" EAST 168.22 FEET; (6) SOUTH 89°49'30" EAST 623.08 FEET; (7) SOUTH 00°35'00" EAST 168.22 FEET; (8) SOUTH 89°49'30" EAST 206.06 FEET; (9) NORTH 58°53'17" EAST 77.58 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION AND THE EASTERLY RIGHT OF WAY LINE (90 EXISTING) THENCE SOUTHEASTERLY ALONG SAID EAST LINE THE FOLLOWING FIVE (5) CALLS: (1) SOUTH 89°49'30" EAST 2.78 FEET; (2) EAST 11.00 FEET; (3) SOUTH 89°49'30" EAST 24.75 FEET; (4) THENCE NORTH 89°19'00" WEST 10.12 FEET; (5) THENCE SOUTH 89°49'30" EAST 74.75 FEET TO THE NORTH LINE OF SAGEWOOD SUBDIVISION PHASE 2 (NOT YET RECORDED) AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER; THENCE NORTH 89°49'30" WEST 623.08 FEET TO AND ALONG SAID SUBDIVISION AND ALONG THE NORTH LINE OF PHASE 1 OF SAID SUBDIVISION TO THE EAST LINE OF SAID PINEHURST CREEK PHASE 2 SUBDIVISION AS RECORDED WITH SAID COUNTY RECORDER; THENCE NORTH 89°19'00" EAST 100.12 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

CONTAINING 24.02 ACRES (1,046,463 SQ. FT.)

DATE

STEPHEN J. FACKRELL
LICENSE NO. 191517

OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown on the plat and name said tract JON'S PARK SUBDIVISION PHASE 1 and do hereby:

a) Public Streets: dedicate, grant and convey to Clearfield City, Utah all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever.

b) Public Utility and Drainage Easements: grant and dedicate a perpetual right and easement over, upon and under the lands designated on the plat as public utility, drainage easements, the same to be used for the installation, maintenance and operation of public utility service lines, storm drainage facilities whichever is applicable as may be authorized by Clearfield City, Utah, with no buildings or structures being erected within such easements.

c) Open Space Parcels: dedicate, grant and convey to Jon's Park Homeowners Association all those parts or portions of said tract of land designated as open space parcels the same to be used as open space forever. Open space parcels shall be maintained by the Jon's Park Homeowners Association.

In witness whereof the undersigned have hereunto set their signatures

This_____day of _____A.D., 20____.

NEIL BALL

ACKNOWLEDGMENT

STATE OF UTAH)
County of Davis)

On the ____ day of _____ A.D., 20____, personally appeared before me, the undersigned Notary public, in and for said County of Davis in said State of Utah, the signer ( ) of the above Owner's dedication, _____ in number, who duly acknowledged to me that _____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

JON'S PARK SUBDIVISION PHASE 1

A PORTION OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

PINNACLE
Engineering & Land Surveying, Inc.
3720 North 350 West, Suite #100
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1935

CITY ATTORNEY APPROVAL

APPROVED AS TO FORM SIGNED THIS _____ DAY OF _____, 20____.

CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE CLEARFIELD CITY ENGINEER.

CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE CLEARFIELD CITY COUNCIL.

ATTEST:

CLEARFIELD CITY RECORDER — CLEARFIELD CITY MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 20____ AT _____ IN BOOK _____ OF OFFICIAL RECORDS PAGE _____

DAVIS COUNTY RECORDER

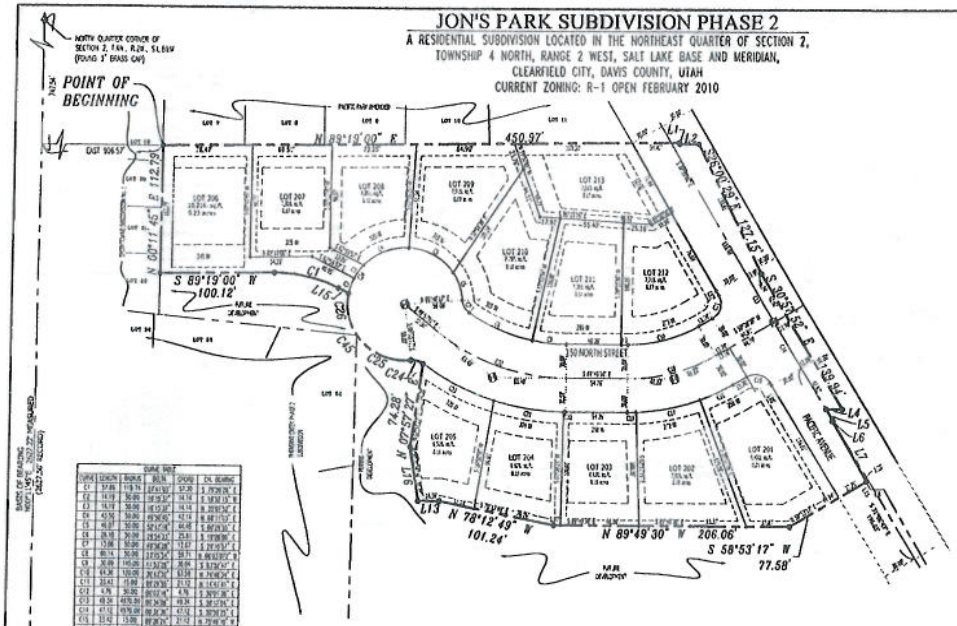
BY _____

DEPUTY RECORDER

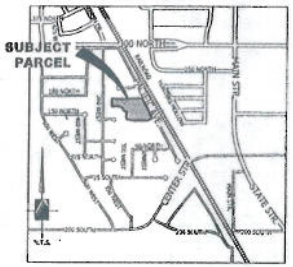
JON'S PARK SUBDIVISION PHASE 2

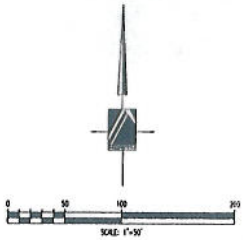
A RESIDENTIAL SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

CURRENT ZONING: R-1 OPEN FEBRUARY 2010



VICINITY MAP





LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SECTION/CENTER LINE
- EASEMENT LINE
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- P.U.&D.E. — PUBLIC UTILITY & DRAINAGE EASEMENT
- MON — MONUMENT
- CONSTRUCT SURVEY MONUMENT
- SECTION CORNER
- BAR & CAP OR NAIL & WASHER TO BE SET STAMPED "PINNACLE"

BUILDING SETBACKS

FRONT: 25 FEET

SIDE:
SIDE 8 FEET
SIDE 8 FEET
STREET: 15 FEET

REAR: 25 FEET

P.U.E. & D.E.

17 ALONG REAR LOT LINES
12 ALONG FRONT LINE
7 ALONG EACH SIDE LOT LINE

LINE TABLE		
LINE	LENGTH	BEARING
L1	1.16'	S 89°19'00" E
L2	14.31'	S 89°49'30" E
L3	9.00'	S 89°49'30" E
L4	14.16'	WEST
L5	12.74'	S 89°19'00" E
L6	8.12'	WEST
L7	8.12'	S 89°19'00" E
L8	11.84'	WEST
L9	3.24'	N 89°19'00" W
L10	17.82'	S 89°19'00" E
L11	1.00'	N 89°19'00" W
L12	28.83'	N 89°19'00" W
L13	18.38'	N 89°19'00" W
L14	42.00'	N 89°19'00" W
L15	14.00'	N 89°19'00" W
L16	18.47'	N 89°19'00" W

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. 191517 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

JON'S PARK SUBDIVISION PHASE 2

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7 PACIFIC PARK AMENDED SUBDIVISION SAID POINT BEING LOCATED SOUTH 89°19'00" WEST ALONG SECTION LINE 34.34 FEET AND EAST 1.16 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION AND RUNNING THENCE NORTH 89°19'00" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION 450.97 FEET TO THE EASTERLY RIGHT OF WAY LINE OF PACIFIC AVENUE; THENCE SOUTHEASTERLY THE FOLLOWING EIGHT (8) COURSES ALONG SAID RIGHT OF WAY: (1) SOUTH 20°19'00" EAST 1.16 FEET; (2) SOUTH 69°41'00" EAST 14.31 FEET; (3) SOUTH 20°19'00" EAST 9.00 FEET; (4) NORTH 69°41'00" EAST 14.16 FEET; (5) SOUTH 20°19'00" EAST 12.74 FEET; (6) SOUTH 20°19'00" EAST 8.12 FEET; (7) SOUTH 20°19'00" EAST 8.12 FEET; (8) SOUTH 20°19'00" EAST 11.84 FEET; THENCE SOUTH 58°53'17" WEST 77.58 FEET; THENCE NORTH 89°49'30" WEST 206.06 FEET; THENCE NORTH 78°12'49" WEST 101.24 FEET; THENCE NORTH 89°19'00" WEST 100.12 FEET; THENCE NORTH 00°57'37" EAST 74.28 FEET; THENCE NORTH 89°57'37" EAST 14.00 FEET; THENCE NORTH 00°57'37" EAST 112.79 FEET; THENCE NORTH 89°19'00" WEST 14.00 FEET; THENCE NORTH 00°57'37" EAST 14.00 FEET; THENCE NORTH 89°19'00" WEST 18.47 FEET; THENCE NORTH 89°57'37" EAST 14.00 FEET; THENCE NORTH 89°19'00" WEST 14.00 FEET; THENCE NORTH 00°57'37" EAST 42.00 FEET; THENCE NORTH 89°19'00" WEST 18.38 FEET; THENCE NORTH 00°57'37" EAST 28.83 FEET; THENCE NORTH 89°19'00" WEST 1.00 FEET; THENCE NORTH 00°57'37" EAST 17.82 FEET; THENCE NORTH 89°19'00" WEST 3.24 FEET; THENCE NORTH 00°57'37" EAST 11.84 FEET TO THE POINT OF BEGINNING.

CONTAINS: 137,323 SQ.FT. (3.15 ACRES) - (1.27 H)

DATE

STEPHEN J. FACKRELL
LICENSE NO. 191517

OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown on the plat and name said tract JON'S PARK SUBDIVISION PHASE 2 and do hereby:

a) Public Streets: dedicate, grant and convey to Clearfield City, Utah all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever.

b) Public Utility, and Drainage Easements: grant and dedicate a perpetual right and easement over, upon and under the lands designated on the plat as public utility, drainage easements, the same to be used for the installation, maintenance and operation of public utility service lines, storm drainage facilities whichever is applicable as may be authorized by Clearfield City, Utah, with no buildings or structures being erected within such easements.

c) Open space parcels in Jon's Park Phase 1 shall be maintained by the Jon's Park Homeowners Association.

In witness whereof the undersigned have hereunto set their signatures

this_____day of _____A.D., 20___.

ACKNOWLEDGMENT

STATE OF UTAH)
County of Davis)

On the ____ day of _____ A.D., 20____, personally appeared before me, the undersigned Notary public, in and for said County of Davis in said State of Utah, the signer ( ) of the above Owner's dedication, _____ in number, who duly acknowledged to me that _____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

JON'S PARK SUBDIVISION PHASE 2

A PORTION OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

PINNACLE Engineering & Land Surveying, Inc.
3708 North 300 West, Suite F100
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1913

CITY ATTORNEY APPROVAL

APPROVED AS TO FORM SIGNED THIS ____ DAY OF ____, 20____.

CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS ____ DAY OF ____, 20____. BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS ____ DAY OF ____, 20____. BY THE CLEARFIELD CITY ENGINEER.

CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS ____ DAY OF ____, 20____. BY THE CLEARFIELD CITY COUNCIL.

ATTEST:

CLEARFIELD CITY RECORDER — CLEARFIELD CITY MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS ____ DAY OF ____, 20____ AT_____ IN BOOK _____ OF OFFICIAL RECORDS PAGE _____

DAVIS COUNTY RECORDER

BY _____

DEPUTY RECORDER

01-013

<u>ADDENDUM NO. 1</u>

to

DEVELOPMENT AGREEMENT

between

CLEARFIELD CITY CORPORATION

and

EVERGREEN HOLDING, LLC.

<u>PURPOSE:</u> This Addendum amends the development agreement between Clearfield City Corporation ("City") and Evergreen Holding, LLC ("Developer"), dated June 29, 2010 ("Agreement"), setting forth specific terms and conditions regarding the development of and construction on certain property known as the Jon's Park Subdivision, Phases 1 & 2, located in Clearfield, Utah.

The Agreement referenced above is hereby amended as follows:

A. Exhibit "A" shall be replaced and superseded by the 2013 Plats and Improvement Drawings attached to this Addendum as Exhibit "B."

B. Section 1. j. shall be amended to read as follows: "Parcels A and B shall be fully landscaped by the Developer. The landscaping shall consist of sod and a minimum of three trees per Parcel, each with a caliper of no less than two inches (2"). An automatic sprinkler system shall be installed for both Parcels. Parcel A shall also contain a twenty foot (20') wide access between lots 108 and 109, and a four foot (4') wide path and park bench as shown in Exhibit "A." The Developer shall establish either a homeowners' association or an assessment area to provide for the ownership and maintenance of open space Parcels A and B. The association or assessment area shall include all of the lots shown on the Final Plats. In the event that the homeowners' association fails to maintain the open space areas, the City shall have the right, but not the obligation, to perform said maintenance and bill any costs associated therewith (including administrative overhead) to the Property owners."

C. Section 1. m. shall be amended to read as follows: "Prior to any building permit being issued, the Developer shall provide the City with funds to cover the estimated current costs (less $5,000), as approved by the Clearfield City Engineer, for installing: i) a complete 1.5" overlay of Pacific Street from the north side of lot 213, southward to and including the cul-de-sac on the north side of the Center Street bridge; and ii) curb and gutter on the east side of Pacific Street from the north side of lot 213, southward to the end of the cul-de-sac on the north side of the Center Street bridge, and to upgrade the storm water piping and box in the cul-de sac."

D. Section 1. n. shall be stricken in its entirety.

E. Section 1. p. shall be amended to read as follows: "The Developer shall install a chip seal as per City standards on the entire width of 300 West from the north side of 90 North Street (including the full cul-de-sac) to the south side of 25 South Street, following construction of the new sanitary sewer and storm drain. The City shall reimburse to the Developer the difference in cost between chip seal and Type 3 slurry seal."

Per this Addendum, the Parties hereby amend the Agreement dated June 29, 2010 as set forth above this

_____ day of October, 2013.

CLEARFIELD CITY CORPORATION

_____
Donald W. Wood, Mayor

ATTEST:

_____
Nancy R. Dean, City Recorder
APPROVED AS TO CONTENT:

_____
Community Development Director

APPROVED AS TO CONTENT:

_____
Public Works Director

APPROVED AS TO FORM:

_____
City Attorney's Office

EVERGREEN HOLDING, LLC

_____
Neil Wall, Manager

ATTEST:

_____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
§
COUNTY OF _____)

On the _____ day of _____, 2013 personally appeared before me, ???, as signer of the foregoing document, who duly acknowledged to me that he has corporate authority on behalf of Evergreen Holding, LLC to execute the same.

_____
NOTARY PUBLIC

Residing: _____

CIVIL ENGINEERING CONSULTANTS, PLLC.

5141 South 1500 West
Riverdale City, Utah 84405
801-866-0550

22 August 2013

Clearfield City
55 South State Street
Clearfield City, Utah 84015

Attn: JJ Allen, Assistant City Manager
Proj: **Jon's Park Subdivision – Phase No.1 and Phase No.2**
Subj: Plat and Improvement Drawings Review

Dear JJ,

I have reviewed the above referenced Subdivision Plat's and Improvement Drawings per the request of your office find two (2) minor outstanding corrections that still need to be addressed. The two (2) outstanding correction items were discussed at the review meeting on the 19th of August with the Developer & his Engineer.

I have spoken with Scott Hodge and we still feel that the two (2) items listed below are needed to be corrected in the improvement drawings prior to final approval from our office.

General Comments:

1. An **electronic** copy of the improvement drawings and the Plat must be submitted to our office upon design completion and with final approval. We intend to hold our signature from the Plat's until all drawings have been submitted from the developer for record keeping by the City.

Improvement Drawings – Outstanding Corrections

1. The roadway cross-section improvements (roadbase and bituminous asphalt surfacing) along Pacific Avenue need to be designed with the crown in the center of the roadway and not be constructed with an offset crown.

2. The roadway surface improvements for 300 West Street should be changed to reflect the installation of a chip seal with a fog coat material following installation of the storm drainage pipe and the asphalt patching.

If you have, any questions feel free to contact our office.
Sincerely,

CEC, Civil Engineering Consultants, PLLC.

N. Scott Nelson, PE.
City Engineer

Cc. Scott Hodge, Public Works Director
Valerie Claussen, Contract Planner

CLEARFIELD CITY ORDINANCE 2013-08

AN ORDINANCE AMENDING TITLE 1, CHAPTER 7 OF THE CLEARFIELD CITY CODE BY ADDING SECTION 10, ESTABLISHING A MUNICIPAL ETHICS COMMISSION; PROVIDING FOR THE MEMBERSHIP THEREOF PURSUANT TO AN INTERLOCAL AGREEMENT; ESTABLISHING THE PROCESS FOR THE FILING OF A COMPLAINT, THE INVESTIGATION, AND HEARING PROCESSES THEREFOR; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utah State Legislature has enacted a State law establishing a Political Subdivision Ethics Commission to review complaints regarding the activities of certain elected and appointed officials; and

WHEREAS, the State law permits a political subdivision to establish its own ethics commission to address the applicable complaints; and

WHEREAS, in reviewing this option, Clearfield City has determined that it is in the best interest of its citizenry to have its own commission, being more convenient, responsive, and accessible to the citizenry; and

WHEREAS, pursuant to that determination, the Council finds that it is in the best interest of Clearfield City and its citizens to establish its own ethics commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Title 1, Chapter 7, of the Clearfield City Code is hereby amended by the addition of Section 10 to read as follows:

1-7-10: MUNICIPAL ETHICS COMMISSION

A. Purpose. The purpose of this Section is to prevent improper influence, avoid the appearance of impropriety, and prohibit elected and appointed officials from receiving unjust financial gain from public service. It also seeks to increase public confidence by assuring that governmental actions are taken ethically.

B. Definitions.

(1) For the purposes of this Section, "Commission" means the Municipal Ethics Commission formed pursuant to § 1-7-10 (E) below.

(2) For the purposes of this Section, "elected officials" includes only the members of the Clearfield City Council and its Mayor.

(3) For the purposes of this Section, "appointed official" means the City Manager or similar non-elected chief executive officer.

C. Municipal Officers' and Employees' Ethics Act.

(1) Elected and appointed officials of Clearfield City are required to comply with the Municipal Officers' and Employees' Ethics Act (Title 10, Chapter 3, Part 13 of the Utah Code) as amended, which is incorporated herein by reference.

(2) Included in the Municipal Officers' and Employees' Ethics Act is the obligation of elected and appointed officials to:

(a) Not disclose or improperly use private, controlled, or protected information acquired by them by reason of their position or in the course of their duties in order to further substantially their personal economic interest or to secure special privileges or exemptions for the elected or appointed official or others; and avoid the use of their office for personal benefit;

(b) Not use or attempt to use their position to further substantially their personal economic interest or secure special privileges for the elected or appointed official or for others;

(c) Not knowingly receive, accept, take, seek, or solicit, directly or indirectly, for the elected or appointed official or for another, a gift of substantial value or a substantial economic benefit tantamount to a gift that:

(i) would tend improperly to influence a reasonable person in the elected or appointed official's position to depart from the faithful and impartial discharge of the person's public duty; or

(ii) the elected or appointed official knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the elected or appointed official for official action taken.

(d) The Municipal Officers' and Employees' Ethics Act also requires public disclosures and filings in certain circumstances as described in the Act, including:

(i) Where an elected or appointed official receives or agrees to receive compensation for assisting any person or business entity in any transaction involving Clearfield City;

(ii) Where an elected or appointed official is an officer, director, agent, or employee or the owner of a substantial interest in any business entity which is subject to regulation by Clearfield City;

(iii) Where the elected or appointed official is an officer, director, agent, employee, or owner of a substantial interest in any business entity which does or anticipates doing business with Clearfield City; and

(iv) Where an elected or appointed official has a personal interest or investment which creates a conflict between the elected or appointed official's personal interests and the elected or appointed official's public duties.

D. City Attorney advisory opinions.

(1) Elected and appointed officials of Clearfield City may request of the City Attorney an advisory opinion concerning the application of the Municipal Officers' and Employees' Ethics Act. The City Attorney shall accept and process these advisory opinion requests. As soon as practicable, but not later than thirty (30) days after the City Attorney receives a request for an advisory opinion, the City Attorney shall render a written opinion to the Mayor, City Council, and to the City Manager. All advisory opinions shall be available for public review, but may be in such form and with such deletions as may be necessary to prevent the disclosure of the identity of the persons involved or to protect personal privacy interests.

(2) An advisory opinion rendered by the City Attorney, until amended or revoked by the City Attorney, shall be a defense in any action brought by a complainant against the elected or appointed official and shall be binding on the City in any subsequent proceedings concerning the person who requested the opinion and who acted in good faith upon it, unless material facts were omitted or misstated by the person requesting the opinion.

E. Municipal Ethics Commission.

(1) Clearfield City establishes a Municipal Ethics Commission pursuant to Utah Code Ann. § 10-3-1311, and § 11-49-103. The Commission is a three (3) person Commission as provided for in an Interlocal Agreement between Clearfield City and other participating municipalities. Upon receiving a complaint the membership of the Commission shall be determined by random selection from the pool of eligible participating municipalities.

(2) The Office of the City Attorney shall provide the Commission such administrative or other support, as requested by the Commission.

F. Filing of ethics complaints with Commission.

(1) A complaint may only be filed with the Commission under the following conditions:

(a) The complaint must be against an elected or appointed official of Clearfield City who is currently serving in their elected or appointed position and allege a violation of the Municipal Officers' and Employees' Ethics Act;

(b) The complaint must be filed with the City Recorder of Clearfield City on behalf of the Commission;

(c) The complaint must be made by either:

(i) two or more registered voters who reside within the boundaries of Clearfield City; or

(ii) two or more registered voters who pay a fee or tax to Clearfield City; or

(iii) one or more registered voters who reside within the boundaries of Clearfield City plus one or more registered voters who pay a fee or tax to Clearfield City;

(d) The complaint must be based upon direct evidence or sworn statements by one or more people with actual knowledge of the facts and circumstances supporting the alleged ethics violation;

(e) The complaint may not be filed during the sixty (60) calendar days immediately before a municipal primary election, if the accused elected or appointed official is a candidate in the primary election;

(f) The complaint may not be filed during the sixty (60) calendar days immediately before a municipal general election in which the accused elected or appointed official is a candidate, unless the accused elected or appointed official is unopposed in the election;

(g) The complaint must be in writing and contain:

(i) the name and position of the elected or appointed official alleged to be in violation;

(ii) the name, address, and telephone number of each individual who is filing the complaint;

(iii) a description of each alleged violation of the Municipal Officers' and Employees' Ethics Act, including a reference to the section of the Act alleged to have been violated;

(iv) with reasonable specificity, evidence supporting each allegation, which shall be provided by copies of official records, documentary evidence, or affidavits that include the required information;

(v) a list of witnesses that a complainant wishes to have called or interviewed, including for each witness: the name, address, and, if available, one or more telephone numbers of the witness; a brief summary of the testimony to be provided by the witness; a specific description of any documents or evidence a complainant desires the witness to produce;

(vi) a statement that each complainant:

(A) has reviewed the allegations contained in the complaint and the sworn statements and documents attached to the complaint;

(B) believes that the complaint is submitted in good faith and not for any improper purpose such as harassing the named elected or appointed official, causing unwarranted harm to the accused elected or appointed official's reputation, or causing unnecessary expenditure of public funds; and

(C) believes the allegations contained in the complaint to be true and accurate.

(vii) a statement with the signature of each complainant.

(2) Upon receipt of any ethics complaint, the City Recorder shall immediately refer the complaint to the Commission. The City Recorder shall not notify or inform any other person of the filing of the complaint.

(3) A person filing a complaint under this Chapter is not entitled to reimbursement for attorney fees or costs incurred, regardless of the outcome of the proceedings.

G. Privacy.

(1) Once an ethics complaint has been filed with the City Recorder, neither the City Recorder, the Commission, nor any City employee may disclose the existence of the complaint, any response to the complaint, or any information concerning the alleged ethics violation that is the subject of the complaint, unless otherwise provided in this Chapter.

(2) Nothing in the restrictions above may be construed to hinder or prevent a person or the City Attorney of Clearfield from disclosing the facts or allegations about potential criminal violations to a law enforcement authority.

(3) Nothing in this Section may be construed to hinder or prevent the named elected or appointed official from preparing a defense to a complaint, including contacting witnesses or taking other actions in preparation for review by the Commission.

(4) Nothing in this Section may be construed to hinder or prevent any person from disclosing public records.

(5) If any employee or official of the City publicly discloses any private information, appropriate disciplinary action may be taken against such individual.

(6) If a complainant publicly discloses any private records or information obtained from private records, the Commission may summarily dismiss the complaint without prejudice.

(7) All records, that are not public records, received by or generated by or for the Commission are private and not subject to disclosure or release, except for the Commission's summary findings and recommendation for the City Council or any document that is classified as public in accordance with Title 11, Chapter 49 of the Utah Code (Utah Code § 63G-1-302).

H. Initial review of complaint.

(1) Within ten (10) business days after receipt of an ethics complaint, the Commission shall examine the complaint to determine if it is in compliance with the filing requirements of this Chapter.

(2) If the Commission determines that the complaint does not comply with the filing requirements of this Chapter, the Commission shall return the complaint to the first complainant named on the complaint with a statement detailing the reason(s) for non-compliance. At the same time, the Commission shall notify the City Manager, Mayor, City Council, and the City Attorney that a complaint filed against an unidentified elected or appointed official has been returned for non-compliance with this Chapter and the fact that a complaint was filed and returned shall be kept confidential until the Commission submits its annual summary report to the City Council and to the Mayor. If a complaint is returned by the Commission, the complainants may file another complaint if the new complaint independently meets the filing requirements of this Chapter.

(3) If the Commission determines that the complaint complies with the filing requirements of this Chapter, the Commission shall:

(a) Accept the complaint;

(b) Promptly forward the complaint to the elected or appointed official who is named in the complaint, together with directions for providing a response to the Commission;

(c) If appropriate, request assistance from the Office of the City Attorney; and

(d) Notify the complainants, the named elected or appointed official, the City Recorder, and the employees in the Office of the City Attorney of the privacy requirements of this Chapter.

(4) At its discretion, the Commission may determine whether the subject of the complaint should be investigated by a law enforcement agency.

(5) If the Commission learns that the subject of the complaint is under criminal investigation, the Commission may suspend its review of the complaint pending the resolution of the criminal investigation.

(6) The named elected or appointed official shall have the right to present an answer to the complaint. The answer may contain statements, arguments, and evidence. The answer must be filed within ten (10) business days from the date the complaint was forwarded to and received by the elected or appointed official.

(7) The Commission shall dismiss an ethics complaint if:

(a) The named elected or appointed official resigns or is removed from office with Clearfield City;

(b) The named elected or appointed official is charged with a criminal violation of the Municipal Officers' and Employees' Ethics Act where the facts and allegations presented in the ethics complaint assert substantially similar facts and allegations as those asserted in the criminal charges; or

(c) The allegations in the complaint, if assumed to be true, do not state a violation of the Municipal Officer's and Employees' Ethics Act.

I. Consideration of complaint after acceptance.

(1) After acceptance of a complaint, the Commission has the discretion to:

(a) Conduct a confidential, independent administrative investigation of the complaint;

(b) Refer the matter to an independent non-criminal investigator for fact finding and investigation and consider the confidential report of the investigator;

(c) Conduct a hearing in accordance with Subsection (2) of this Section; or

(d) Any combination of the above.

(2) If the Commission uses a hearing to review the complaint, the Commission shall:

(a) Assure that the hearing includes opening arguments, presentation of evidence, witnesses and rebuttal, consideration of motions, and closing arguments;

(b) Close the hearing to the public;

(c) Allow the complainants and the named elected or appointed official to retain legal representation, at their discretion; and

(d) Provide administrative subpoenas pursuant to its subpoena powers.

(3) For any hearing the Commission must provide a notice to the first named complainant and the named elected or appointed official at least five (5) business days prior to the hearing.

(4) The Commission shall determine whether the subject matter of the complaint was previously the subject of a filing, public disclosure, or a City Attorney ethics advisory opinion. The Commission shall take into consideration efforts by the named elected or appointed official to seek legal direction regarding the subject matter of the complaint and any good faith efforts by the named elected or appointed official in response to legal advice received.

(5) The Commission shall ensure that a record of any Commission meeting or hearing is made, which shall include:

(a) Audio recordings, if any;

(b) Official summaries or minutes taken during the meeting or hearing;

(c) Copies of all documents or other items admitted into evidence or considered by the Commission;

(d) Copies of a document or written order or ruling issued by the Commission; and

(e) Any other information the Commission deems relevant to the findings and recommendation.

J. Contempt powers.

(1) The Commission may hold a person in contempt if the person:

(a) Refuses to answer a question, without legal justification, after being directed by the Commission to answer; or

(b) Fails to comply with a subpoena issued by the Commission.

(2) Upon finding a person in contempt, the Commission shall report the person to the Second District Court and request a warrant of attachment or order to show cause, as provided in Utah Code Ann. § 78B-6-313.

K. Request by elected or appointed official for legal representation.

(1) The named elected or appointed official may request that the City provide a legal defense if the complaint arises from an act or omission during the performance of official duties, within the scope of employment, or under the color of authority.

(2) The City Attorney may arrange for such legal defense, where appropriate.

L. Determination by Commission.

(1) After review of the complaint, the Commission shall determine whether there is clear and convincing evidence supporting a violation of the Municipal Officers' and Employees' Act by the named elected or appointed official. If there are multiple alleged violations the Commission shall separately determine whether clear and convincing evidence supports each violation. The determination shall be by majority vote of the Commission.

(2) If the Commission determines that no allegations in the complaint were proved, the Commission shall:

(a) Issue an order that the complaint is dismissed because no allegations in the complaint were found to have been proven;

(b) Provide notice of the determination of an unidentified elected or appointed official at a regular public meeting of the City Council; and

(c) Provide written notice of the determination to the named elected or appointed official and the first named complainant on the complaint.

(3) If the Commission determines that one or more of the allegations in the complaint were proved, the Commission shall:

(a) Prepare written summary findings and a recommendation for the City Council:

(i) Listing the name of each complainant and the name of the subject elected or appointed official;

(ii) For each allegation that was proven:

(A) Provide the reference to the Municipal Officers' and Employees' Act;

(B) Summarize the evidence supporting a violation by clear and convincing evidence;

(C) Make factual findings; and

(iii) Recommend appropriate action to the City Council.

(b) Notify the named elected or appointed official and the first complainant on the complaint of the written summary findings and recommendation for the City Council; and

(c) Orally report the summary findings and recommendation to the City Council in a regular meeting of the City Council.

(4) If the Commission finds a violation of the Municipal Officers' and Employees' Ethics Act, the Commission may recommend to the City Council any appropriate action or remedy, including but not limited to censor, reprimand, additional ethics training, or removal from office. The Commission's recommendation may depend on the severity of the violation, the elected or appointed official's intent, any history or pattern of abuse by the named elected or appointed official, and any economic or other benefit received by the named elected or appointed official.

M. Action by City Council.

(1) Upon receipt of any finding and recommendation by the Commission, the City Council shall review the recommendation and take action at its discretion.

(2) The elected or appointed official referred for a violation may not participate in the Council's deliberation or cast a vote as the Council decides whether to take action and which action to take.

N. Knowingly filing of false complaint.

Any person who files a complaint against an elected or appointed official pursuant to this Chapter, knowing that such complaint is frivolous, malicious, false, or otherwise without merit, shall be guilty of a class B misdemeanor.

O. Annual Commission report.

(1) If there has been any activity by the Commission during the previous years the Commission shall prepare, on an annual basis, a summary report that contains:

(a) A general description of the activities of the Commission during the past year;

(b) The number of ethics complaints filed with the Commission;

(c) The number of ethics complaints dismissed; and

(d) An executive summary of each complaint where the Commission found a violation of the Municipal Officers' and Employees' Ethics Act.

(2) The annual report of the Commission shall be filed with the Mayor, City Council, and with the City Manager and shall be a public record.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This ordinance being necessary for the peace, health, and safety of the City, shall become effective immediately upon posting.

PASSED AND ADOPTED by the Clearfield City Council this 8th day of October, 2013.

ATTEST: CLEARFIELD CITY CORPORATION

_____ _____

Nancy Dean, City Recorder Don Wood, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:

EXCUSED:

CLEARFIELD CITY RESOLUTION 2013R-17

A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN BOUNTIFUL CITY, CLEARFIELD CITY, LAYTON CITY AND ROY CITY FOR THE CREATION OF AN ETHICS COMMISSION AS PROVIDED BY STATE LAW

WHEREAS, Bountiful City (Bountiful), Clearfield City (Clearfield), Layton City (Layton), and Roy City (Roy), are all public agencies within the State of Utah and may enter into interlocal cooperation agreements pursuant to the Interlocal Cooperation Act, Title 11, Chapter 13 of the Utah Code; and

WHEREAS, these cities desire to jointly exercise their authority in a manner that is mutually beneficial and economical for each entity and its citizenry; and

WHEREAS, State law provides for the creation of a local ethics commission to review any complaints regarding the actions of a local entity's elected officials and any appointed executive officer; and

WHEREAS, the creation of this commission will provide for independent and knowledgeable members with an understanding of the State's Ethics Act, the laws regarding conflict of interest, and the applicable administrative processes; and

WHEREAS, the attached interlocal cooperation agreement provides for the membership of the local ethics commission, its processes, and provides for a term of the agreement as well as the termination of this agreement.

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council that the attached Interlocal Cooperative Agreement between Bountiful City, Clearfield City, Layton City and Roy City for the creation of an Ethics Commission as provided by State Law is hereby approved and the Mayor is duly authorized to execute the agreement with an effective date of July 1, 2013.

Passed and adopted by the City Council at its regular meeting on the 9th day of July, 2013.

ATTEST: CLEARFIELD CITY CORPORATION:

_____ _____

Nancy R. Dean, City Recorder Donald W. Wood, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:

INTERLOCAL AGREEMENT BETWEEN BOUNTIFUL CITY, CLEARFIELD CITY, LAYTON CITY, AND ROY CITY FOR THE CREATION OF AN ETHICS COMMISSION AS PROVIDED FOR BY STATE LAW

WHEREAS, Bountiful City (Bountiful), Clearfield City (Clearfield), Layton City (Layton), and Roy City (Roy), are all public agencies within the State of Utah and may enter into interlocal cooperation agreements pursuant to the Interlocal Cooperation Act, Title 11, Chapter 13 of the Utah Code; and

WHEREAS, these cities desire to jointly exercise their authority in a manner that is mutually beneficial and economical for each entity and its citizenry; and

WHEREAS, State law provides for the creation of a local ethics commission to review any complaints regarding the actions of a local entity's elected officials and any appointed executive officer; and

WHEREAS, the creation of this commission will provide for independent and knowledgeable members with an understanding of the State's Ethics Act, the laws regarding conflict of interest, and the applicable administrative processes; and

WHEREAS, this agreement provides for the membership of the local ethics commission, its processes, and provides for a term of the agreement as well as the termination of this agreement; and

WHEREAS, this agreement is to be approved by the governing body of the respective cities and their legal counsel.

WITNESSETH, that Bountiful, Clearfield, Layton, and Roy, as authorized, enter into this interlocal agreement and agree as follows:

I. LOCAL ETHICS COMMISSION

1. **Authority to create.** Pursuant to §§ 11-13-1 et seq. and 11-49-103 these cities are authorized to enter into this agreement and to establish this commission.

2. **Membership.** The commission is made of the city attorney, or designee, from each of the cities. If a designee is used the city attorney will ensure that the designee is well versed in laws of ethics, conflicts of interest, and the applicable administration processes.

3. **Membership of commission when convened.** When the commission has been convened upon receiving a complaint, the membership will be the three representatives other than the city whose official is the subject of the complaint.

4. **No remuneration for service.** Each member of the commission will serve without additional remuneration and each city agrees not to seek reimbursement against the others for the service of its representative and any necessary staff support.

5. **Meetings.** The commission will meet for the purpose of reviewing ethics complaints. At the beginning of each investigation, the commission will elect a chairperson. It will be the responsibility of the chairperson to lead the investigation, provide necessary staff, provide a written conclusion of any investigation, and maintain the file for that investigation.

6. **Powers and procedures.** The commission's processes and authority are as follows:

(A) **Filing of ethics complaints with commission.**

(1) A complaint may only be filed with the commission under the following conditions:

(a) The complaint must be against an elected or appointed official who is currently serving in that position and allege a violation of the Municipal Officers' and Employees' Ethics Act;

(b) The complaint must be filed with the city recorder of the respective city on behalf of the commission;

(c) The complaint must be made by either:

(i) two or more registered voters who reside within the boundaries of the respective city; or

(ii) two or more registered voters who pay a fee or tax to the respective city; or

(iii) one or more registered voters who reside within the boundaries of the respective city plus one or more registered voters who pay a fee or tax to the respective city;

(d) The complaint must be based upon direct evidence or sworn statements by one or more people with actual knowledge of the facts and circumstances supporting the alleged ethics violation;

(e) The complaint may not be filed during the sixty (60) calendar days immediately before a municipal primary election, if the accused elected official is a candidate in the primary election;

(f) The complaint may not be filed during the sixty (60) calendar days immediately before a municipal general election in which the accused elected official is a candidate, unless the accused elected official is unopposed in the election;

(g) The complaint must be in writing and contain:

(i) the name and position of the elected or appointed official alleged to be in violation;

(ii) the name, address, and telephone number of each individual who is filing the complaint;

(iii) a description of each alleged violation of the Municipal Officers' and Employees' Ethics Act, including a reference to the section of the Act alleged to have been violated;

(iv) with reasonable specificity, evidence supporting each allegation, which shall be provided by copies of official records, documentary evidence, or affidavits that include the required information;

(v) a list of witnesses that a complainant wishes to have called or interviewed, including for each witness: the name, address, and, if available, one or more telephone numbers of the witness; a brief summary of the testimony to be provided by the witness; a specific description of any documents or evidence a complainant desires the witness to produce;

(vi) a statement that each complainant:

(A) has reviewed the allegations contained in the complaint and the sworn statements and documents attached to the complaint;

(B) believes that the complaint is submitted in good faith and not for any improper purpose such as harassing the named elected or appointed official, causing unwarranted harm to the accused elected or appointed official's reputation, or causing unnecessary expenditure of public funds; and

(C) believes the allegations contained in the complaint to be true and accurate.

(vii) a statement with the signature of each complainant.

(2) Upon receipt of any ethics complaint, the city recorder shall immediately refer the complaint to the commission. The city recorder shall not notify or inform any other person of the filing of the complaint.

(3) A person filing a complaint under this process is not entitled to reimbursement for attorney fees or costs incurred, regardless of the outcome of the proceedings.

(B) **Privacy.**

(1) Once an ethics complaint has been filed with the city recorder, neither the city recorder, the commission, nor any of the city's employees may disclose the existence of the complaint, any response to the complaint, or any information concerning the alleged ethics violation that is the subject of the complaint, unless otherwise provided by law.

(2) Nothing in the restrictions above may be construed to hinder or prevent a person from disclosing the facts or allegations about potential criminal violations to a law enforcement authority.

(3) Nothing in this Section may be construed to hinder or prevent the named elected or appointed official from preparing a defense to a complaint, including contacting witnesses or taking other actions in preparation for review by the commission.

(4) Nothing in this section may be construed to hinder or prevent any person from disclosing public records.

(5) If any employee or official of the cities publicly discloses any private information, appropriate disciplinary action may be taken against such individual.

(6) If a complainant publicly discloses any private records or information obtained from private records, the commission may summarily dismiss the complaint without prejudice.

(7) All records received by or generated by or for the commission are private and not subject to disclosure or release, except for the commission's summary findings and recommendation for the respondent or any document that is classified as public in accordance with Title 11, Chapter 49 of the Utah Code (Utah Code § 63G-1-302).

(C) **Initial review of complaint.**

(1) Within ten (10) business days after receipt of an ethics complaint, the commission shall examine the complaint to determine if it is in compliance with the filing requirements of this Chapter.

(2) If the commission determines that the complaint does not comply with the filing requirements, the commission shall return the complaint to the first complainant named on the complaint with a statement detailing the reason(s) for non-compliance. At the same time, the commission shall notify the mayor, city manager, and the city attorney that a complaint filed against an unidentified elected or appointed official has been returned for non-compliance and the fact that a complaint was filed and returned shall be kept confidential until the commission submits its annual summary report to the respective governing bodies and to the city managers. If a complaint is returned by the commission, the complainants may file another complaint if the new complaint independently meets the filing requirements.

(3) If the commission determines that the complaint complies with the filing requirements, the commission shall:

(a) Accept the complaint;

(b) Promptly forward the complaint to the elected or appointed official who is named in the complaint, together with directions for providing a response to the commission;

(c) Notify the complainants, the named elected or appointed official, the city recorder, and any support staff of the commission of the privacy requirements.

(4) At its discretion, the commission may determine whether the subject of the complaint should be investigated by a law enforcement agency.

(5) If the commission learns that the subject of the complaint is under criminal investigation, the commission may suspend its review of the complaint pending the resolution of the criminal investigation.

(6) The named elected or appointed official shall have the right to present an answer to the complaint. The answer may contain statements, arguments, and evidence. The answer must be filed within ten (10) business days from the date the complaint was forwarded to and received by the elected or appointed official.

(7) The commission shall dismiss an ethics complaint if:

(a) The named elected or appointed official resigns or is removed from office;

(b) The named elected or appointed official is charged with a criminal violation of the Municipal Officers' and Employees' Ethics Act where the facts and allegations presented in the ethics complaint assert substantially similar facts and allegations as those asserted in the criminal charges; or

(c) The allegations in the complaint, if assumed to be true, do not state a violation of the Municipal Officer's and Employees' Ethics Act.

(D) **Consideration of complaint after acceptance.**

(1) After acceptance of a complaint, the commission has the discretion to:

(a) Conduct a confidential, independent administrative investigation of the complaint;

(b) Refer the matter to an independent non-criminal investigator for fact finding and investigation and consider the confidential report of the investigator;

(c) Conduct a hearing in accordance with Subsection (2) of this Section; or

(d) Any combination of the above.

(2) If the commission uses a hearing to review the complaint, the commission shall:

(a) Assure that the hearing includes opening arguments, presentation of evidence, witnesses and rebuttal, consideration of motions, and closing arguments;

(b) Close the hearing to the public;

(c) Allow the complainants and the named elected or appointed official to retain legal representation, at their discretion; and

(d) Provide administrative subpoenas pursuant to its subpoena powers.

(3) For any hearing the commission must provide a notice to the first named complainant and the named elected or appointed official at least five (5) business days prior to the hearing.

(4) The commission shall determine whether the subject matter of the complaint was previously the subject of a filing, public disclosure, or a city attorney ethics advisory opinion. The commission shall take into consideration efforts by the named elected or appointed official to seek legal direction regarding the subject matter of the complaint and any good faith efforts by the named elected or appointed official in response to legal advice received.

(5) The commission shall ensure that a record of any commission meeting or hearing is made, which shall include:

(a) Audio recordings, if any;

(b) Official summaries or minutes taken during the meeting or hearing;

(c) Copies of all documents or other items admitted into evidence or considered by the commission;

(d) Copies of a document or written order or ruling issued by the commission; and

(e) Any other information the commission deems relevant to the findings and recommendation.

(E) **Contempt powers.**

(1) The commission may hold a person in contempt if the person:

(a) Refuses to answer a question, without legal justification, after being directed by the commission to answer; or

(b) Fails to comply with a subpoena issued by the commission.

(2) Upon finding a person in contempt, the commission shall report the person to the Second District Court and request a warrant of attachment or order to show cause, as provided in Utah Code § 78B-6-313.

(F) **Request by elected or appointed official for legal representation.**

(1) The named elected or appointed official may request that their city provide a legal defense if the complaint arises from an act or omission during the performance of official duties, within the scope of employment, or under the color of authority.

(2) The respective city may arrange for such legal defense, where appropriate.

(G) **Determination by commission.**

(1) After review of the complaint, the commission shall determine whether there is clear and convincing evidence supporting a violation of the Municipal Officers' and Employees' Act by the named elected or appointed official. If there are multiple alleged violations the commission shall separately determine whether clear and convincing evidence supports each violation.

(2) If the commission determines that no allegations in the complaint were proved, the commission shall:

(a) Issue an order that the complaint is dismissed because no allegations in the complaint were found to have been proven;

(b) Provide notice of the determination of an unidentified subject of a complaint (elected or appointed official) at a regular public meeting of the respective city's council; and

(c) Provide written notice of the determination to the named elected or appointed official and the first named complainant on the complaint.

(3) If the commission determines that one or more of the allegations in the complaint were proved, the commission shall:

(a) Prepare written summary findings and a recommendation for the respective city's council:

(i) Listing the name of each complainant and the name of the subject elected or appointed official;

(ii) For each allegation that was proven:

(A) Provide the reference to the Municipal Officers' and Employees' Act;

(B) Summarize the evidence supporting a violation by clear and convincing evidence;

(C) Make factual findings; and

(iii) Recommend appropriate action to the respective city's council.

(b) Notify the named elected or appointed official and the first complainant on the complaint of the written summary findings and recommendation for the respective city's council; and

(c) Orally report the summary findings and recommendation to the respective city's council in a regular meeting of the city council.

(4) If the commission finds a violation of the Municipal Officers' and Employees' Ethics Act, the commission may recommend to the respective city's council any appropriate action or remedy, including but not limited to censor, reprimand, additional ethics training, or removal from office. The commission's recommendation may depend on the severity of the violation, the elected or appointed official's intent, any history or pattern of abuse by the named elected or appointed official, and any economic or other benefit received by the named elected or appointed official.

(H) Annual commission report.

(1) The commission shall prepare, on an annual basis, a summary report that contains:

(a) A general description of the activities of the commission during the past year;

(b) The number of ethics complaints filed with the commission;

(c) The number of ethics complaints dismissed; and

(d) An executive summary of each complaint where the commission found a violation of the Municipal Officers' and Employees' Ethics Act.

(2) The annual report of the commission shall be filed with the respective governing body and with the city manager and shall be a public record.

II. NO NEW ENTITY

This agreement is not intended to create a new or separate entity, as contemplated by the Interlocal Agreement Act.

III. TERMINATION

This agreement shall terminate fifty (50) years from the date the last party enters into the agreement. Any party may withdraw from this agreement upon thirty (30) days written notice, with or without cuase.

IV. COURSE AND SCOPE

The members of the commission are within the course and scope of their employment with their respective cities when fulfilling their role as a commission member pursuant hereto.

BOUNTIFUL CITY

_____
JOE JOHNSON
Mayor

ATTEST:

APPROVED AS TO FORM:

_____
KIM COLEMAN
City Recorder

_____
RUSSELL MAHAN
City Attorney

CLEARFIELD CITY

_____
DON W. WOOD
Mayor

ATTEST:

_____
NANCY R. DEAN
City Recorder

APPROVED AS TO FORM:

_____
BRIAN E. BROWER
City Attorney

LAYTON CITY

_____
J. STEPHEN CURTIS
Mayor

ATTEST:

_____
THIEDA WELLMAN
City Recorder

APPROVED AS TO FORM:

_____
GARY R. CRANE
City Attorney

ROY CITY

_____
JOE H. RITCHIE
Mayor

ATTEST:

APPROVED AS TO FORM:

_____
AMY MORTENSON
City Recorder

_____
ANDREW H. BLACKBURN
City Attorney

Memo

To: Mayor Wood and City Council Members

From: JJ Allen, Assistant City Manager

Date: October 3, 2013

Re: Jon's Park Subdivision – Addendum #1 to Development Agreement

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I. RECOMMENDED ACTION

Approve the attached Addendum #1 to Development Agreement between Clearfield City Corporation and Evergreen Holding, LLC.

II. DESCRIPTION / BACKGROUND

On April 22, 2010, the City Council approved the final plat for Jon's Park, and the corresponding Development Agreement was executed on June 29, 2010. However, the final plat was never recorded and no construction ever took place, resulting in the expiration of that plat approval.

The applicant is now seeking re-approval of the plat. At their September 4 meeting, the Planning Commission approved (with conditions) the preliminary plat, and recommended approval of the final plat. The final plat approval is on the City Council's agenda for the October 8 meeting.

In the course of reviewing the resubmitted plat application, it became apparent that the existing Development Agreement would need to be amended. The attached Addendum #1 amends the Development Agreement to accomplish the following:

- Incorporate the updated plat / subdivision improvement drawings.
- Allow for an assessment area to be considered as an alternative to an HOA, for the maintenance of the development's open space.
- Provide for certain off-site improvements to be escrowed for. This will allow the City to utilize these funds toward a comprehensive improvement project on Pacific Street in the near future.
- Installation of a chip seal instead of a slurry seal after the installation of sanitary sewer and storm drain improvements (difference to be paid for by the City).

III. IMPACT

a. Fiscal

If an assessment area is pursued instead of an HOA, the result would be increased revenues to the City via the annual assessment on the properties. There would also be a corresponding increase in expenditures to maintain the project's open space. The result should be a net zero fiscal impact.

The Addendum would have the Developer escrow for asphalt, curb and gutter, and storm drain improvements on Pacific Street. These funds would then be utilized by the City for a comprehensive improvement project on that Street, with a greater scope than what would be required of the Jon's Park Developer. The City has not yet received an engineer's estimate, which would be the basis of the escrow agreement, but that would be the next step.

The existing Development Agreement required only a slurry seal on 300 West, because that was the standard at the time. Since then, the City's standard has changed to a chip seal. The Addendum requires the Developer to install the chip seal, but the City will pay for the cost of the upgrade (estimated at $1,500).

b. Operations / Service Delivery

If an assessment area is pursued instead of an HOA, the City would have control over the maintenance of the open space, which would probably be contracted out. On the other hand, with an HOA, there is always the possibility of the HOA failing to perform, leading to code compliance issues. We have seen this happen in other cases, and/or the HOA requesting at some time that the City take over the open space. For these reasons, the City may prefer an assessment area over an HOA, but the Developer is interested in the most cost-effective option (which is yet to be determined).

The fact that improvements on Pacific Street would be escrowed commits the City to commencing our capital project there perhaps sooner than we otherwise would have done. Pacific Street already is on our "Top 20" list, but having funds in escrow (based on the current estimated costs) might move this project up the priority list.

IV. ALTERNATIVES

- Approve the Addendum as proposed (which already has the verbal agreement of the Developer)
- Approve the Addendum with modifications (presuming the Developer agrees)

V. SCHEDULE / TIME CONSTRAINTS

The Developer is ready to move forward with the subdivision as soon as all approvals are obtained—hoping to begin site work this fall.

VI. LIST OF ATTACHMENTS

- Addendum #1 to Development Agreement

<u>ADDENDUM NO. 1</u>

to

DEVELOPMENT AGREEMENT

between

CLEARFIELD CITY CORPORATION

and

EVERGREEN HOLDING, LLC.

<u>PURPOSE:</u> This Addendum amends the development agreement between Clearfield City Corporation ("City") and Evergreen Holding, LLC ("Developer"), dated June 29, 2010 ("Agreement"), setting forth specific terms and conditions regarding the development of and construction on certain property known as the Jon's Park Subdivision, Phases 1 & 2, located in Clearfield, Utah.

The Agreement referenced above is hereby amended as follows:

A. Exhibit "A" shall be replaced and superseded by the 2013 Plats and Improvement Drawings attached to this Addendum as Exhibit "B."

B. Section 1. j. shall be amended to read as follows: "Parcels A and B shall be fully landscaped by the Developer. The landscaping shall consist of sod and a minimum of three trees per Parcel, each with a caliper of no less than two inches (2"). An automatic sprinkler system shall be installed for both Parcels. Parcel A shall also contain a twenty foot (20') wide access between lots 108 and 109, and a four foot (4') wide path and park bench as shown in Exhibit "A." The Developer shall establish either a homeowners' association or an assessment area to provide for the ownership and maintenance of open space Parcels A and B. The association or assessment area shall include all of the lots shown on the Final Plats. In the event that the homeowners' association fails to maintain the open space areas, the City shall have the right, but not the obligation, to perform said maintenance and bill any costs associated therewith (including administrative overhead) to the Property owners."

C. Section 1. m. shall be amended to read as follows: "Prior to any building permit being issued, the Developer shall provide the City with funds to cover the estimated current costs (less $5,000), as approved by the Clearfield City Engineer, for installing: i) a complete 1.5" overlay of Pacific Street from the north side of lot 213, southward to and including the cul-de-sac on the north side of the Center Street bridge; and ii) curb and gutter on the east side of Pacific Street from the north side of lot 213, southward to the end of the cul-de-sac on the north side of the Center Street bridge, and to upgrade the storm water piping and box in the cul-de sac."

D. Section 1. n. shall be stricken in its entirety.

E. Section 1. p. shall be amended to read as follows: "The Developer shall install a chip seal as per City standards on the entire width of 300 West from the north side of 90 North Street (including the full cul-de-sac) to the south side of 25 South Street, following construction of the new sanitary sewer and storm drain. The City shall reimburse to the Developer the difference in cost between chip seal and Type 3 slurry seal."

Per this Addendum, the Parties hereby amend the Agreement dated June 29, 2010 as set forth above this

_____ day of October, 2013.

CLEARFIELD CITY CORPORATION

_____
Donald W. Wood, Mayor

ATTEST:

_____
Nancy R. Dean, City Recorder
APPROVED AS TO CONTENT:

_____
Community Development Director

APPROVED AS TO CONTENT:

_____
Public Works Director

APPROVED AS TO FORM:

_____
City Attorney's Office

EVERGREEN HOLDING, LLC

_____
Neil Wall, Manager

ATTEST:

_____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
§
COUNTY OF _____)

On the _____ day of _____, 2013 personally appeared before me, Neil Wall, as signer of the foregoing document, who duly acknowledged to me that he has corporate authority on behalf of Evergreen Holding, LLC to execute the same.

_____
NOTARY PUBLIC

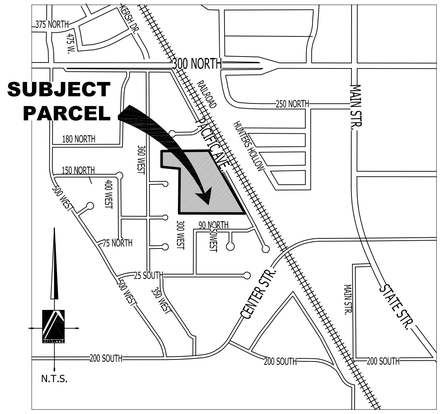
Residing: _____

EXHIBIT B

JON'S PARK PHASES 1 & 2

125 NORTH AND 150 NORTH PACIFIC AVENUE
CLEARFIELD CITY, UTAH

VICINITY MAP



UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS: OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

CONTRACTOR FURTHER AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

TRAFFIC CONTROL & SAFETY NOTES

1. BARRICADING AND DETOURING SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE CURRENT STATE OF UTAH DEPARTMENT OF TRANSPORTATION MANUAL OF TRAFFIC CONTROLS FOR CONSTRUCTION AND MAINTENANCE WORK ZONES, AND THE CURRENT CLEARFIELD CITY STANDARD DRAWING, AND SHALL BE APPROVED BY THE ENGINEER PRIOR TO ANY WORK.

2. NO STREET SHALL BE CLOSED TO TRAFFIC WITHOUT WRITTEN PERMISSION FROM THE CITY TRAFFIC ENGINEER, EXCEPT WHEN DIRECTED BY LAW ENFORCEMENT OR FIRE OFFICIALS.

3. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROVIDE FOR SMOOTH TRAFFIC FLOW AND SAFETY. ACCESS SHALL BE MAINTAINED FOR ALL PROPERTIES ADJACENT TO THE WORK.

4. DETOURING OPERATIONS FOR A PERIOD OF SIX CONSECUTIVE CALENDAR DAYS, OR MORE, REQUIRE THE INSTALLATION OF TEMPORARY STREET STRIPING AND REMOVAL OF INTERFERING STRIPING BY SANDBLASTING. THE DETOURING STRIPING PLAN OR CONSTRUCTION TRAFFIC CONTROL PLAN MUST BE SUBMITTED TO THE CITY TRAFFIC ENGINEER FOR REVIEW AND APPROVAL.

5. ALL TRAFFIC CONTROL DEVICES SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE END OF THE WORK TO THE SATISFACTION OF THE CITY TRAFFIC ENGINEER.

6. TRAFFIC CONTROL DEVICES (TCDs) SHALL REMAIN VISIBLE AND OPERATIONAL AT ALL TIMES.

GENERAL NOTES

1) ALL WORK SHALL WITHIN THE PUBLIC RIGHT-OF-WAY SHALL CONFORM WITH CLEARFIELD CITY STANDARDS & SPECIFICATIONS.

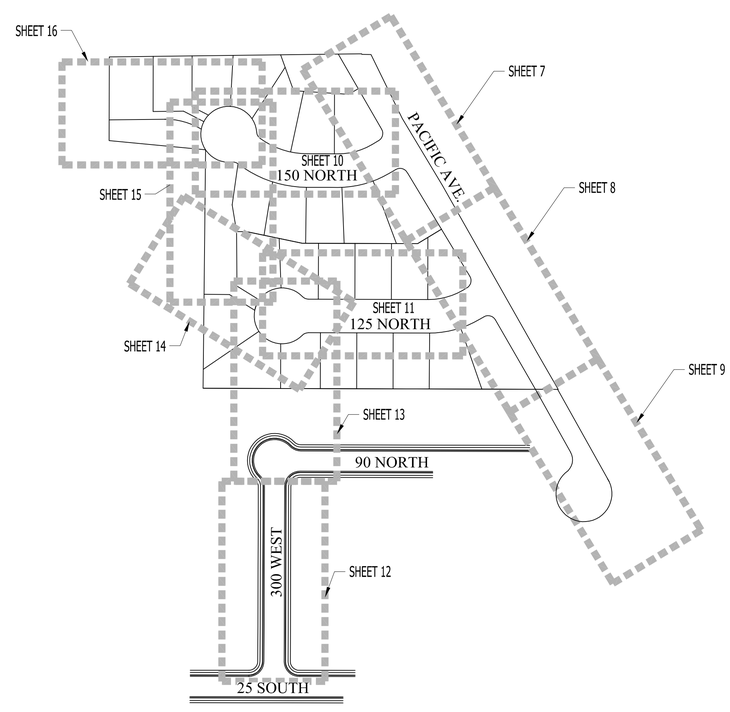
2) CALL BLUESTAKES 48 HOURS PRIOR TO DIGGING.

3) BENCHMARK IS THE NORTH QUARTER CORNER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M., ELEVATION = 4478.12

4) ALL CONSTRUCTION SHALL COMPLY WITH THE CLEARFIELD CITY STANDARD PLANS.

5) CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF ALL EXISTING MANHOLES AND OTHER UTILITIES BEFORE BUILDING OR STAKING ANY UTILITY LINES.

6) THE RELOCATION OF ALL MAILBOXES SHALL BE COORDINATED WITH THE POST OFFICE AND THE LAND OWNER.



DEVELOPER

NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203
KAYSVILLE, UTAH 84037
(801) 499-5114

ENGINEER / SURVEYOR

PINNACLE
Engineering & Land Surveying, Inc.
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

DRAWING INDEX

1 COVER
2 PHASE 1 PLAT
3 PHASE 2 PLAT
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11 125 NORTH STREET PLAN & PROFILE
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LICENSED PROFESSIONAL ENGINEER
343593
STEPHEN P. BOTT
9-21-13
UTAH

JON'S PARK PHASES 1 & 2

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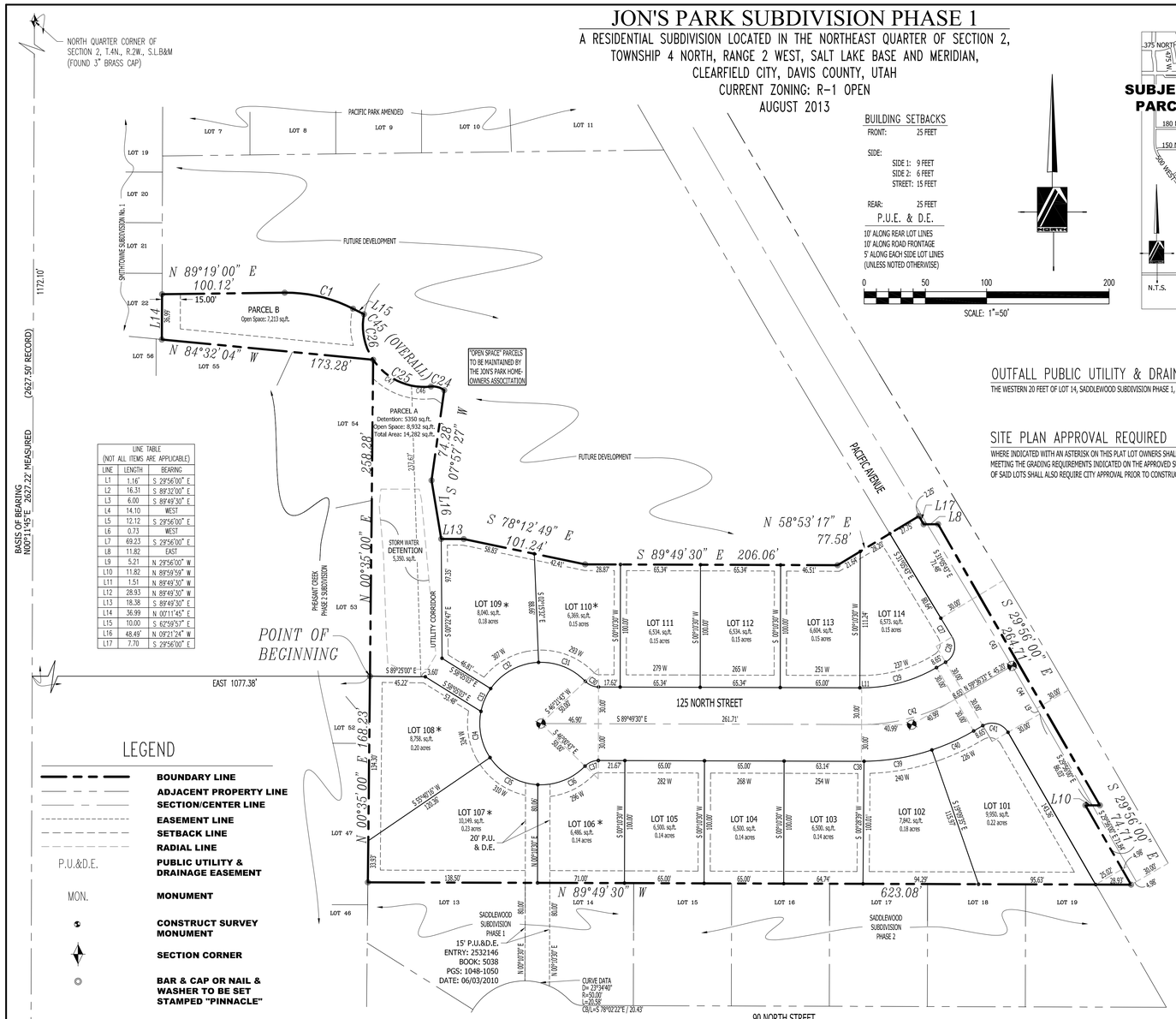
JON'S PARK SUBDIVISION PHASE 1

A RESIDENTIAL SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

CURRENT ZONING: R-1 OPEN

AUGUST 2013



LINE TABLE (NOT ALL ITEMS ARE APPLICABLE)		
LINE	LENGTH	BEARING
L1	1.16'	S 29°56'00" E
L2	16.31	S 89°32'00" E
L3	6.00	S 89°49'30" E
L4	14.10	WEST
L5	12.12	S 29°56'00" E
L6	0.73	WEST
L7	69.23	S 29°56'00" E
L8	11.82	EAST
L9	5.21	N 29°56'00" W
L10	11.82	N 89°59'59" W
L11	1.51	N 89°49'30" W
L12	28.93	N 89°49'30" W
L13	18.38	S 89°49'30" E
L14	36.99	N 00°11'45" E
L15	10.00	S 62°59'57" E
L16	48.49'	N 09°21'24" W
L17	7.70	S 29°56'00" E

LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SECTION/CENTER LINE
- EASEMENT LINE
- SETBACK LINE
- RADIAL LINE
- P.U.&D.E. — PUBLIC UTILITY & DRAINAGE EASEMENT
- MON. — MONUMENT
- CONSTRUCT SURVEY MONUMENT
- SECTION CORNER
- BAR & CAP OR NAIL & WASHER TO BE SET STAMPED "PINNACLE"

09-073

BUILDING SETBACKS

FRONT: 25 FEET

SIDE:
SIDE 1: 9 FEET
SIDE 2: 6 FEET
STREET: 15 FEET

REAR: 25 FEET

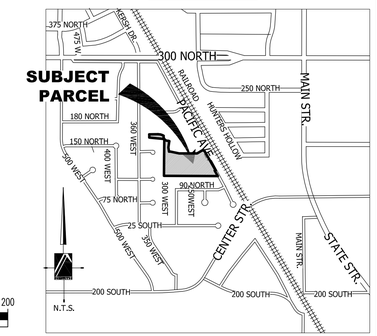
P.U.E. & D.E.

10' ALONG REAR LOT LINES
10' ALONG ROAD FRONTAGE
5' ALONG EACH SIDE LOT LINES
(UNLESS NOTED OTHERWISE)

0 50 100 200

SCALE: 1"=50'

VICINITY MAP



OUTFALL PUBLIC UTILITY & DRAINAGE EASEMENT

THE WESTERN 20 FEET OF LOT 14, SADDLEWOOD SUBDIVISION PHASE 1, DAVIS COUNTY, STATE OF UTAH.

SITE PLAN APPROVAL REQUIRED

WHERE INDICATED WITH AN ASTERISK ON THIS PLAT LOT OWNERS SHALL BE REQUIRED TO SUBMIT A SITE AND FINAL GRADING PLAN TO CLEARFIELD CITY MEETING THE GRADING REQUIREMENTS INDICATED ON THE APPROVED SUBDIVISION DEVELOPMENT PLANS. SUSEQUENT CHANGES TO THE SITE OR GRADING OF SAID LOTS SHALL ALSO REQUIRE CITY APPROVAL PRIOR TO CONSTRUCTION.

CURVE TABLE (NOT ALL ITEMS ARE APPLICABLE)					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH. BEARING
C1	57.86	119.74	27°41'03"	57.30	S 76°50'28" E
C2	14.19	50.00	16°15'37"	14.14	S 18°52'15" W
C3	14.19	50.00	16°15'37"	14.14	N 35°07'52" E
C4	43.50	50.00	49°50'45"	42.14	N 68°11'03" E
C5	46.07	50.00	52°47'16"	44.45	S 62°29'55" E
C6	26.10	50.00	29°54'33"	25.81	S 19°09'00" E
C7	13.08	50.00	49°58'28"	12.67	S 29°10'57" E
C8	60.14	50.00	23°45'54"	59.71	N 66°03'07" W
C9	30.09	145.00	11°53'26"	30.04	S 83°52'47" E
C10	64.36	120.00	30°43'52"	63.59	N 74°46'34" E
C11	23.43	15.00	89°29'55"	21.12	N 14°41'41" E
C12	4.76	50.00	00°03'16"	4.76	S 30°01'38" E
C13	49.34	4970.00	00°34'08"	49.34	S 30°17'04" E
C14	47.12	4970.00	00°32'36"	47.12	S 30°50'25" E
C15	23.42	15.00	89°28'24"	21.12	N 75°49'10" W
C16	31.74	180.00	10°06'06"	31.69	S 64°29'41" W
C17	57.07	180.00	18°10'01"	56.83	N 78°37'45" E
C18	80.45	150.00	30°43'52"	79.49	N 74°46'34" E
C19	7.74	180.00	2°27'45"	7.74	N 88°56'38" E
C20	1.72	205.00	00°28'53"	1.72	N 89°35'04" W
C21	61.17	205.00	17°05'44"	60.94	N 80°47'45" W
C22	121.79	175.00	39°52'29"	119.35	S 69°53'15" E
C23	70.34	205.00	19°39'34"	70.00	N 62°25'07" W
C24	11.48	15.00	43°49'57"	11.20	S 74°30'18" E
C25	54.68	50.00	62°39'30"	52.00	S 65°05'32" E
C26	38.84	50.00	44°30'14"	37.87	S 11°30'40" E
C27	17.81	5000.00	00°12'15"	17.81	S 31°00'36" E
C28	23.70	15.00	90°31'02"	21.31	S 14°21'02" W
C29	64.02	120.00	30°33'57"	63.26	N 74°53'32" E
C30	12.09	15.00	46°11'13"	11.77	N 66°43'54" W
C31	42.43	50.00	48°37'15"	41.17	N 67°56'55" W
C32	46.20	50.00	52°56'44"	44.58	S 67°16'06" W
C33	20.38	50.00	23°21'09"	20.24	N 23°07'10" E
C34	39.42	50.00	45°10'14"	38.41	N 11°08'32" W
C35	46.52	50.00	53°18'42"	44.86	N 60°22'59" W
C36	42.74	50.00	48°58'23"	41.45	S 68°28'28" W
C37	12.09	15.00	46°11'13"	11.77	N 67°04'54" E
C38	2.12	180.00	00°40'29"	2.12	N 89°50'16" E
C39	56.38	180.00	17°56'56"	56.16	S 80°31'34" W
C40	37.52	180.00	11°56'32"	37.45	N 65°34'50" E
C41	23.68	15.00	90°27'27"	21.30	N 75°09'43" W
C42	80.02	150.00	30°33'57"	79.08	N 74°53'32" E
C43	63.32	5030.00	00°43'17"	63.32	S 30°45'05" E
C44	40.15	5030.00	00°27'27"	40.15	S 30°09'43" E
C45	93.52	50.00	107°09'44"	80.47	S 42°50'25" E
C46	15.93	50.00	43°49'57"	15.87	N 87°17'37" W
C47	38.75	50.00	44°23'59"	37.78	N 55°57'46" W

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No.191517 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

JON'S PARK SUBDIVISION PHASE 1

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A SUBDIVISION LOCATED IN THE NORTHEAST EAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF PHEASANT CREEK PHASE 2 SUBDIVISION AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH 00°11'45" WEST ALONG SECTION LINE 1172.10 FEET AND EAST 1077.38 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION AND RUNNING
THENCE NORTHERLY AND WESTERLY ALONG SAID SUBDIVISION THE FOLLOWING TWO (2) CALLS:
NORTH 00°35'00" EAST 258.28 FEET,
NORTH 84°32'04" WEST 173.28 FEET TO A POINT ON THE SOUTH LINE OF SMITHTOWNE SUBDIVISION No. 1 AS RECORDED WITH SAID RECORDER;
THENCE NORTH 00°11'45" EAST ALONG THE EAST LINE OF SAID SUBDIVISION 36.99 FEET TO A POINT ON THE SOUTH LINE OF JON'S PARK SUBDIVISION PHASE 2 (NOT YET RECORDED);
THENCE EASTERLY, SOUTHEASTERLY, SOUTHERLY AND EASTERLY THE FOLLOWING ELEVEN (11) CALLS ALONG SAID SUBDIVISION (NOT YET RECORDED);
(1) NORTH 89°19'00" EAST 100.12 FEET TO A POINT OF CURVATURE (2) SOUTHEASTERLY ALONG THE ARC OF A 119.74 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 27°41'03" A DISTANCE OF 57.86 FEET (CHORD BEARS: S 76°50'28" E 57.30 FEET) (3) SOUTH 62°59'57" EAST 10.00 FEET TO A POINT ON THE ARC OF 50 FOOT NON-TANGENT CURVE TO THE LEFT (4) SOUTHEASTERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 107°09'44" A DISTANCE OF 93.52 FEET (CHORD BEARS S 42°50'25" E 80.47 FEET) TO A POINT OF REVERSE CURVATURE (5) SOUTHEASTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH CENTRAL ANGLE OF 43°49'57" A DISTANCE OF 11.48 FEET (CHORD BEARS: S 74°30'18" E 11.20 FEET) (6) SOUTH 07°57'27" WEST 74.28 FEET (7) SOUTH 09°21'24" EAST 48.49 FEET (8) SOUTH 89°49'30" EAST 18.38 FEET, (9) SOUTH 78°12'49" EAST 101.24 FEET, (10) SOUTH 89°49'30" EAST 206.06 FEET, (11) NORTH 58°53'17" EAST 77.58 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION AND THE EASTERLY RIGHT OF WAY LINE (PER DEED); THENCE SOUTHEASTERLY ALONG SAID EAST LINE THE FOLLOWING FIVE (5) CALLS: (1) SOUTH 29°56'00" EAST 7.70 FEET (2) EAST 11.82 FEET (3) SOUTH 29°56'00" EAST 264.71 FEET (4) THENCE NORTH 89°59'59" WEST 11.82 FEET (5) THENCE SOUTH 29°56'00" EAST 74.71 FEET TO THE NORTH LINE OF SADDLEWOOD SUBDIVISION PHASE 2 EXTENDED AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER; THENCE NORTH 89°49'30" WEST 623.08 FEET TO AND ALONG SAID SUBDIVISION AND ALONG THE NORTH LINE OF PHASE 1 OF SAID SUBDIVISION TO THE EAST LINE OF SAID PHEASANT CREEK PHASE 2 SUBDIVISION AS RECORDED WITH SAID COUNTY RECORDER; THENCE NORTH 00°35'00" EAST 168.23 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. CONTAINING: 163,321 SQ.FT. (3.75 ACRES - 14 LOTS)

DATE

STEPHEN J. FACKRELL
LICENSE NO. 191517

OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown on the plat and name said tract JON'S PARK SUBDIVISION PHASE 1 and do hereby:

a) Public Streets: dedicate, grant and convey to Clearfield City, Utah all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever.

b) Public Utility, and Drainage Easements: grant and dedicate a perpetual right and easement over, upon and under the lands designated on the plat as public utility, drainage easements, the same to be used for the installation, maintenance and operation of public utility service lines, storm drainage facilities whichever is applicable as may be authorized by Clearfield City, Utah, with no buildings or structures being erected within such easements.

c) Open Space Parcels: dedicate, grant and convey to Jon's Park Homeowners Association all those parts or portions of said tract of land designated as open space parcels the same to be used as open space forever. Open space parcels shall be maintained by the Jon's Park Homeowners Association.

In witness whereof the undersigned have hereunto set their signatures

this_____day of _____A.D., 20___.

NEIL WALL

ACKNOWLEDGMENT

STATE OF UTAH)
County of Davis)

On the ____ day of _____ A.D., 20____ , personally appeared before me, the undersigned Notary public, in and for said County of Davis in said State of Utah, the signer ( ) of the above Owner's dedication, _____in number, who duly acknowledged to me that _____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

JON'S PARK SUBDIVISION PHASE 1

A PORTION OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

PINNACLE Engineering & Land Surveying, Inc.
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

CITY ATTORNEY APPROVAL

APPROVED AS TO FORM SIGNED THIS _____ DAY OF_____ , 20_____ ,

CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS_____ DAY OF_____ , 20_____, BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF ____ , 20_____, BY THE CLEARFIELD CITY ENGINEER.

CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF ____ , 20 ___, BY THE CLEARFIELD CITY COUNCIL.

ATTEST:

CLEARFIELD CITY RECORDER — CLEARFIELD CITY MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF , 20_____AT_____IN BOOK _____OF OFFICIAL RECORDS PAGE_____

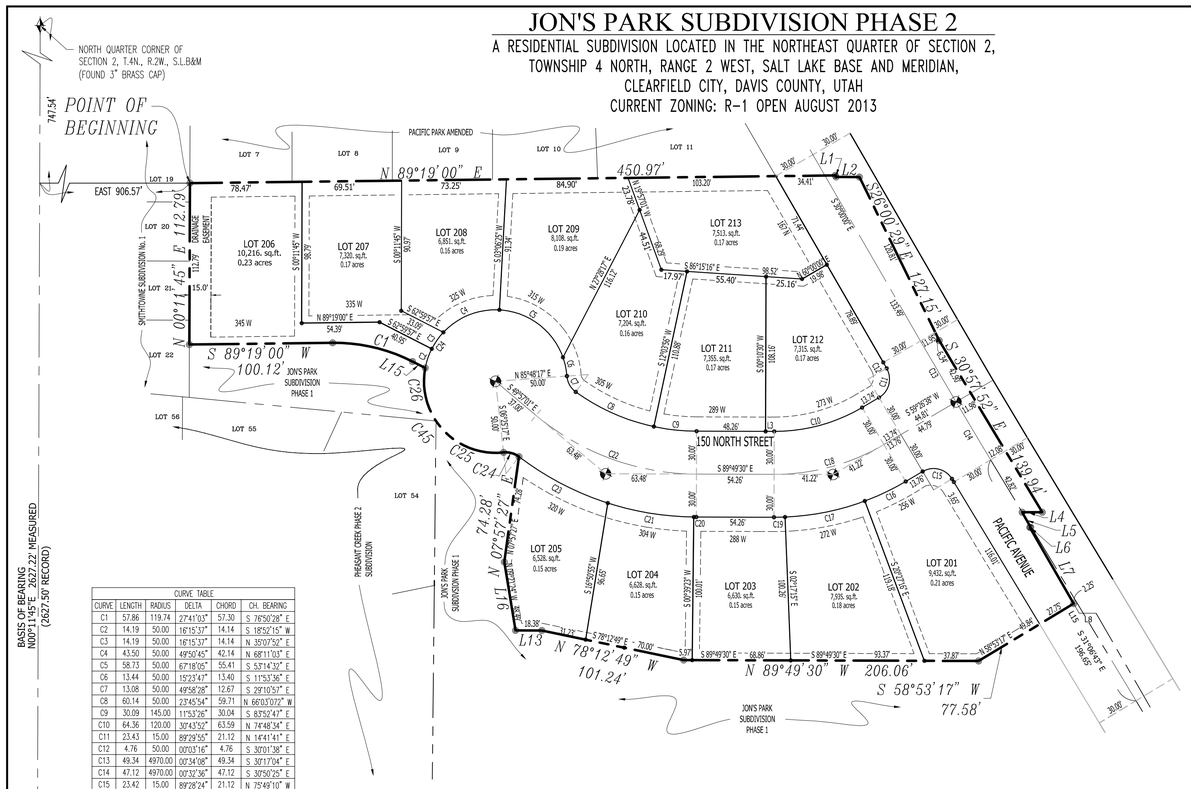
DAVIS COUNTY RECORDER

BY_____
DEPUTY REORDER

JON'S PARK SUBDIVISION PHASE 2

A RESIDENTIAL SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

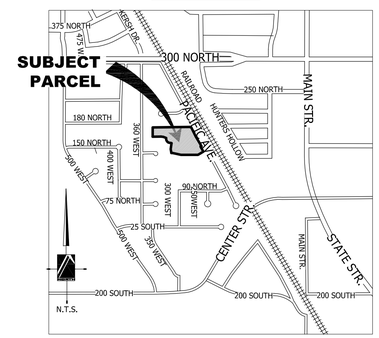
CURRENT ZONING: R-1 OPEN AUGUST 2013

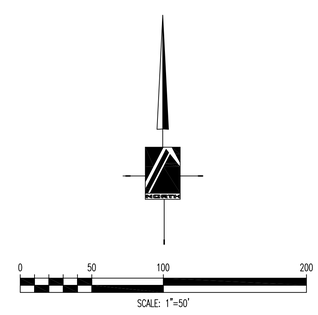


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH. BEARING
C1	57.86	119.74	27°41'03"	57.30	S 76°50'28" E
C2	14.19	50.00	16°15'37"	14.14	S 18°52'15" W
C3	14.19	50.00	16°15'37"	14.14	N 35°07'52" E
C4	43.50	50.00	49°50'45"	42.14	N 68°11'03" E
C5	58.73	50.00	67°18'05"	55.41	S 53°14'32" E
C6	13.44	50.00	15°23'47"	13.40	S 11°53'36" E
C7	13.08	50.00	49°58'28"	12.67	S 29°10'57" E
C8	60.14	50.00	23°45'54"	59.71	N 66°03'07" W
C9	30.09	145.00	11°53'26"	30.04	S 83°52'47" E
C10	64.36	120.00	30°43'52"	63.59	N 74°48'34" E
C11	23.43	15.00	89°29'55"	21.12	N 14°41'41" E
C12	4.76	50.00	00°03'16"	4.76	S 30°01'38" E
C13	49.34	4970.00	00°34'08"	49.34	S 30°17'04" E
C14	47.12	4970.00	00°32'36"	47.12	S 30°50'25" E
C15	23.42	15.00	89°28'24"	21.12	N 75°49'10" W
C16	31.74	180.00	10°06'06"	31.69	S 64°29'41" W
C17	57.07	180.00	18°10'01"	56.83	N 78°37'45" E
C18	80.45	150.00	30°43'52"	79.49	N 74°48'34" E
C19	7.74	180.00	2°27'45"	7.74	N 88°56'38" E
C20	1.72	205.00	00°28'53"	1.72	N 89°35'04" W
C21	61.17	205.00	17°05'44"	60.94	N 80°47'45" W
C22	121.79	175.00	39°52'29"	119.35	S 69°53'15" E
C23	70.34	205.00	19°39'34"	70.00	N 62°25'07" W
C24	11.48	15.00	43°49'57"	11.20	S 74°30'18" E
C25	54.68	50.00	62°39'30"	52.00	S 65°05'32" E
C26	38.84	50.00	44°30'14"	37.87	S 11°30'40" E
C27	17.81	5000.00	00°12'15"	17.81	N 31°00'36" W
C28	23.70	15.00	90°31'02"	21.31	N 14°21'02" E
C29	64.02	120.00	30°33'57"	63.26	N 74°53'32" E
C30	12.09	15.00	46°11'13"	11.77	N 66°43'54" W
C31	42.43	50.00	48°37'15"	41.17	N 67°56'55" W
C32	46.20	50.00	52°56'44"	44.58	S 61°16'06" W
C33	20.38	50.00	23°21'09"	20.24	S 23°07'10" W
C34	39.42	50.00	45°12'14"	38.41	N 11°08'32" W
C35	46.52	50.00	53°18'42"	44.86	N 60°22'59" W
C36	42.74	50.00	48°58'23"	41.45	S 68°28'28" W
C37	12.09	15.00	46°11'13"	11.77	N 67°04'54" E
C38	2.12	180.00	00°40'29"	2.12	N 89°50'16" E
C39	56.38	180.00	17°56'56"	56.16	S 80°31'34" W
C40	37.52	180.00	11°56'32"	37.45	N 65°34'50" E
C41	23.68	15.00	90°27'27"	21.30	N 75°09'43" W
C42	80.02	150.00	30°33'57"	79.08	N 74°53'32" E
C43	63.32	5030.00	00°43'17"	63.32	S 30°45'05" E
C44	40.15	5030.00	00°27'27"	40.15	S 30°09'43" E
C45	93.52	50.00	107°09'44"	80.47	S 42°50'25" E

LINE TABLE		
LINE	LENGTH	BEARING
L1	1.16'	S 29°56'00" E
L2	16.31	S 89°32'00" E
L3	6.00	S 89°49'30" E
L4	14.10	WEST
L5	12.12	S 29°56'00" E
L6	0.73	WEST
L7	61.53	S 29°56'00" E
L8	11.82	WEST
L9	5.21	N 29°56'00" W
L10	11.82	S 89°59'59" E
L11	1.51	N 89°49'30" W
L12	28.93	N 89°49'30" W
L13	18.38	N 89°49'30" W
L14	45.22	N 89°25'00" W
L15	10.00	N 62°59'57" W
L16	48.49'	N 09°21'24" W

VICINITY MAP





LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SECTION/CENTER LINE
- EASEMENT LINE
- SETBACK LINE
- RADIAL LINE
- P.U.&D.E. — PUBLIC UTILITY & DRAINAGE EASEMENT
- MON. — MONUMENT
- CONSTRUCT SURVEY MONUMENT
- SECTION CORNER
- BAR & CAP OR NAIL & WASHER TO BE SET STAMPED "PINNACLE"

BUILDING SETBACKS

FRONT: 25 FEET

SIDE:
SIDE 1: 9 FEET
SIDE 2: 6 FEET
STREET: 15 FEET

REAR: 25 FEET

P.U.E. & D.E.

10' ALONG REAR LOT LINES
10' ALONG ROAD FRONTAGE
5' ALONG EACH SIDE LOT LINES
(UNLESS NOTED OTHERWISE)

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No.191517 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

JON'S PARK SUBDIVISION PHASE 2

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7 PACIFIC PARK AMENDED SUBDIVISION SAID POINT BEING LOCATED SOUTH 00°11'45" WEST ALONG SECTION LINE 747.54 FEET AND EAST 906.57 FROM THE NORTH QUARTER CORNER OF SAID SECTION AND RUNNING THENCE NORTH 89°19'00" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION 450.97 FEET TO THE EASTERLY RIGHT OF WAY LINE (PER DEED); THENCE SOUTHEASTERLY THE FOLLOWING EIGHT (8) CALLS ALONG SAID RIGHT OF WAY: (1) SOUTH 29°56'00" EAST 1.16 FEET (2) SOUTH 89°32'00" EAST 16.31 FEET (3) SOUTH 26°00'29" EAST 127.15 FEET; (4) SOUTH 30°57'52" EAST 139.94 FEET; (5) WEST 14.10 FEET (6) SOUTH 29°56'00" EAST 12.12 FEET (7) WEST 0.73 FEET (8) SOUTH 29°56'00" EAST 61.53 FEET; THENCE SOUTH 58°53'17" WEST 77.58 FEET; THENCE NORTH 89°49'30" WEST 206.06 FEET; THENCE NORTH 78°12'49" WEST 101.24 FEET; THENCE NORTH 89°49'30" WEST 18.38 FEET; THENCE NORTH 09°21'24" WEST 48.49 FEET; THENCE NORTH 07°57'22" EAST 74.28 FEET TO A POINT ON THE ARC OF A 15.00 FOOT NON-TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°49'57" A DISTANCE OF 11.48 FEET (CHORD BEARS: N 74°30'18" W 11.20 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF 50.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 107°09'44" A DISTANCE OF 93.52 FEET (CHORD BEARS: N 42°50'25" W 80.47 FEET); THENCE NORTH 62°59'57" WEST 10.00 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 119.74 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 27°41'03" A DISTANCE OF 57.86 FEET (CHORD BEARS: N 76°50'28" W 57.30 FEET); THENCE SOUTH 89°19'00" WEST 100.12 FEET TO THE EAST LINE OF SMITHTOWNE SUBDIVISION No.1 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDERS OFFICE; THENCE NORTH 00°11'45" EAST 112.79 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE POINT OF BEGINNING.

CONTAINS: 137,832 SQ.FT.(3.16 ACRES - 13 LOTS)

DATE

STEPHEN J. FACKRELL
LICENSE NO. 191517

OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown on the plat and name said tract JON'S PARK SUBDIVISION PHASE 2 and do hereby:

a) Public Streets: dedicate, grant and convey to Clearfield City, Utah all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever.

b) Public Utility, and Drainage Easements: grant and dedicate a perpetual right and easement over, upon and under the lands designated on the plat as public utility, drainage easements, the same to be used for the installation, maintenance and operation of public utility service lines, storm drainage facilities whichever is applicable as may be authorized by Clearfield City, Utah, with no buildings or structures being erected within such easements.

c) Open space parcels in Jon's Park Phase 1 shall be maintained by the Jon's Park Homeowners Association.

In witness whereof the undersigned have hereunto set their signatures

this_____day of _____A.D., 20___.

ACKNOWLEDGMENT

STATE OF UTAH)
County of Davis)

On the ___ day of _____ A.D., 20____ , personally appeared before me, the undersigned Notary public, in and for said County of Davis in said State of Utah, the signer ( ) of the above Owner's dedication, _____in number, who duly acknowledged to me that_____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:_____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

JON'S PARK SUBDIVISION PHASE 2

A PORTION OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH

PINNACLE Engineering & Land Surveying, Inc.
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

09-073

CITY ATTORNEY APPROVAL

APPROVED AS TO FORM SIGNED THIS _____ DAY OF_____ , 20____ ,

CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS_____ DAY OF_____ , 20____, BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF ____ , 20____, BY THE CLEARFIELD CITY ENGINEER.

CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF ____ , 20 ___, BY THE CLEARFIELD CITY COUNCIL.

ATTEST:

CLEARFIELD CITY RECORDER CLEARFIELD CITY MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF , 20_____AT_____IN BOOK _____OF OFFICIAL RECORDS PAGE_____

DAVIS COUNTY RECORDER

BY_____
DEPUTY REORDER

ABBREVIATIONS

Ø	DIAMETER
Δ	DELTA
°	DEGREES
'	MINUTES
"	SECONDS
AD	ALGEBRAIC DIFFERENCE
ADA	AMERICAN DISABILITIES ACT
BL	BOUNDARY LINE
BM	BENCHMARK
BOW	BACK OF WALK
BRG	BEARING
BV	BUTTERFLY VALVE
BVC	BEGIN VERTICAL CURVE
BVCE	BEGIN VERTICAL CURVE ELEVATION
BVCS	BEGIN VERTICAL CURVE STATION
C&G	CURB AND GUTTER
CB	CATCH BASIN
CH	CHORD
CHB	CHORD BEARING
CI	CAST IRON
CL	CENTERLINE
CMP	CORRUGATED METAL PIPE
CO	CLEANOUT
CONC	CONCRETE
CONST	CONSTRUCTION
CP	CONTROL POINT
CUL	CULINARY
CW	CULINARY WATER
DEMO	DEMOLITION
DI	DUCTILE IRON
DIAM	DIAMETER
DIST	DISTANCE
DIV	DIVERSION
E	EAST
EASE	EASEMENT
EG	EXISTING GRADE
EL	ELBOW
EVC	END VERTICAL CURVE
EVCE	END VERTICAL CURVE ELEVATION
EVCS	END VERTICAL CURVE STATION
EX	EXISTING
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOWLINE
FND	FOUND
FND	FOUNDATION
FTG	FOOTING
FV	FIELD VERIFY
GB	GRADE BREAK
GR	GRATE
GV	GATE VALVE
HP	HIGH POINT
HPE	HIGH POINT ELEVATION
HPS	HIGH POINT STATION
ID	INSIDE DIAMETER
INV	INVERT
IRR	IRRIGATION
IRRMH	IRRIGATION MANHOLE
K	RADIUS OF CURVATURE
L	LENGTH
LAT	LATERAL SERVICE
LD	LAND DRAIN
LDMH	LAND DRAIN MANHOLE
LG	LIP OF GUTTER
LP	LOW POINT
LPE	LOW POINT ELEVATION
LPS	LOW POINT STATION
MH	MANHOLE
MON	MONUMENT
N	NORTH
NR	NON-RADIAL
OD	OUTSIDE DIAMETER
PL	PROPERTY LINE
PROP	PROPERTY
PUE	PUBLIC UTILITY EASEMENT
PU&DE	PUBLIC UTILITY & DRAINAGE EASEMENT
PUE&DE	PUBLIC UTILITY EASEMENT & DRAINAGE EASEMENT
PVC	POLYVINYLCHLORIDE
R	RADIUS
RCL	ROADWAY CENTERLINE
RCP	REINFORCED CONCRETE PIPE
S	SOUTH
SD	STORM DRAIN
SDCB	STORM DRAIN CATCH BASIN
SDCO	STORM DRAIN CLEANOUT
SDMH	STORM DRAIN MANHOLE
SEC	SECONDARY
SEC	SECTION
SLB&M	SALT LAKE BASE & MERIDIAN
SPP	STEEL PIPE
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
SW	SECONDARY WATER
TAN	TANGENT
TB	THRUST BLOCK
TBC	TOP BACK OF CURB
TBW	TOP BACK OF WALK
TCW	TOP OF CURBWALL
TOA	TOP OF ASPHALT
TOC	TOP OF CONCRETE
TOG	TOP OF GRATE
TOW	TOP OF WALL
V	VALVE
VC	VERTICAL CURVE
W	WEST
WL	WATERLINE
X	CROSS

GENERAL NOTES

(THESE PLANS ARE INTENDED TO FUNCTION AS A SET - THE CONTRACTOR SHALL NOT ASSUME THAT ANY ONE SHEET SHOWS ALL THE PERTINENT INFORMATION FOR A GIVEN AREA.)

General Notes:

1. All work to conform to CLEARFIELD CITY standards, drawings, and specifications.

2. For landscaping see landscape plans.

3. All existing manholes, water valves, clean outs, etc., will be to grade.

4. No allowance will be made for discrepancies or omissions that can be easily observed. Contractor must verify all existing conditions before bidding, and bring up any questions beforehand.

5. Full depth expansion joints will be placed against any object deemed to be fixed, changes in direction, and at equal intervals not to exceed 50 feet. Slabs-on-grade will be typically scored (1/2 the depth) at intervals not to exceed their width or 12 times their depth, whichever is less. Scoring will be placed to prevent random cracking.

6. Concrete waterways, curb walls, mow strips, curb and gutter, etc., will typically be scored (1/2 the depth) at intervals not to exceed 10 feet, and have full depth expansion joints that equal spacing not to exceed 50 feet.

7. Unless otherwise noted, all Slabs-on-grade will have a minimum 8" turned-down edge to help control frost heave.

8. Unless otherwise noted, all on-grade concrete will be placed on a minimum 4" gravel base over a well compacted (95% density) sub grade.

9. All exposed surfaces will have a textured finish, rubbed, or broomed, any "plastering" of new concrete will be done while it is still "green".

10. All joints (control joints, construction joints, expansion joints, etc.), will be sealed with a one part polyurethane sealant (see specification).

11. Existing trees are to remain unless otherwise noted.

12. Prior to starting construction, the contractor shall be responsible for making sure that all required permits and approvals have been obtained. No construction or fabrication shall begin until the contractor had received and thoroughly reviewed all plans and other documents approved by all of the permitting authorities.

13. Site grading shall be performed in accordance with these plans and specifications and the recommendations set forth in the soils report. The contractor shall be responsible for removing and replacing all soft, yielding or unsuitable materials and replacing with suitable materials as specified in the soils report. All excavated or filled areas shall be compacted to 95% of modified proctor maximum density per ASTM Test D-1557. Moisture content at time of placement shall not exceed 2% above nor 3% below optimum. Contractor shall submit a compaction report prepared by a qualified registered soils engineer, verifying that all filled areas and sub grade areas within the building pad area and areas to be paved, have been compacted in accordance with these plans and specs and the recommendations set forth in the soils report.

14. The locations of underground facilities shown on these plans are based on field surveys and local utility company records. It shall be the contractors full responsibility to contact the various utility companies to locate their facilities prior to proceeding with construction. No additional compensation shall be paid to the contractor for damage and repair to these facilities caused by his work force. Contractors must start at the low end of all gravity fed lines and work up hill. Failure to comply with this note will release the civil engineer of all liability.

15. All dimensions, grades, and utility design shown on the plans shall be verified by the contractor prior to construction. Contractor shall notify the engineer if any discrepancies exist, prior to proceeding with construction for necessary plan or grade changes. No extra compensation shall be paid to the contractor for work having to be redone due to the dimensions or grades shown incorrectly on these plans, if such notification has not been given.

16. Contractor is to coordinate all utilities with mechanical drawings.

17. All work shall be performed in accordance with the plans and specifications and the requirements and standards of CLEARFIELD CITY. The soils report and recommendations set forth therein are a part of the required construction documents and in case of conflict, shall take precedence unless specifically noted otherwise on the plans. The contractor shall notify the engineer of any discrepancy between soils report and plans, etc.

18. Site clearing shall include the location and removal of all underground tanks, pipes, valves, etc.

19. All new valves, manholes, etc. shall be raised or lowered to grade as required. And installed with a minimum of a 6" concrete ring.

20. Construct new buildings, sidewalks, curb walls, curb & gutter, ramps, retaining wall, etc., per design shown.

21. Natural vegetation and soil cover shall not be disturbed prior to actual construction of a required facility or improvement. Mass clearing of the site in anticipation of construction shall be avoided. Construction traffic shall be limited to one approach to site. The approach shall be designated by the general manager.

22. All new water construction to be done in accordance with CLEARFIELD CITY standards and specifications.

23. All new sanitary sewer construction to be done in accordance with CLEARFIELD CITY Special Service Districts standards and specifications. Sanitary sewer main lines shall be SDR 35 green PVC unless otherwise directed.

24. Contractor is to submit site plan to Questar Gas Co. for design of gas line service to building. Actual construction of service to be done by Questar Gas Company.

25. For electric service, lighting, routing, etc. see electrical plans.

26. All new pressurized irrigation shall be done in accordance with the current CLEARFIELD CITY standards and specifications.

27. Contractor to layout and pothole for all potential conflicts with utility lines on or off site as required prior to any construction.

28. Contractor to loop new waterline around gravity utilities if conflict should occur. (Notify engineer of the problem).

29. Contractor to notify CLEARFIELD CITY and Pinnacle Engineering 48 hours prior to beginning any construction required for this project.

30. New domestic waterlines to be AWWA C-900 DR-18 PVC PIPE.

31. All trench backfill shall meet 95% Mod. Proctor Density. Compaction tests shall be made be developer. Call back test shall be charged to the contractor.

32. Contractor to review all design grades with any sub contractors to have a complete understanding as to whether or not the curb and gutter is inflow or release. (Notify engineer if there are questions).

33. No change in design location or grade will be made by the contractor without the written approval of the project engineer.

34. All thrust blocks shall be poured in place against undisturbed soil as per specifications, all valves, fittings, and appurtenances to be blocked.

35. Contractor shall be responsible for furnishing, maintaining, or restoring all monuments and monument reference marks within the project site. Contact the city or county surveyor for monument locations and construction details.

36. Contractor shall provide a construction schedule in accordance with the city or county regulations for working in the public way.

37. Contractor shall be responsible for dust control according to governing agents standards. Wet down dry materials and rubbish to prevent blowing.

38. Existing main to remain in service until new main has been installed, tested, and all services have been reconnected.

39. Contractor shall be responsible for any damage to adjacent surface improvements.

40. Contractor shall be responsible for correcting any settlement of or damage to existing storm drains.

41. All existing asphalt will be saw cut in neat straight lines by the contractor prior to excavation.

42. The contractor shall place temporary asphalt surfaces if the work is accomplished at a time when permanent asphalt surfacing material is not available. At the time permanent asphalt becomes available, the contractor shall furnish and place asphalt per CLEARFIELD CITY standards. The contractor shall guarantee the asphalt restoration for period of two years from the date of completion.

43. Contractor to furnish and place asphalt per permit requirements.

44. Contractor to furnish and place a 8" Inch base below asphalt paving (8" base and 18" granular borrow within U Dot Right-of-way).

45. All concrete valve boxes will be poured in place against undisturbed soil and built with a ductile iron ring and cover positioned over the valve operating unit centered over the man way opening.

46. The contractor is responsible to furnish all materials to complete the project.

47. Traffic control to conform to the current city or county transportation engineer's manual.

48. The contractor will verify depths of utilities in the field by pot holing a minimum of 300 feet ahead of pipeline construction to avoid conflicts with designed pipeline grade and alignment. If a conflict arises resulting from the contractor's negligence to pothole utilities the contractor will be required to resolve the conflict without additional cost or claim to the owner or engineer.

49. All elevations are U.S.V.G.S. Datum.

50. Contractor shall install invert covers in all sewer manholes in the project area.

51. Contractor shall not allow any groundwater or debris to enter the new pipe during construction.

52. Handicap Accessibility: All construction shall meet the ADA Handicap Accessibility Requirements. For any discrepancies between the plans and ADA requirements, ADA Requirements will govern.

53. Striping: Street striping shall be applied per Clearfield City Standards and specifications.

54. Layout: Contractor responsible for all field staking and layout work on project.

55. Contractor to provide all utility trenching and conduits.

56. Contractor to provide a 1 year warranty, unless noted otherwise, after all construction is complete.

57. All topsoil removed from streets during construction shall be re-distributed behind the curb and gutter with no material being exported from the site.

58. Culinary water services are to be 3/4" type K copper. See Clearfield City Standards & Specifications for Meter Box and Appurtenances. Water services shall be extended to the middle of the lot frontage to a point 10 feet beyond the back of sidewalk.

59. Sanitary Sewer services are to be 4" PVC pipe. See Clearfield City Standards & Specifications for slope and cleanout requirements. Sewer services shall be extended 10 feet downstream from the water lateral along the lot frontage, to a point 10 feet beyond the back of sidewalk.

60. No lateral service of any kind shall cross lot lines other than lot frontages.

61. The developer shall install street signs and street fights as required by Clearfield City.

GEOTECHNICAL NOTES

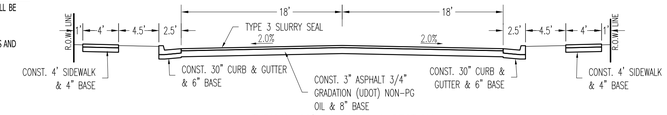
A GEOTECHNICAL STUDY HAS BEEN PERFORMED FOR THIS SUBDIVISION BY AGEC PROJECT # 1100135. THE RECOMMENDATIONS CONTAINED THEREIN SHALL BE PART OF THE CONSTRUCTION DOCUMENTS. WHERE DISCREPANCIES EXIST BETWEEN THE GEOTECHNICAL REPORT AND THE IMPROVEMENT PLANS FOLLOW THE MORE STRINGENT REQUIREMENT. PLEASE BRING ALL SUCH DISCREPANCIES TO THE ATTENTION OF THE ENGINEER.

UNDERGROUND INFORMATION

THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THESE PLANS IS BASED ON INFORMATION GATHERED FROM UTILITIES AND/OR FROM ABOVE-GROUND STRUCTURES OR EVIDENCE FOUND AT THE TIME OF SURVEY. AS SUCH, THE UNDERGROUND INFORMATION IS A BEST ESTIMATE. PINNACLE DOES NOT REPRESENT OR GUARANTEE THAT THE UNDERGROUND INFORMATION PROVIDED IS CORRECT OR UP TO DATE. CALL BLUESTAKES A MINIMUM OF 48 HOURS PRIOR TO BEGINNING ANY DIGGING OR UTILITY WORK.

ASSUMPTIONS

1. ROADWAY SHALL BE GRUBBED APPROXIMATELY 6 INCHES AND ORGANIC AND OTHER DELETERIOUS MATERIAL SHALL BE REMOVED.
2. EXISTING STOCKPILES TO BE REMOVED FROM THE SITE.
3. NATIVE MATERIAL BELOW THE GRUB LINE SUITABLE FOR COMPACTION AND USE AS AS BACKFILL IN UTILITY TRENCHES AND BELOW ROAD BASE (CONTRACTOR TO VERIFY EXISTING MATERIAL DURING CONSTRUCTION).

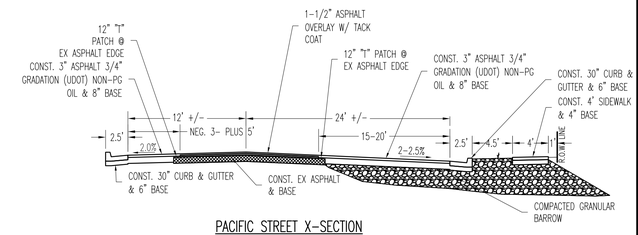


TYPICAL 60' ROADWAY X-SECTION

FOR ADDITIONAL INFORMATION SEE CLEARFIELD CITY CORPORATION DEVELOPMENT STANDARDS

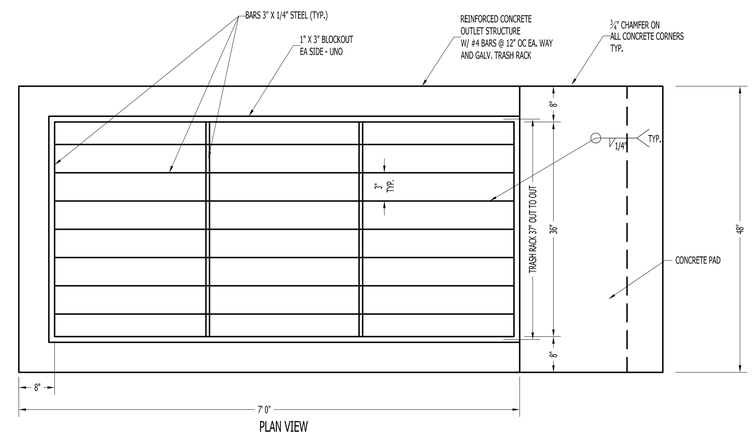
ROADWAY CONSTRUCTION NOTES

1. ROADWAY SHALL BE GRUBBED APPROXIMATELY 6 INCHES AND ORGANIC AND OTHER DELETERIOUS MATERIAL SHALL BE REMOVED.
2. ROADWAY SUBGRADE SHALL BE COMPACTED TO 95% MAXIMUM DRY DENSITY PER ASTM D-1557 WITH MOISTURE CONTENT WITHIN 3% OF OPTIMUM. SUBGRADE SHALL BE PROOF-ROLLED WITH A FULLY LOADED DUMP TRUCK. SUBGRADE SHALL BE FREE OF ROCKS LARGER THAN 4 INCHES, SOFT OR SPONGY MATERIAL. WHERE PUMPING OR RUTTING OCCURS DURING PROOF-ROLLING, MATERIAL SHALL BE REMOVED AND REPLACED WITH A MINIMUM OF 12" WELL GRADED GRANULAR BARROW (4" MAX). BARROW MATERIAL SHALL BE COMPACTED AS DESCRIBED AND PROOF-ROLLED AGAIN.
3. WHERE BUILDING FOUNDATIONS OCCUR ACROSS ROADWAYS, FOUNDATIONS SHALL BE EXCAVATED AND BACKFILLED WITH WELL GRADED GRANULAR BARROW COMPACTED AS DESCRIBED ABOVE.
4. FILL MATERIAL SHALL BE DEPOSITED IN LAYERS NOT EXCEEDING 10 INCHES IN THICKNESS.
5. FILL MATERIAL FOR ROADWAYS AND EMBANKMENTS SHALL MEET CLEARFIELD CITY STANDARDS.
6. ALL SUBGRADE, FILLS, AND BASE MATERIALS SUPPORTING ASPHALT, CURBS & GUTTERS, SIDEWALKS, AND DRIVE APPROACHES SHALL BE COMPACTED AS DESCRIBED ABOVE.

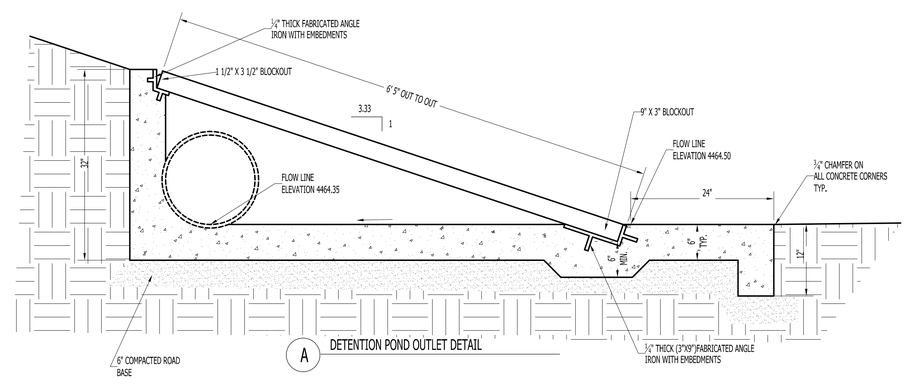


PACIFIC STREET X-SECTION

FOR ADDITIONAL INFORMATION SEE CLEARFIELD CITY CORPORATION DEVELOPMENT STANDARDS



PLAN VIEW



A DETENTION POND OUTLET DETAIL

PINNACLE
Engineering & Land Surveying, Inc.
Layton • West Bountiful • Mount Pleasant • St. George
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

JON'S PARK PHASE 1 & 2
GENERAL CONSTRUCTION NOTES/DETAILS
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER
341593
STEPHEN P. BOTT
8-21-13
UTAH

REVISION	BY	DATE

CALL BLUESTAKES
@ 1-800-662-4111
AT LEAST 48 HOURS
PRIOR TO COMMENCING
ANY CONSTRUCTION

SURVEYED BY	DATE
SPB	01-2010
DESIGNED BY	DATE
SPB	01-2010
DRAWN BY	DATE
SPB	08-21-2013
APPROVED BY	DATE
SJF	08-21-2013

SHEET # 4 OF 20

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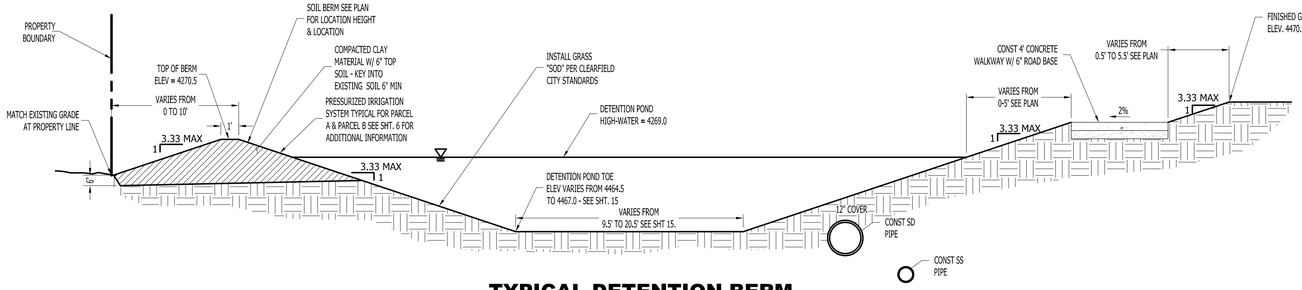
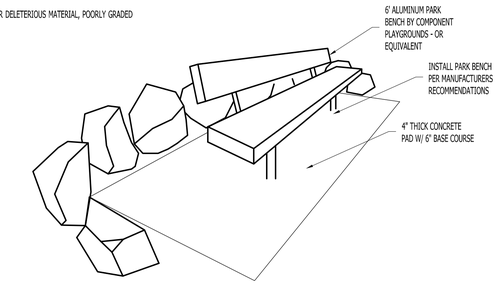


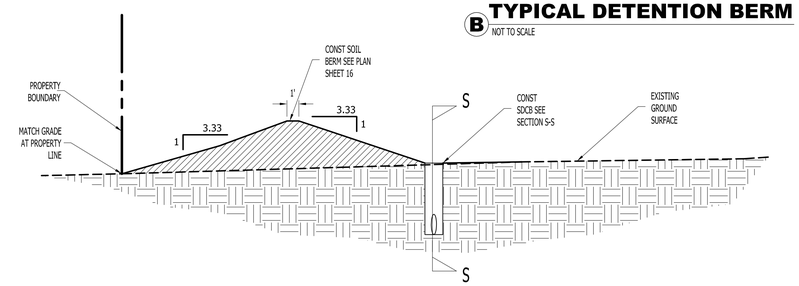
B TYPICAL DETENTION BERM
NOT TO SCALE

EMBANKMENT CONSTRUCTION NOTES

1. EMBANKMENTS SHALL BE KEYED INTO THE EXISTING GROUND 6" MINIMUM.
2. EMBANKMENTS SHALL BE COMPACTED TO 85% MAXIMUM DRY DENSITY PER ASTM D-1557 WITH MOISTURE CONTENT WITHIN 3% OF OPTIMUM. SUBGRADE SHALL SCARIFIED TO A DEPTH OF 6 INCHES AND RECOMPACTED AS DESCRIBED.
3. FILL MATERIAL SHALL BE DEPOSITED IN LAYERS NOT EXCEEDING 10 INCHES IN THICKNESS.
4. EMBANKMENT MATERIAL SHALL BE FREE OF ROCKS LARGER THAN 4 INCHES, ORGANIC OR OTHER DELETERIOUS MATERIAL, POORLY GRADED GRAVELS, LENSES, POCKETS
5. FILL MATERIAL FOR EMBANKMENTS SHALL MEET CLEARFIELD CITY STANDARDS.



H PARK BENCH
NOT TO SCALE



C TYPICAL OVERFLOW SWALE-SOIL BERM
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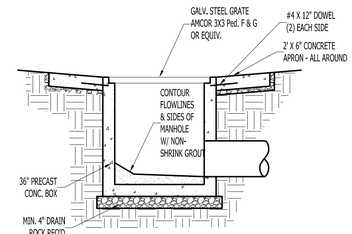
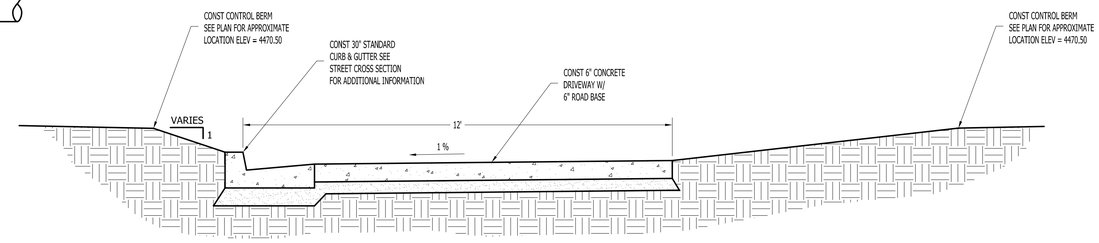
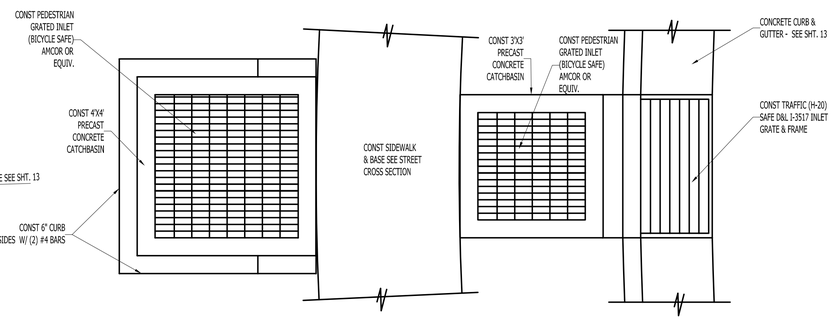


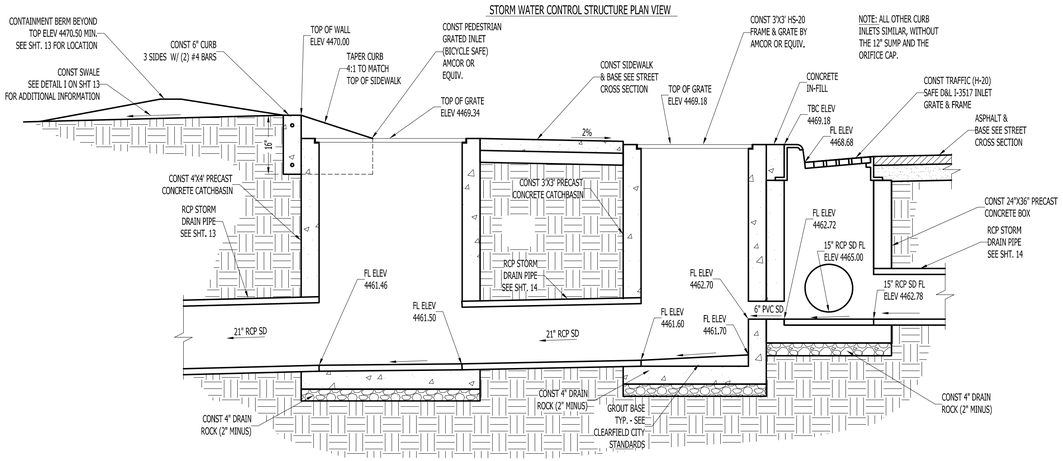
S SDCB BOX



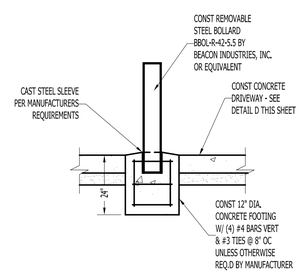
D ACCESS DRIVEWAY
NOT TO SCALE



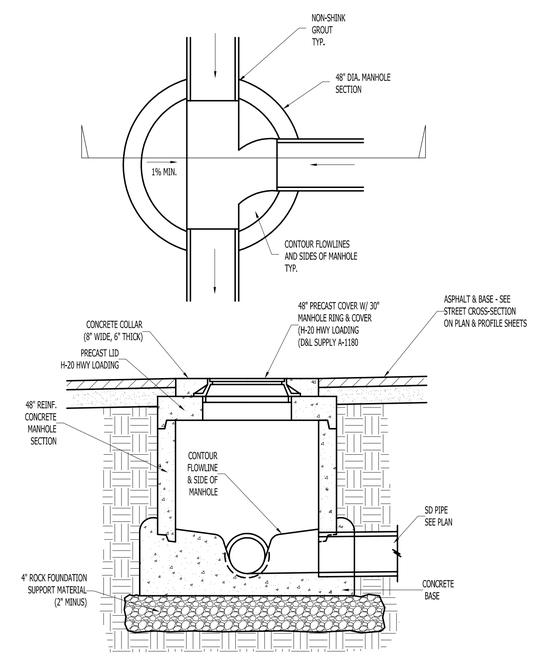
STORM WATER CONTROL STRUCTURE PLAN VIEW



E STORM WATER CONTROL STRUCTURE & ORIFICE
NOT TO SCALE



F STEEL BOLLARD
NOT TO SCALE



G TYPICAL STORM DRAIN MANHOLE
NOT TO SCALE

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Fax: (801) 773-1925

JON'S PARK PHASE 1 & 2
DETAILS
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER 343599 STEPHEN P. BOTT 8-21-13 UTAH

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION

REVISION	BY	DATE

SURVEYED BY SPB	DATE 01-2010	SHEET # 5
DESIGNED BY SPB	DATE 01-2010	OF 20
DRAWN BY SPB	DATE 08-21-2013	
APPROVED BY SJF	DATE 08-21-2013	

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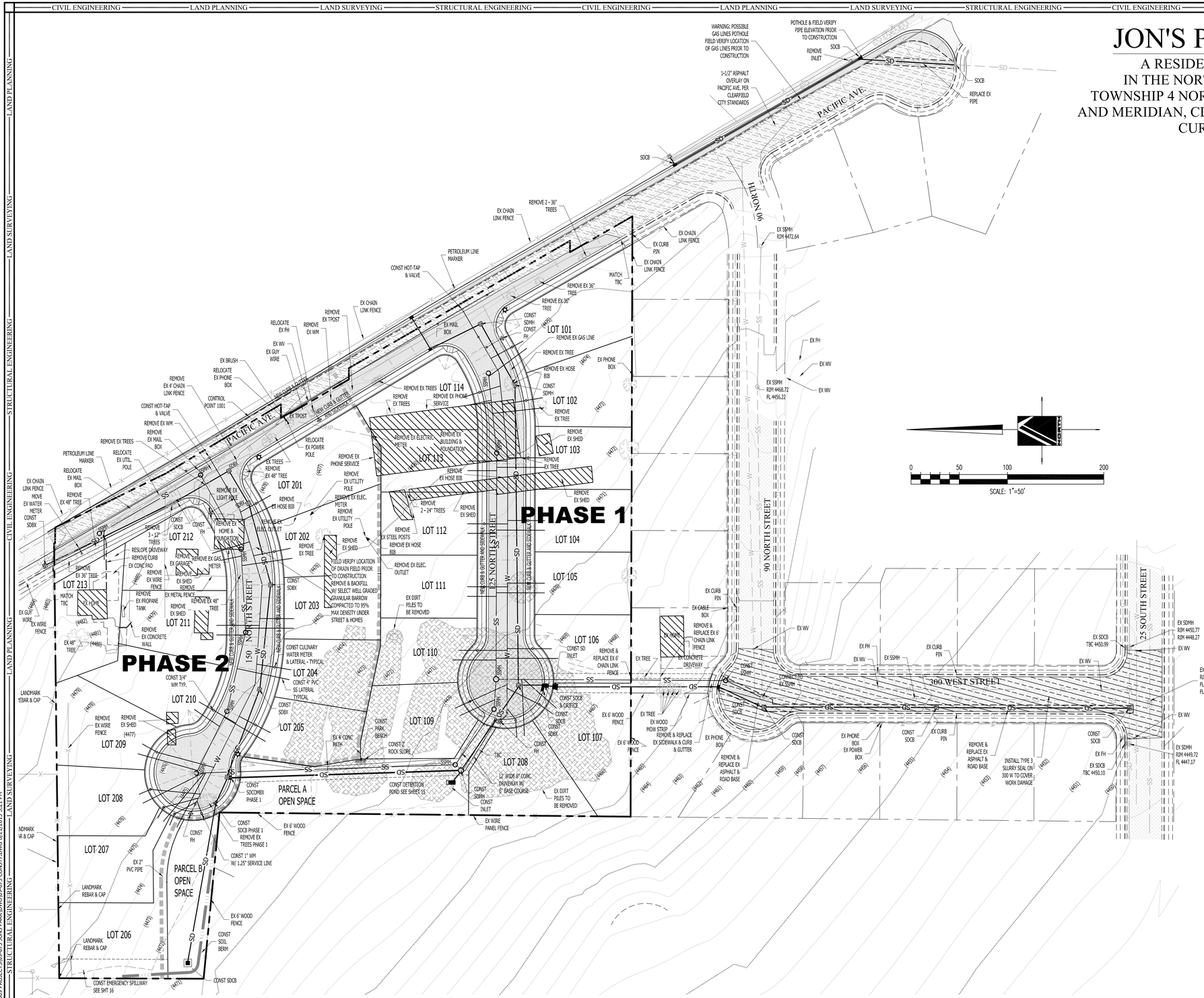
JON'S PARK PHASE 1 & 2

A RESIDENTIAL SUBDIVISION LOCATED
IN THE NORTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE
AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH
CURRENT ZONING: R-1 OPEN
AUGUST 2013



GENERAL NOTES

THE LOCATIONS OF UNDERGROUND FACILITIES SHOWN ON THESE PLANS ARE BASED ON FIELD SURVEYS AND LOCAL UTILITY COMPANY RECORDS. IT SHALL BE THE CONTRACTORS FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES TO LOCATE THEIR FACILITIES PRIOR TO PROCEEDING WITH CONSTRUCTION. NO ADDITIONAL COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE.

PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.

ALL DIMENSIONS, GRADES, AND UTILITY DESIGN SHOWN ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST, PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO THE DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS, IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.

CONTRACTOR SHALL LAYOUT AND POTHOLE FOR ALL POTENTIAL CONFLICTS WITH UTILITY LINES ON OR OFF SITE AS REQUIRED PRIOR TO ANY CONSTRUCTION.

NO ALLOWANCE SHALL BE MADE FOR DISCREPANCIES OR OMISSIONS THAT CAN BE EASILY OBSERVED. CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS BEFORE BIDDING, AND BRING UP ANY QUESTIONS BEFOREHAND.

THE CONTRACTOR SHALL VERIFY DEPTHS OF UTILITIES IN THE FIELD BY POT HOLING A MINIMUM OF 300 FEET AHEAD OF PIPELINE CONSTRUCTION TO AVOID CONFLICTS WITH DESIGNED PIPELINE GRADE AND ALIGNMENT. IF A CONFLICT ARISES RESULTING FROM THE CONTRACTOR'S NEGLIGENCE TO POTHOLE UTILITIES THE CONTRACTOR SHALL BE REQUIRED TO RESOLVE THE CONFLICT WITHOUT ADDITIONAL COST OR CLAIM TO THE OWNER OR ENGINEER.

LEGEND

NOT ALL ITEMS IN THE LEGEND MAY BE APPLICABLE

- BOUNDARY LINE
- STREET RIGHT-OF-WAY LINE
- CENTERLINE
- ADJACENT PROPERTY LINE
- EASEMENT LINE
- SD — NEW STORM DRAIN
- SS — NEW SANITARY SEWER
- W — NEW CULINARY WATERLINE
- OHP — EX. OVERHEAD POWER LINE
- SD — EX. STORM DRAIN
- SS — EX. SANITARY SEWER
- T — EX. TELEPHONE LINE
- G — EX. GAS LINE
- CTV — EX. CULINARY WATERLINE
- W — EX. CULINARY WATERLINE
- PHASE BOUNDARY
- NEW DRAINAGE SWALE
- (4250) EG CONTOUR MAJOR
- (4250) EG CONTOUR MINOR
- 4250 FG CONTOUR MAJOR
- 4250 FG CONTOUR MINOR
- ASPHALT SAWCUT
- EXIST. CONC. C&G OR SIDEWALK
- EXISTING ASPHALT PAVEMENT
- CONST. CONC. C&G PER X-SECTION
- SEAL COAT TO COVER WORK DAMAGE
- CONST ASPHALT - SEE STREET PROFILE
- OVERLAY ASPHALT SEE STREET PROFILE

BENCHMARK

BENCHMARK IS THE NORTH QUARTER CORNER OF SECTION2, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M., ELEVATION = 4478.12

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Fax: (801) 773-1925

JON'S PARK PHASE 1 & 2
SITE PLAN
FOR: NSC PROPERTIES
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER 343593 STEPHEN P. BOTT 8-21-13 UTAH

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION

REVISION	BY	DATE

SURVEYED BY SPB	DATE 01-2010	SHEET # 6
DESIGNED BY SPB	DATE 01-2010	OF
DRAWN BY SPB	DATE 08-21-2013	20
APPROVED BY SJF	DATE 08-21-2013	

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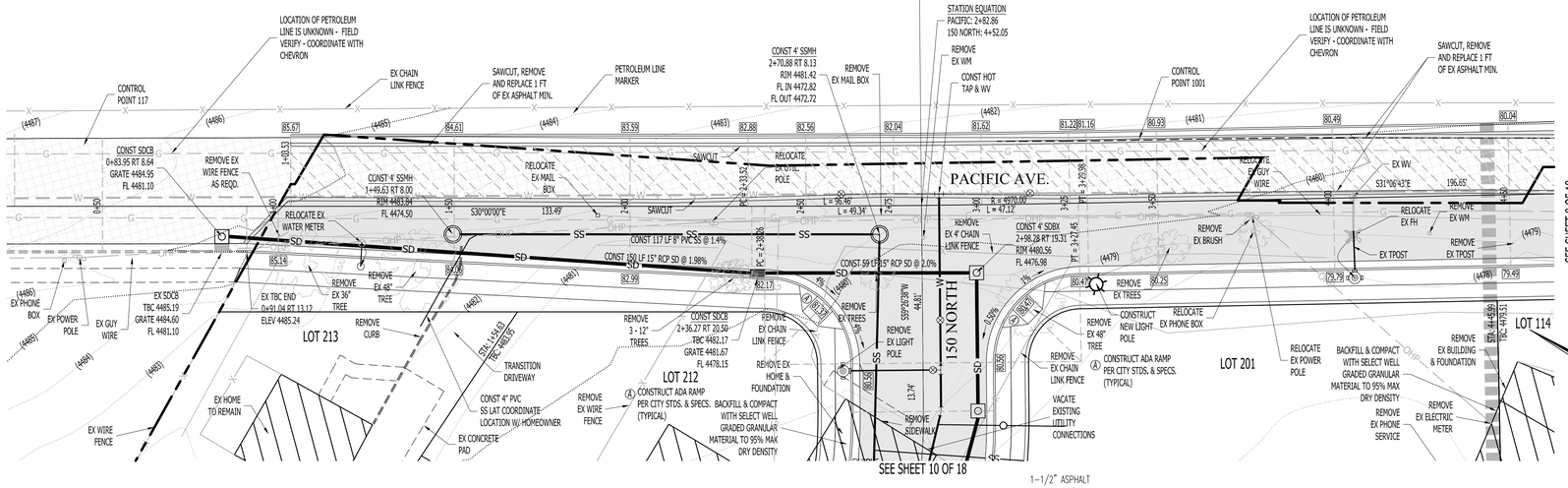
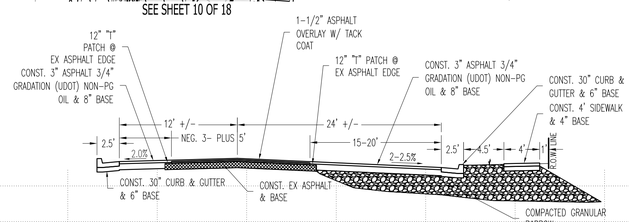
JON'S PARK PHASE 1 & 2

A RESIDENTIAL SUBDIVISION LOCATED
IN THE NORTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE
AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH
CURRENT ZONING: R-1 OPEN
AUGUST 2013

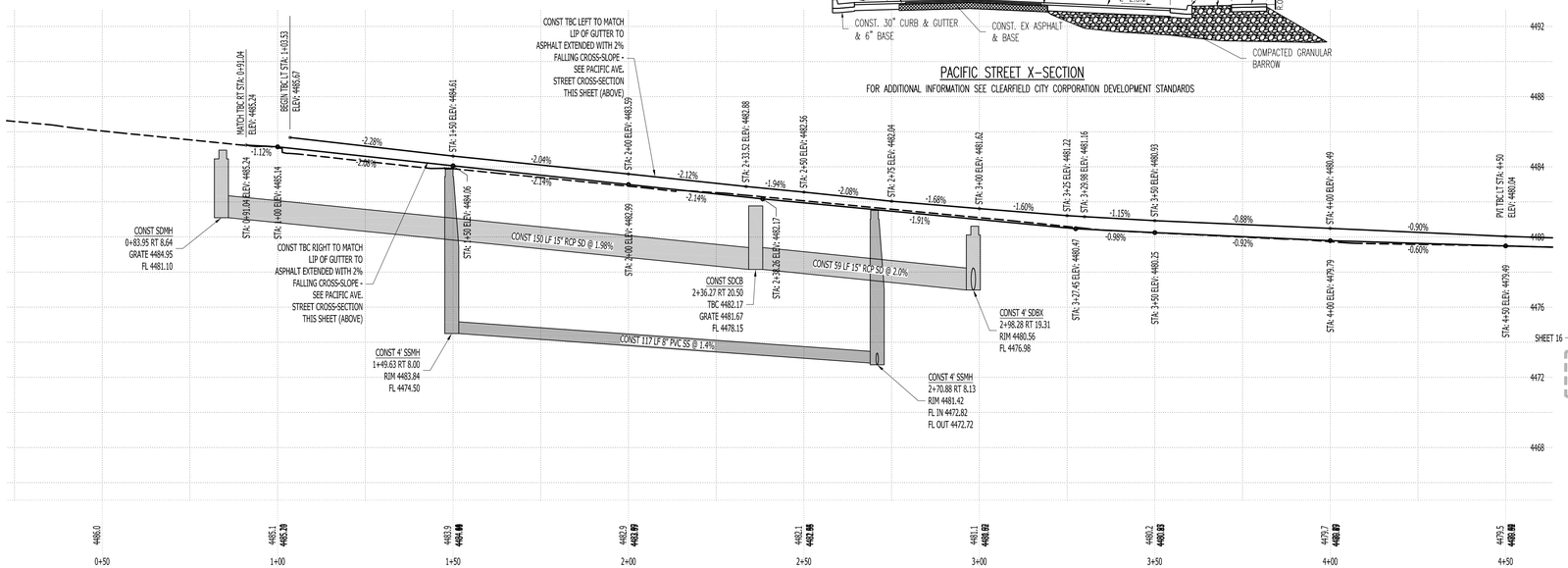


PACIFIC AVE. STA 0+00 TO 4+50



PACIFIC STREET X-SECTION

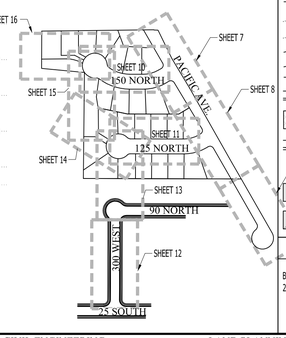
FOR ADDITIONAL INFORMATION SEE CLEARFIELD CITY CORPORATION DEVELOPMENT STANDARDS



NOTE:

A. WHERE SHOWN WITH CONSTRUCT ADA RAMP PER CLEARFIELD CITY STANDARDS & SPECIFICATIONS .

B. ALL STORM DRAIN BOXES MUST HAVE DIRECTIONAL CONCRETE APRON & TROUGHS (FLOWLINES) TO CHANNEL WATER AROUND CORNAL IN BOTTOM OF BOX.



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- G — EX. GAS LINE
- CTV — EX. CULINARY WATERLINE
- W — EX. CULINARY WATERLINE
- NEW BUILDING
- NEW DRAINAGE SWALE
- (4250) — EG CONTOUR MAJOR
- (4250) — EG CONTOUR MINOR
- 4250 — FG CONTOUR MAJOR
- 4250 — FG CONTOUR MINOR
- ASPHALT SAWCUT
- EXIST. CONC. C&G OR SIDEWALK
- EXISTING ASPHALT PAVEMENT
- CONST. CONC. C&G PER X-SECTION
- CONST ASPHALT - SEE STREET PROFILE
- OVERLAY ASPHALT SEE STREET PROFILE

BENCHMARK

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Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

JON'S PARK PHASE 1 & 2
PACIFIC AVE. PLAN & PROFILE 0+00 TO 4+50
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER 343593 STEPHEN P. BOTT 8-21-13 UTAH

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REVISION	BY	DATE

SURVEYED BY	DATE
SPB	01-2010
DESIGNED BY	DATE
SPB	01-2010
DRAWN BY	DATE
SPB	08-21-2013
APPROVED BY	DATE
SJF	08-21-2013

SHEET # 7 OF 20

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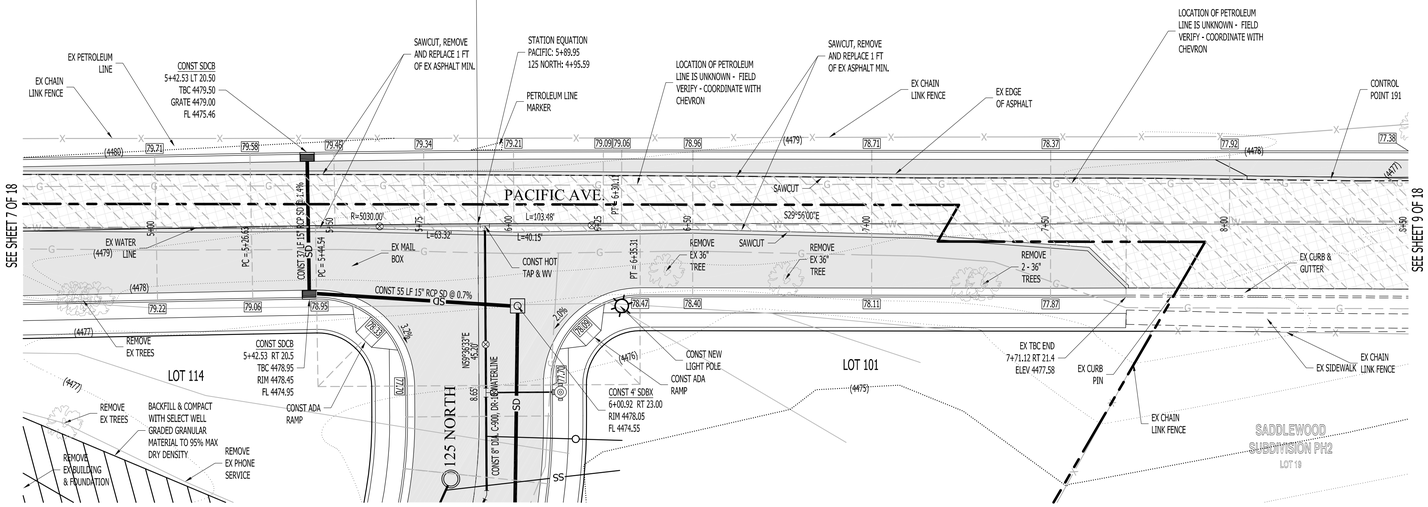
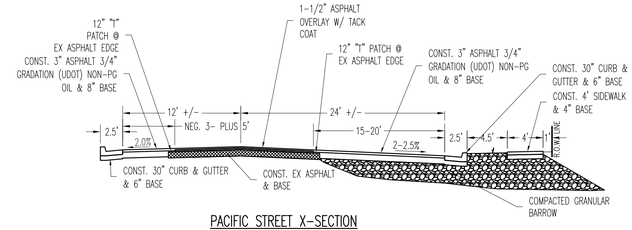
JON'S PARK PHASE 1 & 2

A RESIDENTIAL SUBDIVISION LOCATED IN
THE NORTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE
AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH
CURRENT ZONING: R-1 OPEN
AUGUST 2013

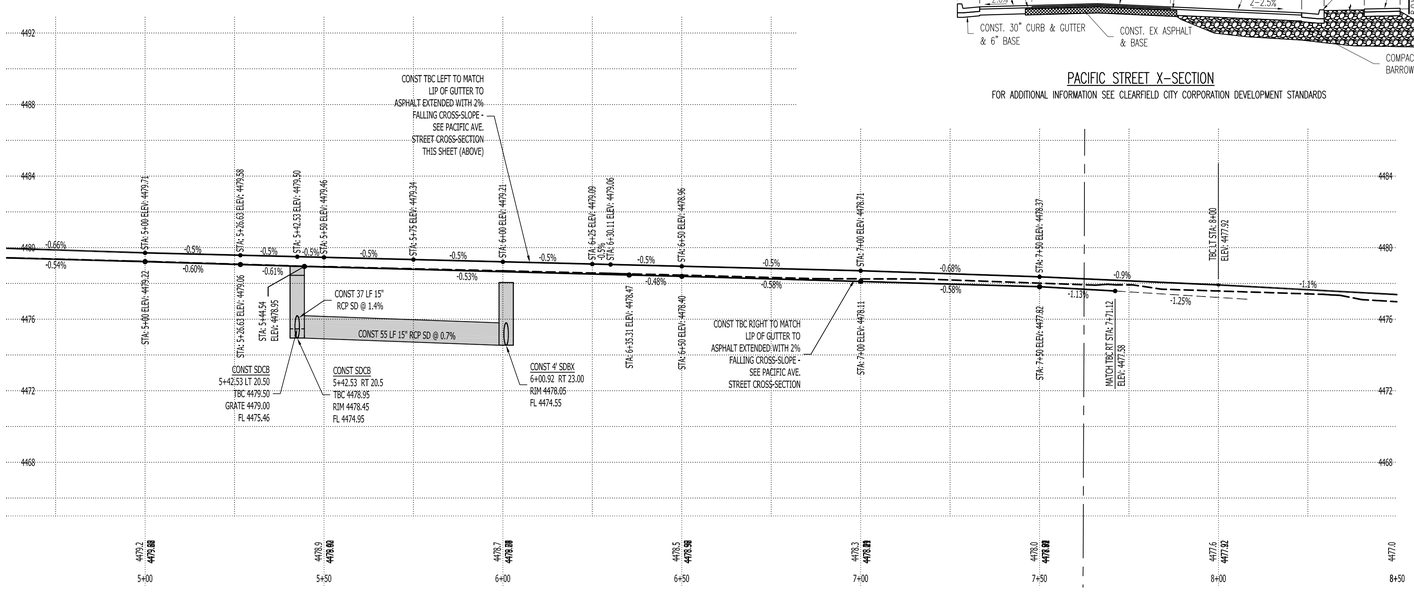


PACIFIC AVE. STA 4+50 TO 8+50



PACIFIC STREET X-SECTION

FOR ADDITIONAL INFORMATION SEE CLEARFIELD CITY CORPORATION DEVELOPMENT STANDARDS



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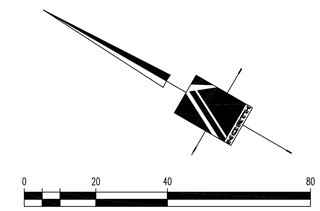

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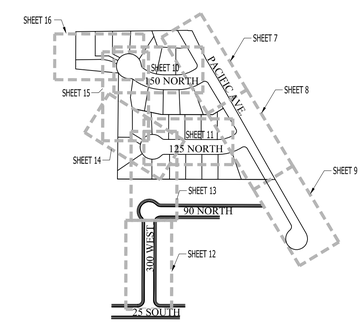
BENCHMARK

BENCHMARK IS THE NORTH QUARTER CORNER OF SECTION2, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M., ELEVATION = 4478.12



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JON'S PARK PHASE 1 & 2
PACIFIC AVE. PLAN & PROFILE 4+50 TO 8+50
FOR: NSC PROPERTIES
11188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER 344593 STEPHEN P. BOTT 8-21-13 UTAH

DATE	BY	REVISION

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION

SURVEYED BY SPB	DATE 01-2010
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DRAWN BY SPB	DATE 08-21-2013
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SHEET # 8 OF 20

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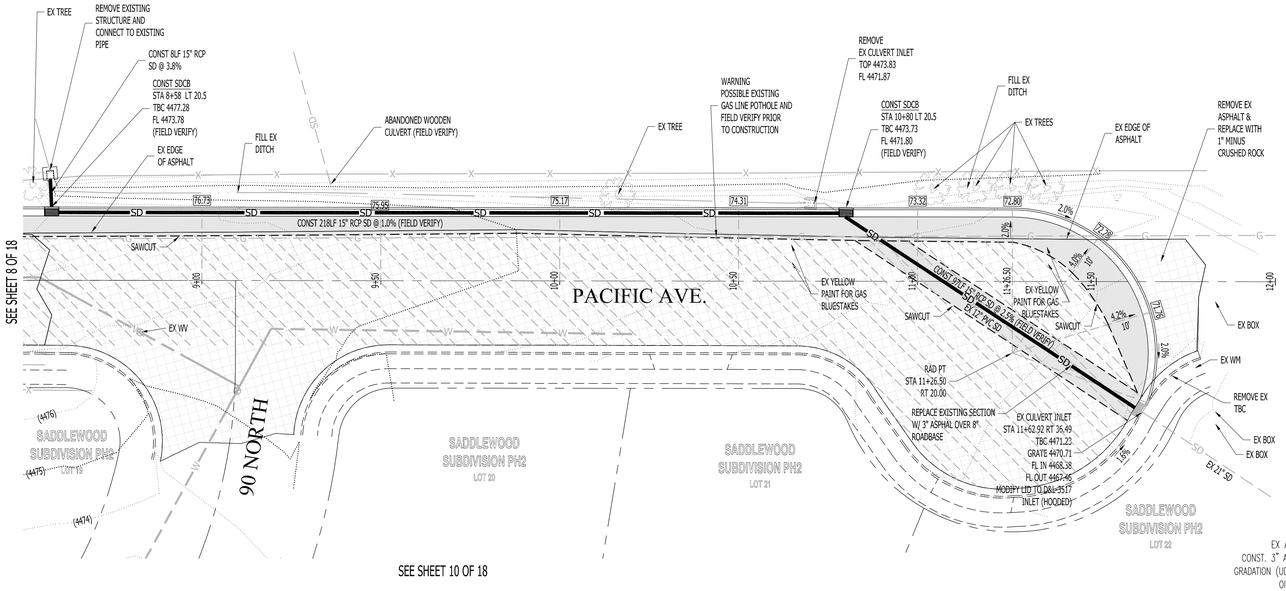
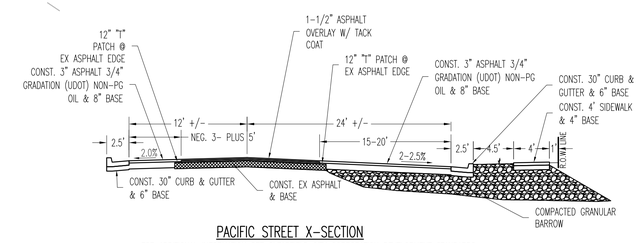
P:\2009 PROJECTS\09-073 JONS PARK\DWG\09-073 CONST.DWG 8/21/2013 3:08 PM

JON'S PARK PHASE 1 & 2

A RESIDENTIAL SUBDIVISION LOCATED IN
THE NORTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE
AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH
CURRENT ZONING: R-1 OPEN
JANUARY 2010



PACIFIC AVE. STA 4+50 TO 8+50



PACIFIC STREET X-SECTION

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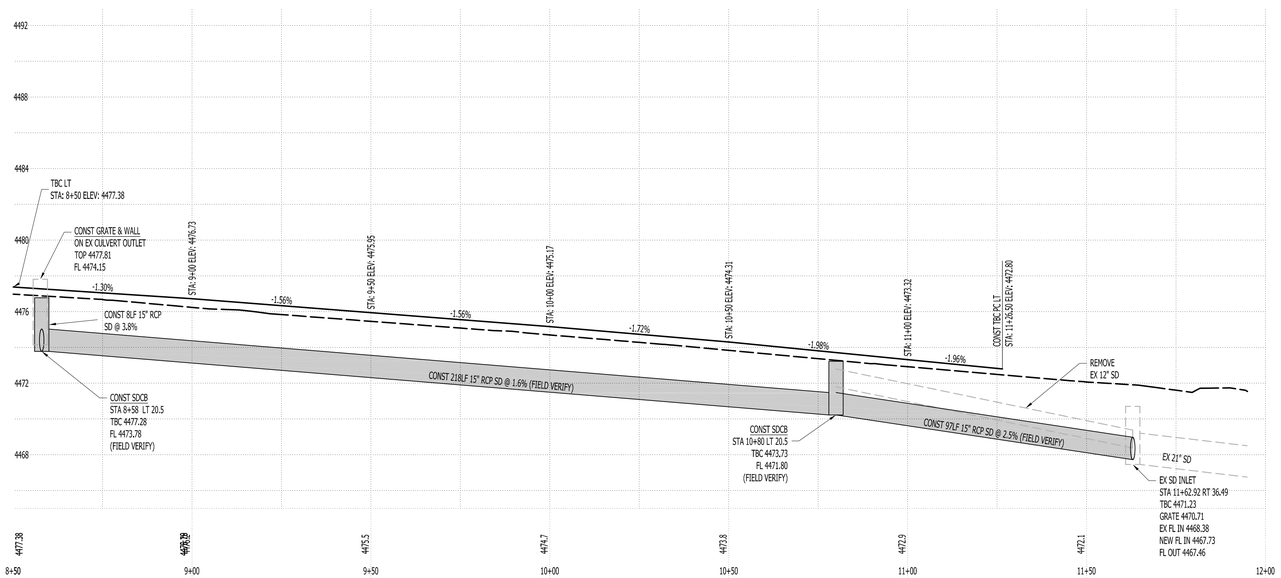

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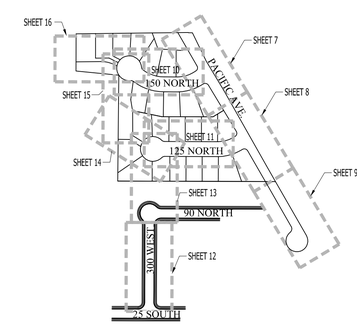

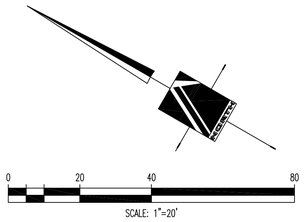

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SHEET # 9 OF 20

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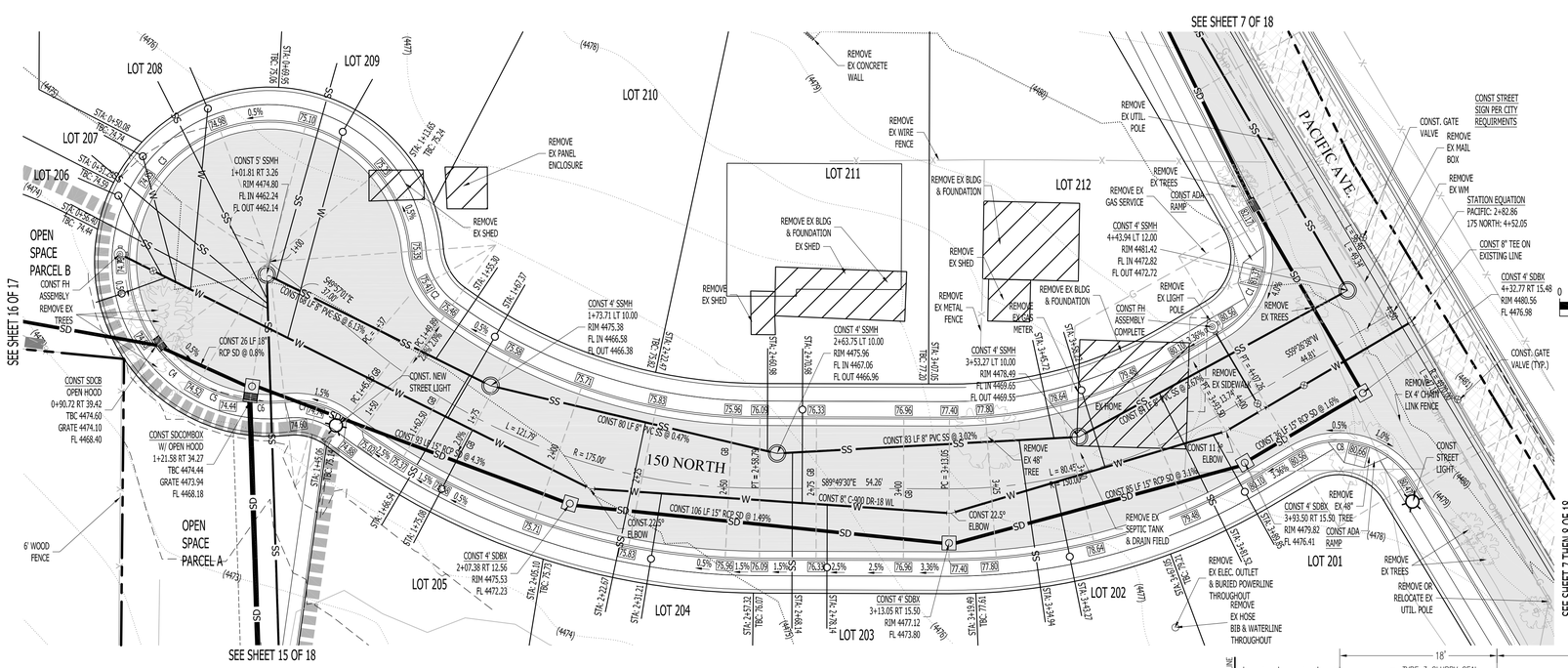
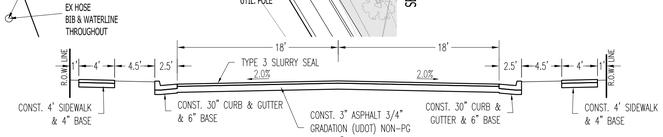


150 NORTH STREET STA 0+50 TO 4+50



TYPICAL 60' ROADWAY X-SECTION

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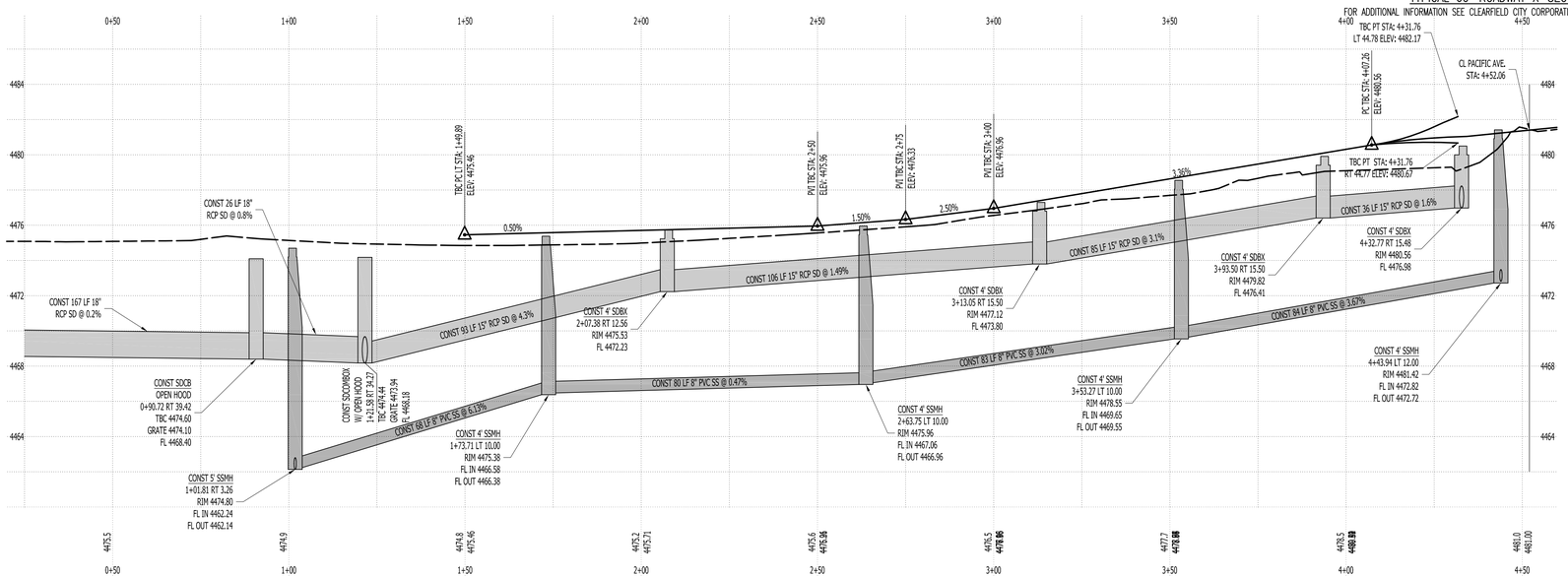

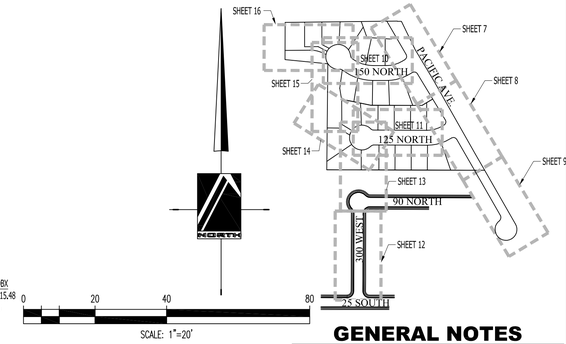

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TBC CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	38.26	24.50
C2	21.37	24.50
C3	150.21	40.50
C4	16.11	40.50
C5	16.01	40.50
C6	10.10	40.50
C7	18.74	24.50
C8	38.26	24.50

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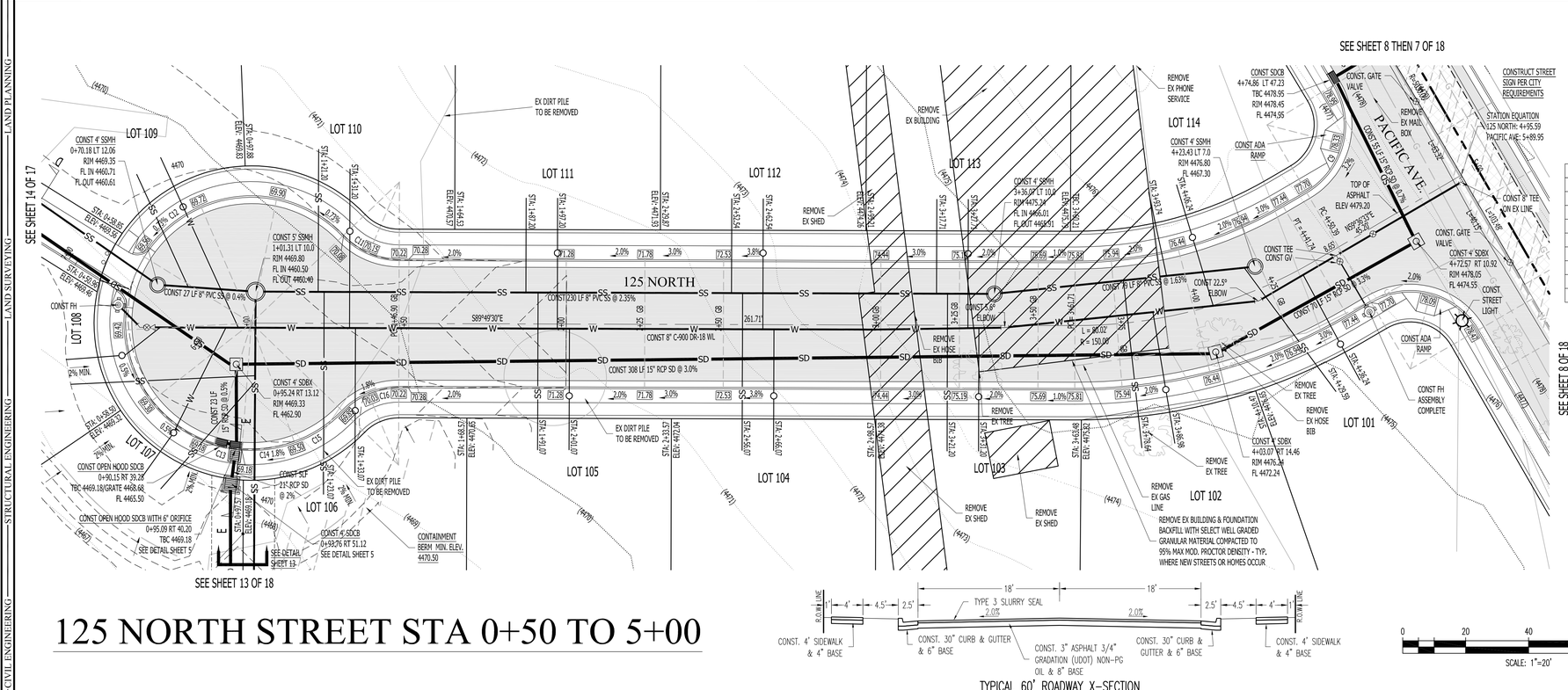
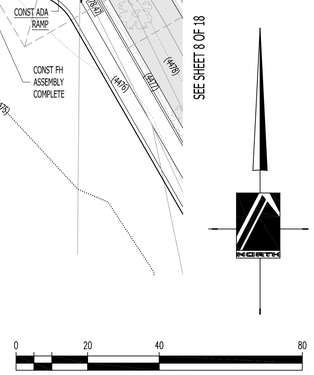
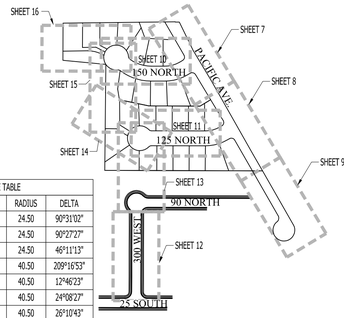


125 NORTH STREET STA 0+50 TO 5+00

TYPICAL 60' ROADWAY X-SECTION

FOR ADDITIONAL INFORMATION SEE CLEARFIELD CITY CORPORATION DEVELOPMENT STANDARDS





CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C9	38.71	24.50	90°31'02"
C10	38.68	24.50	90°27'27"
C11	19.75	24.50	46°11'13"
C12	147.93	40.50	209°16'53"
C13	9.03	40.50	12°46'23"
C14	17.06	40.50	24°08'27"
C15	18.50	40.50	26°10'43"
C16	19.75	24.50	46°11'13"

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125 NORTH PLAN & PROFILE 0+50 TO 5+00
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1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER
343593
STEPHEN P. BOTT
8-21-13
UTAH

CALL BLUESTAKES
@ 1-800-662-4111
AT LEAST 48 HOURS
PRIOR TO COMMENCING
ANY CONSTRUCTION

REVISION	BY	DATE

SURVEYED BY	DATE
SPB	01-2010
DESIGNED BY	DATE
SPB	01-2010
DRAWN BY	DATE
SPB	08-21-2013
APPROVED BY	DATE
SJF	08-21-2013

SHEET # 11 OF 20

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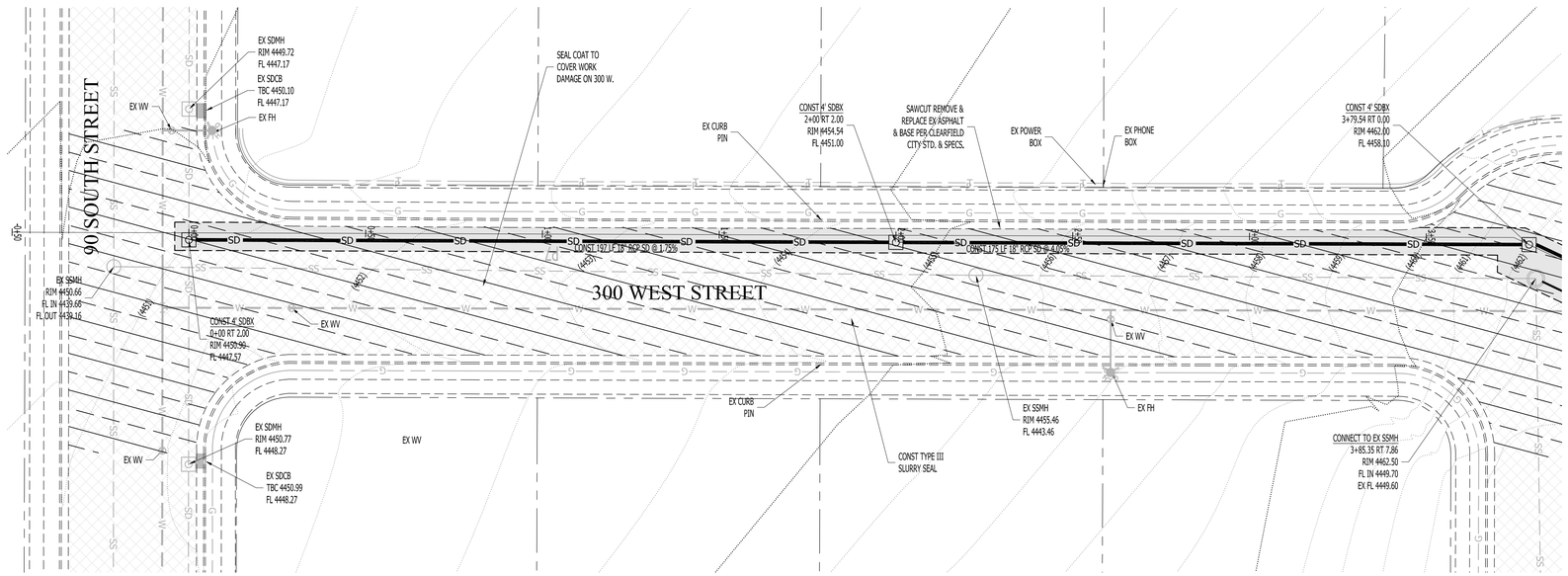
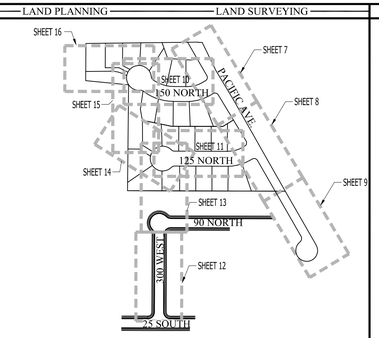
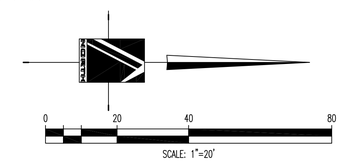
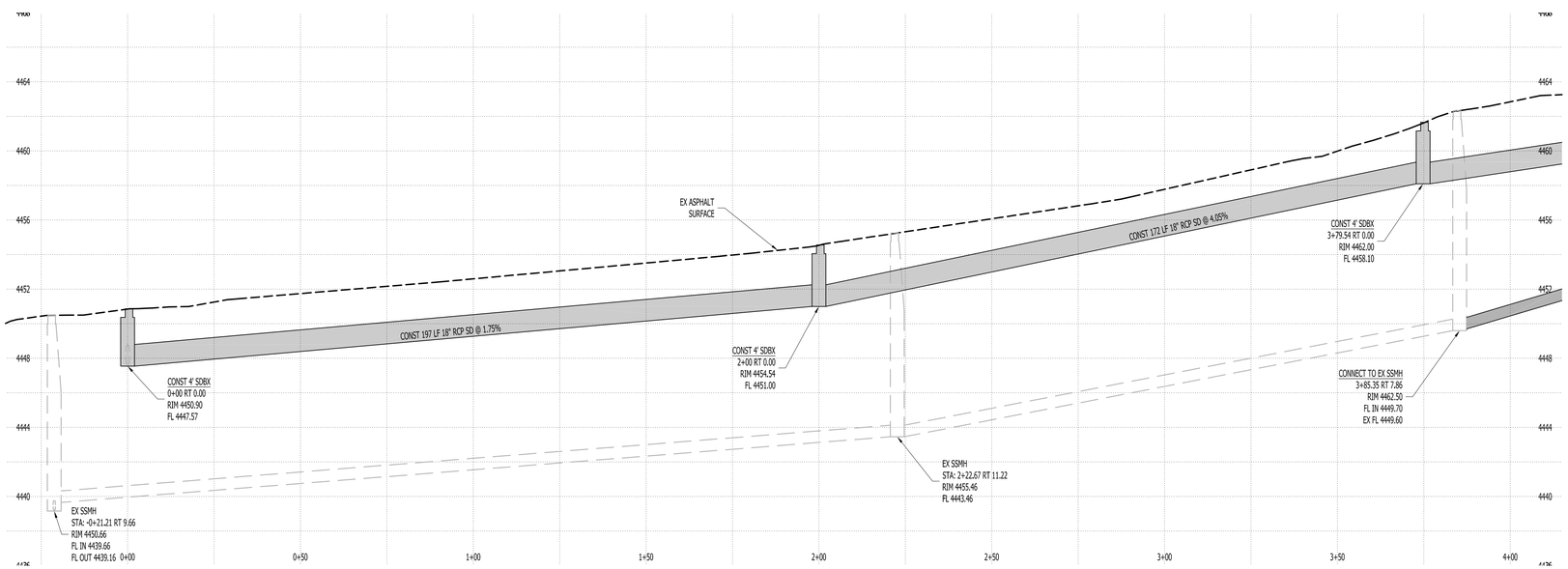




UTILITY OUTFALL STA 0+00 TO 4+00





GENERAL NOTES

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BENCHMARK

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8-21-13
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SHEET # 12 OF 20

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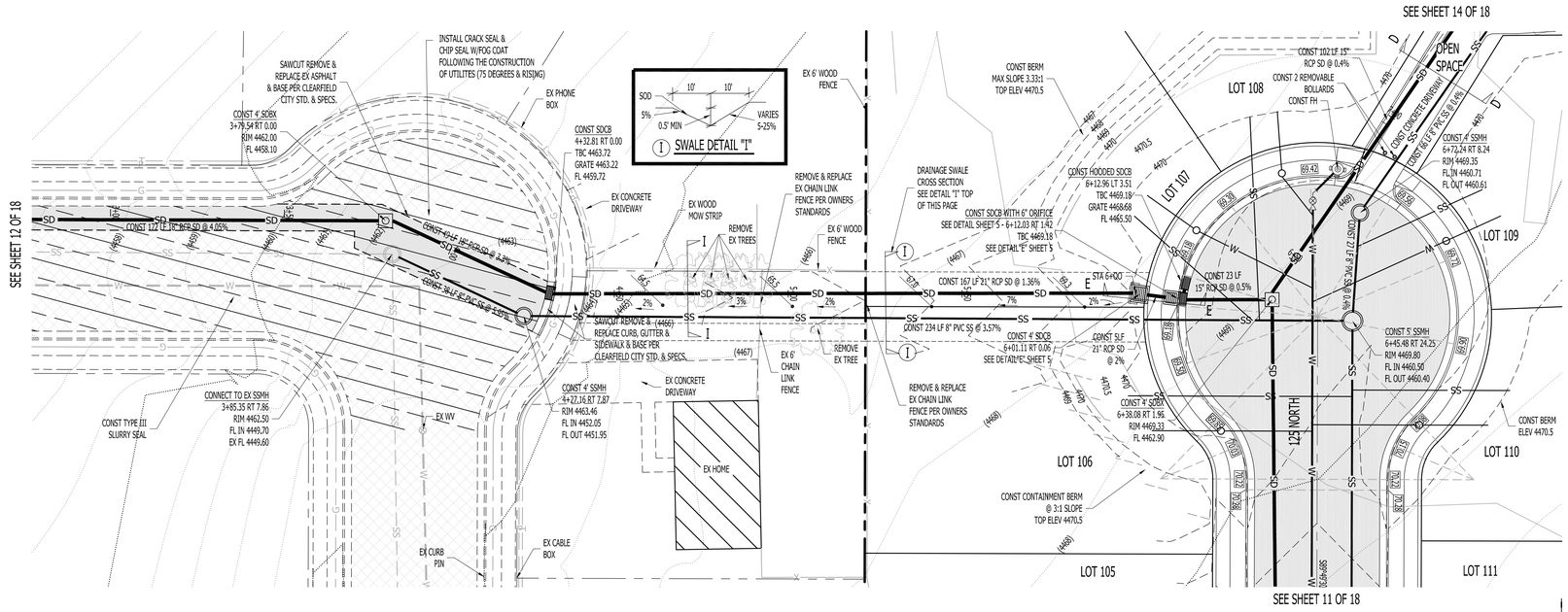
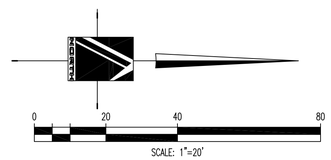
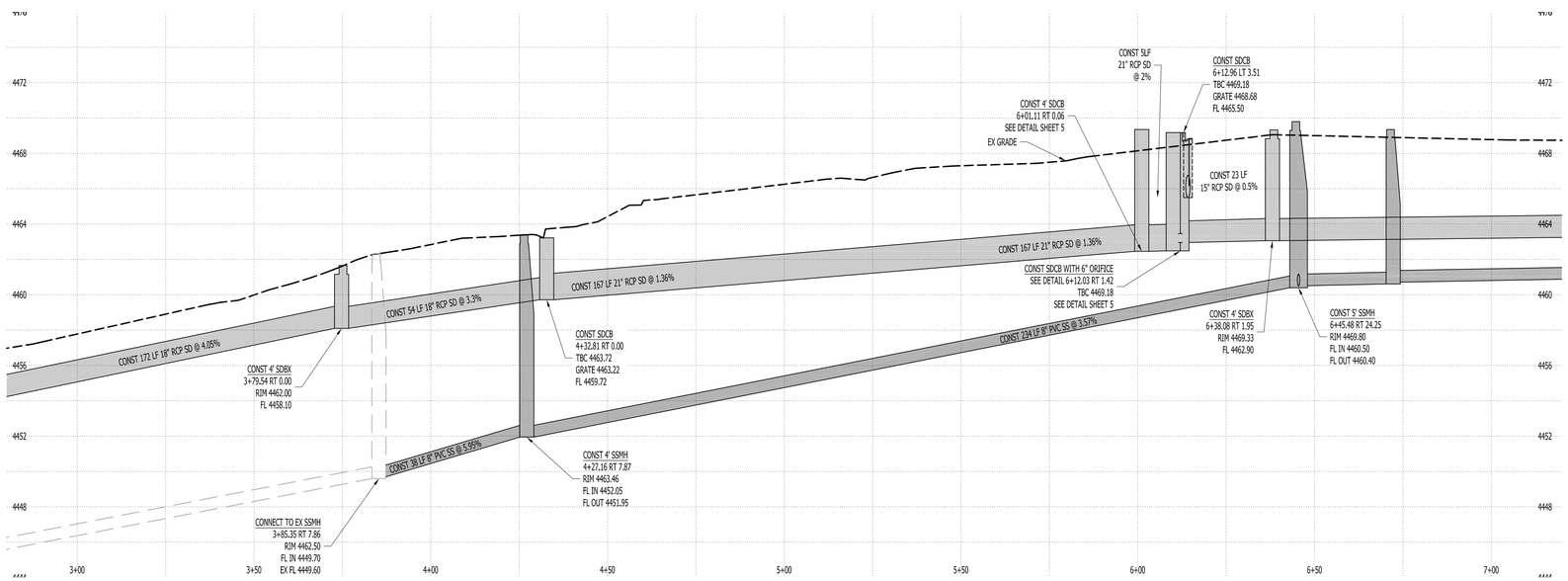
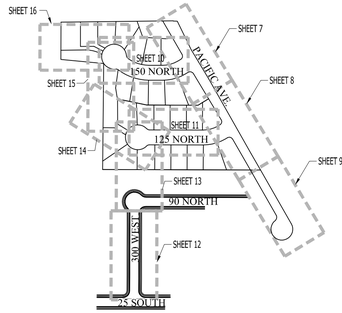


UTILITY OUTFALL STA 4+00 TO 6+50







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JON'S PARK PHASE 1 & 2
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FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER 343593 STEPHEN P. BOTT 8-21-13 UTAH

DATE	BY	REVISION

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION

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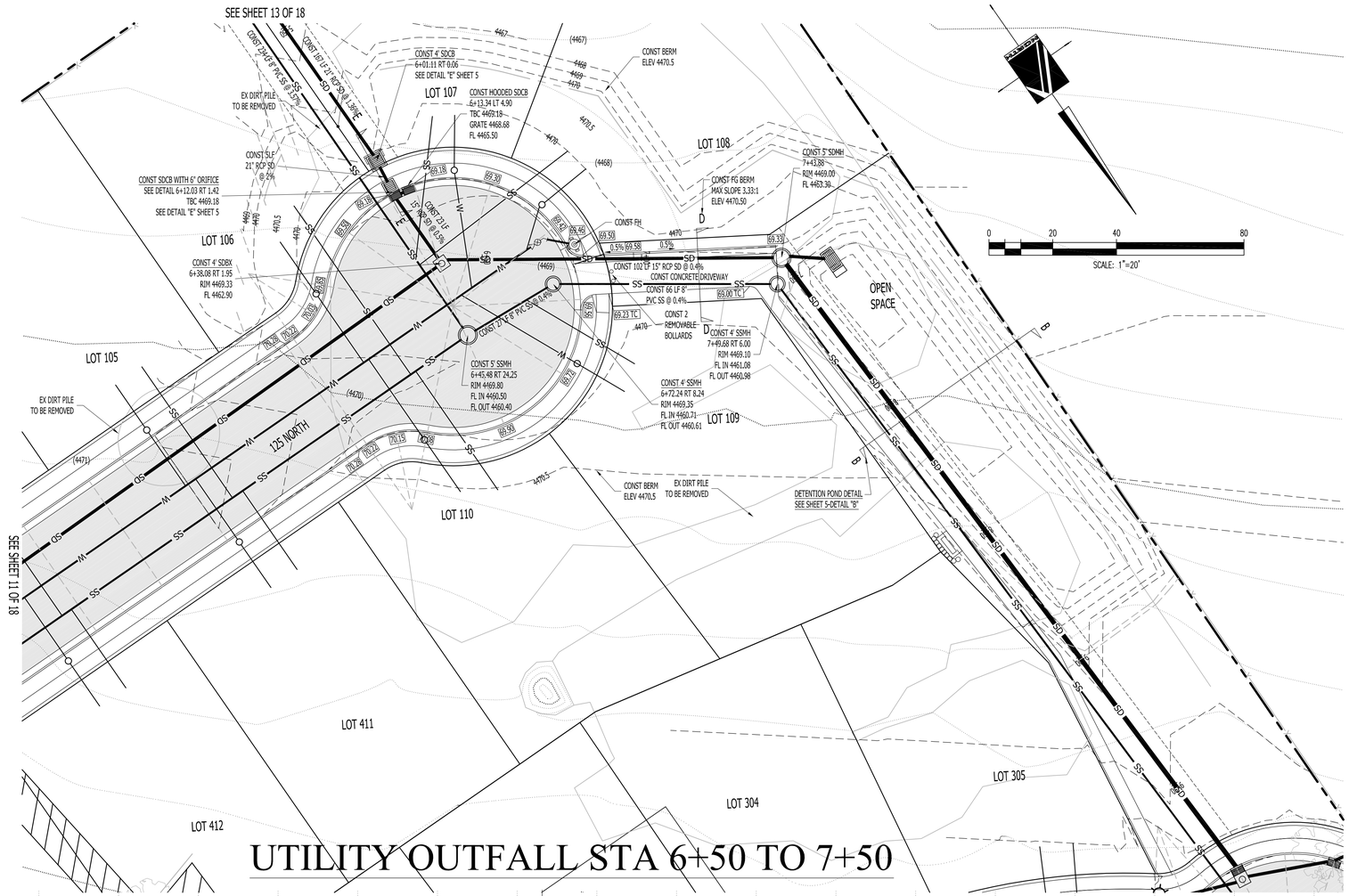
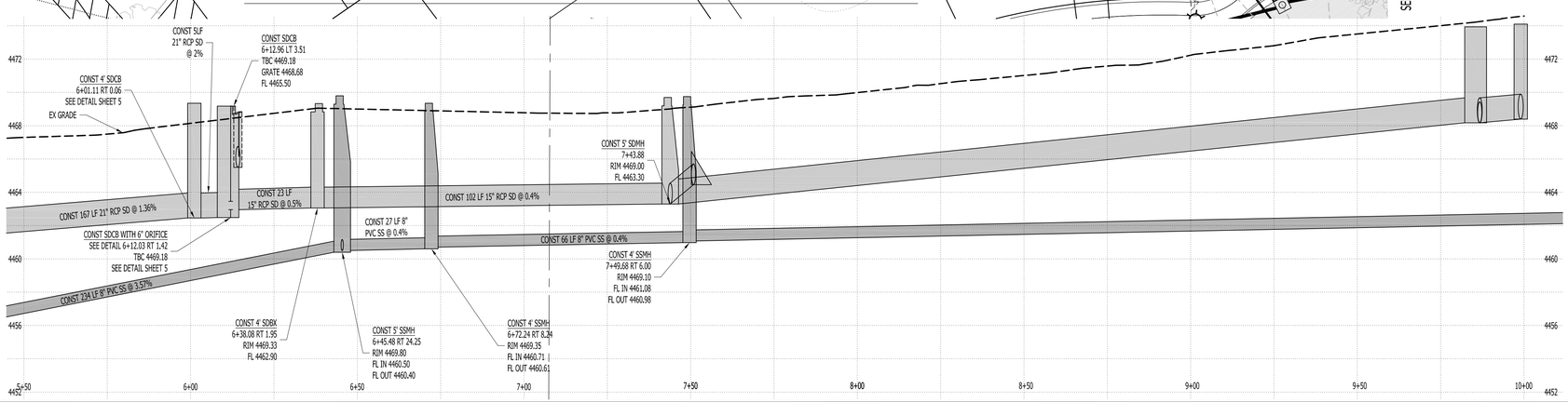
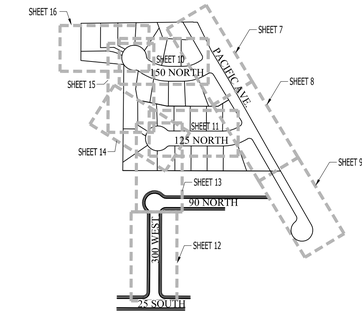


UTILITY OUTFALL STA 6+50 TO 7+50





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JON'S PARK PHASE 1 & 2

UTILITY OUTFALL PLAN & PROFILE 6+50 TO 7+50
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CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER
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SHEET # 14 OF 20

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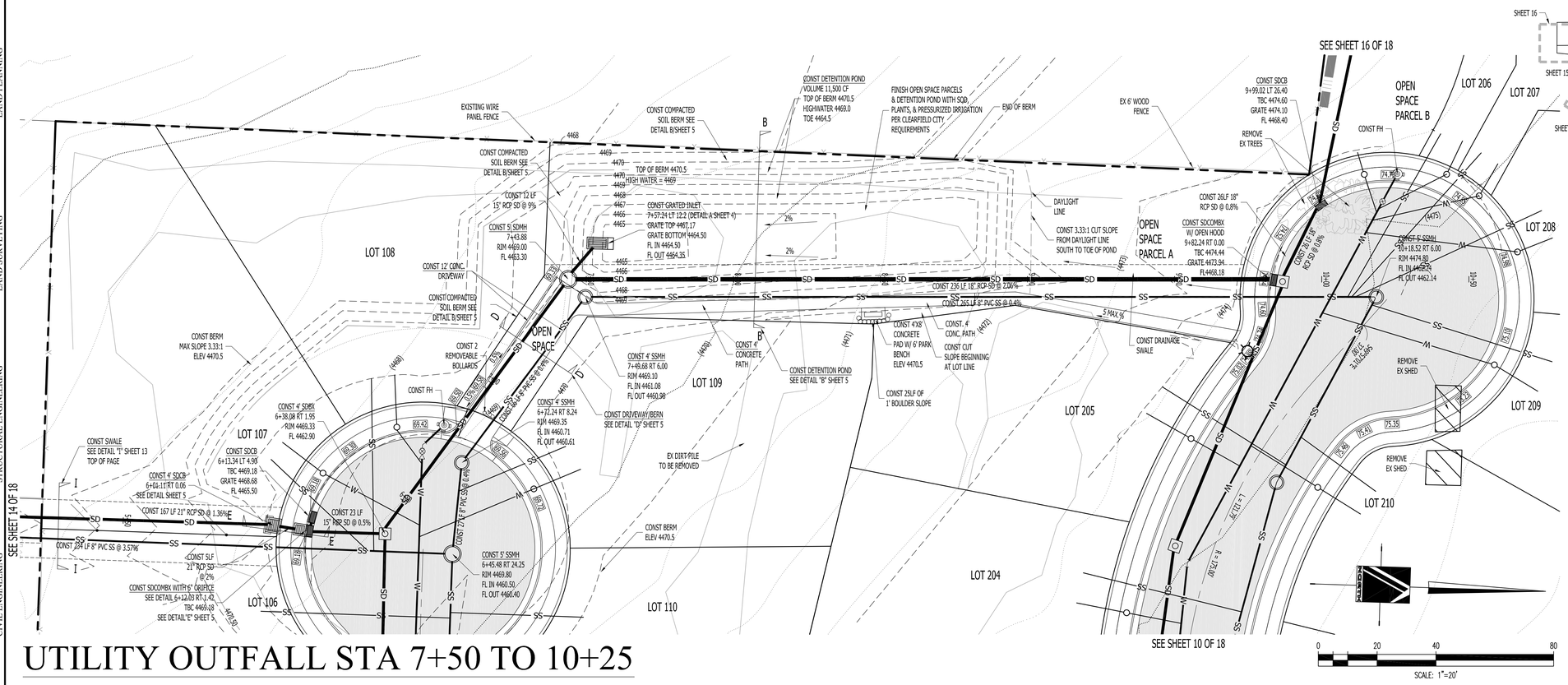
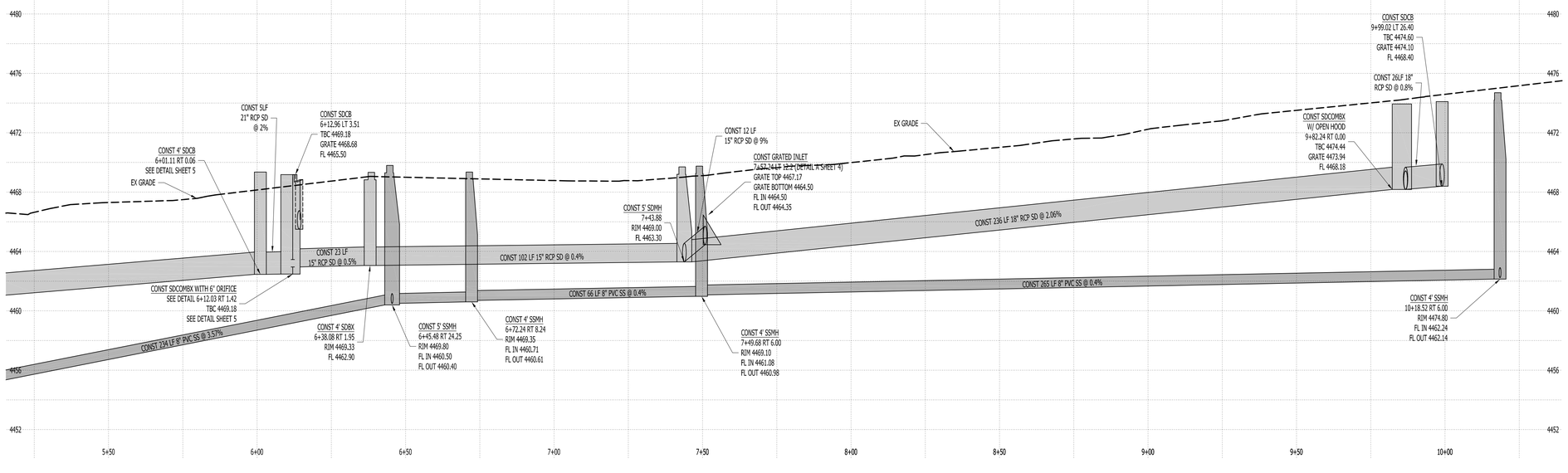
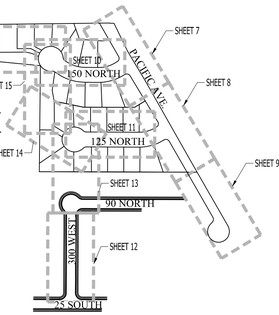


UTILITY OUTFALL STA 7+50 TO 10+25





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SHEET # 15 OF 20

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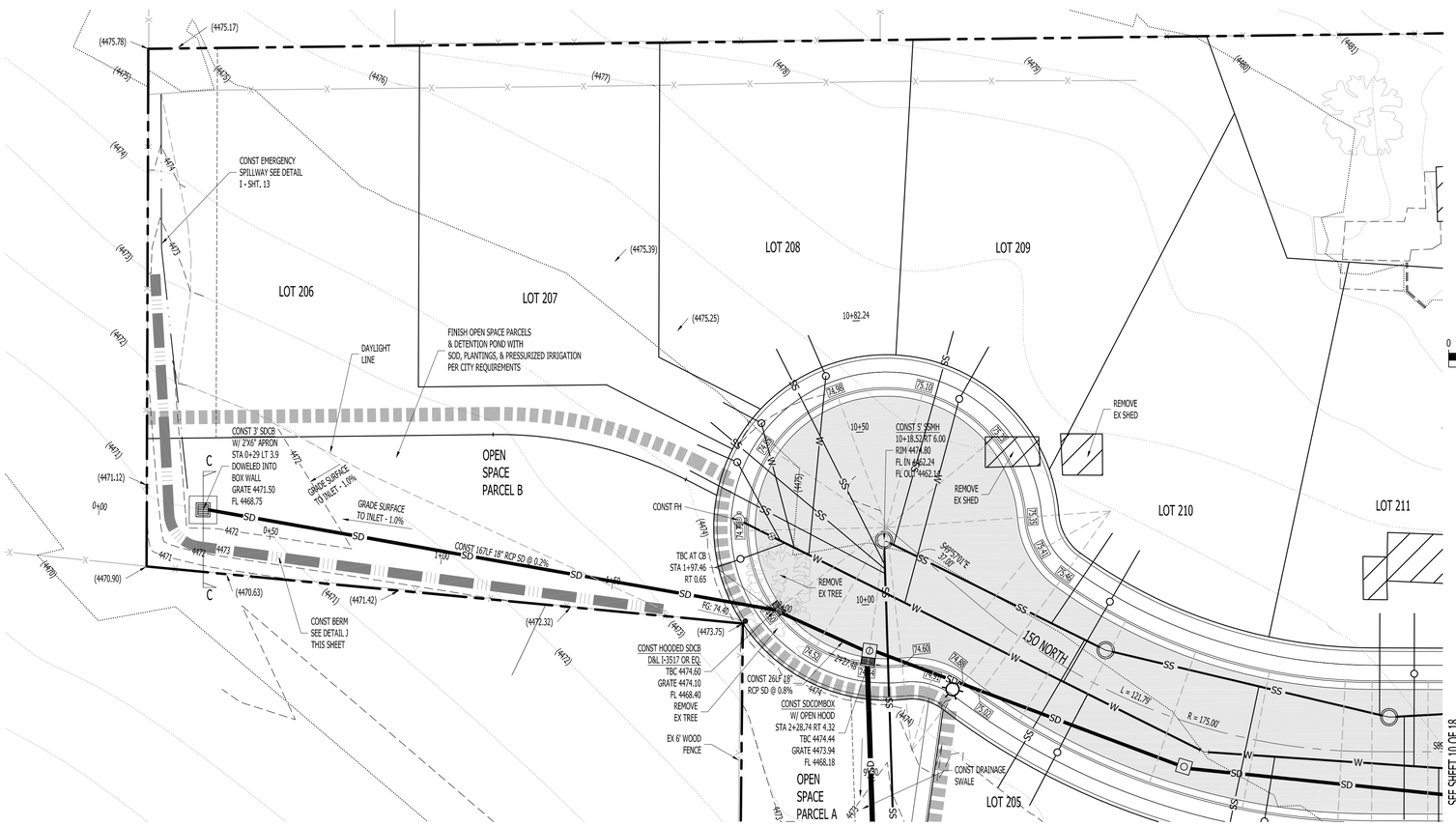
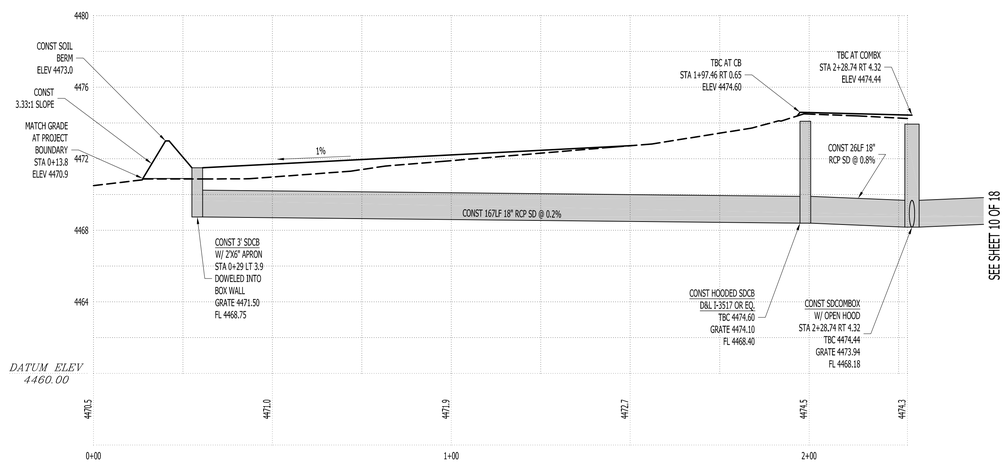
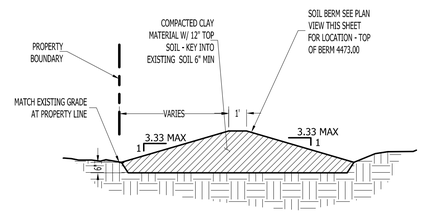


OPEN SPACE B PLAN VIEW

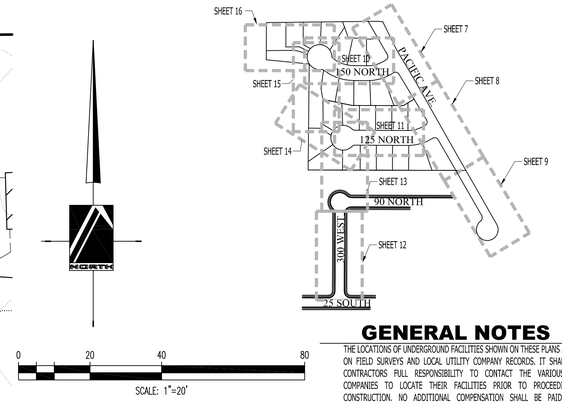


OPEN SPACE B PROFILE VIEW



J CONTAINMENT BERM

NOT TO SCALE



GENERAL NOTES

THE LOCATIONS OF UNDERGROUND FACILITIES SHOWN ON THESE PLANS ARE BASED ON FIELD SURVEYS AND LOCAL UTILITY COMPANY RECORDS. IT SHALL BE THE CONTRACTORS FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES TO LOCATE THEIR FACILITIES PRIOR TO PROCEEDING WITH CONSTRUCTION. NO ADDITIONAL COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE.

PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.

ALL DIMENSIONS, GRADES, AND UTILITY DESIGN SHOWN ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST, PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO THE DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS, IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.

CONTRACTOR SHALL LAYOUT AND POTHOLE FOR ALL POTENTIAL CONFLICTS WITH UTILITY LINES ON OR OFF SITE AS REQUIRED PRIOR TO ANY CONSTRUCTION.

NO ALLOWANCE SHALL BE MADE FOR DISCREPANCIES OR OMISSIONS THAT CAN BE EASILY OBSERVED. CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS BEFORE BIDDING, AND BRING UP ANY QUESTIONS BEFOREHAND.

THE CONTRACTOR SHALL VERIFY DEPTHS OF UTILITIES IN THE FIELD BY POT HOLING A MINIMUM OF 300 FEET AHEAD OF PIPELINE CONSTRUCTION TO AVOID CONFLICTS WITH DESIGNED PIPELINE GRADE AND ALIGNMENT. IF A CONFLICT ARISES RESULTING FROM THE CONTRACTOR'S NEGLIGENCE TO POTHOLE UTILITIES THE CONTRACTOR SHALL BE REQUIRED TO RESOLVE THE CONFLICT WITHOUT ADDITIONAL COST OR CLAIM TO THE OWNER OR ENGINEER.

X CAUTION! UTILITY PIPES CROSSING AT THIS LOCATION VERIFY ALL VERTICAL ELEVATIONS PRIOR TO CONSTRUCTION.

LEGEND

NOT ALL ITEMS IN THE LEGEND MAY BE APPLICABLE

- BOUNDARY LINE
- STREET RIGHT-OF-WAY LINE
- CENTERLINE
- ADJACENT PROPERTY LINE
- EASEMENT LINE
- SD — NEW STORM DRAIN
- SS — NEW SANITARY SEWER
- W — NEW CULINARY WATERLINE
- OHP — EX. OVERHEAD POWER LINE
- SD — EX. STORM DRAIN
- SS — EX. SANITARY SEWER
- T — EX. TELEPHONE LINE
- G — EX. GAS LINE
- CTV — EX. CULINARY WATERLINE
- W — EX. CULINARY WATERLINE
- NEW BUILDING
- NEW DRAINAGE SWALE
- (4250) EG CONTOUR MAJOR
- (4250) EG CONTOUR MINOR
- 4250 FG CONTOUR MAJOR
- 4250 FG CONTOUR MINOR
- ASPHALT SAWCUT
- EXIST. CONC. C&G OR SIDEWALK
- EXISTING ASPHALT PAVEMENT
- CONST. CONC. C&G PER X-SECTION
- CONST ASPHALT - SEE STREET PROFILE
- OVERLAY ASPHALT SEE STREET PROFILE

BENCHMARK

BENCHMARK IS THE NORTH QUARTER CORNER OF SECTION2, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M., ELEVATION = 4478.12

PINNACLE
Engineering & Land Surveying, Inc.
Layton • West Bountiful • Mount Pleasant • St. George
2720 North 350 West, Suite #108
Layton, UT 84041
Phone: (801) 773-1910
Fax: (801) 773-1925

JON'S PARK PHASE 1 & 2

OPEN SPACE B PLAN VIEW
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER — 343593 — STEPHEN P. BOTT — 8-21-13 — UTAH

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION

REVISION	BY	DATE

SURVEYED BY SPB	DATE 01-2010	
DESIGNED BY SPB	DATE 01-2010	
DRAWN BY SPB	DATE 08-21-2013	
APPROVED BY SJF	DATE 08-21-2013	

SHEET # 16 OF 20

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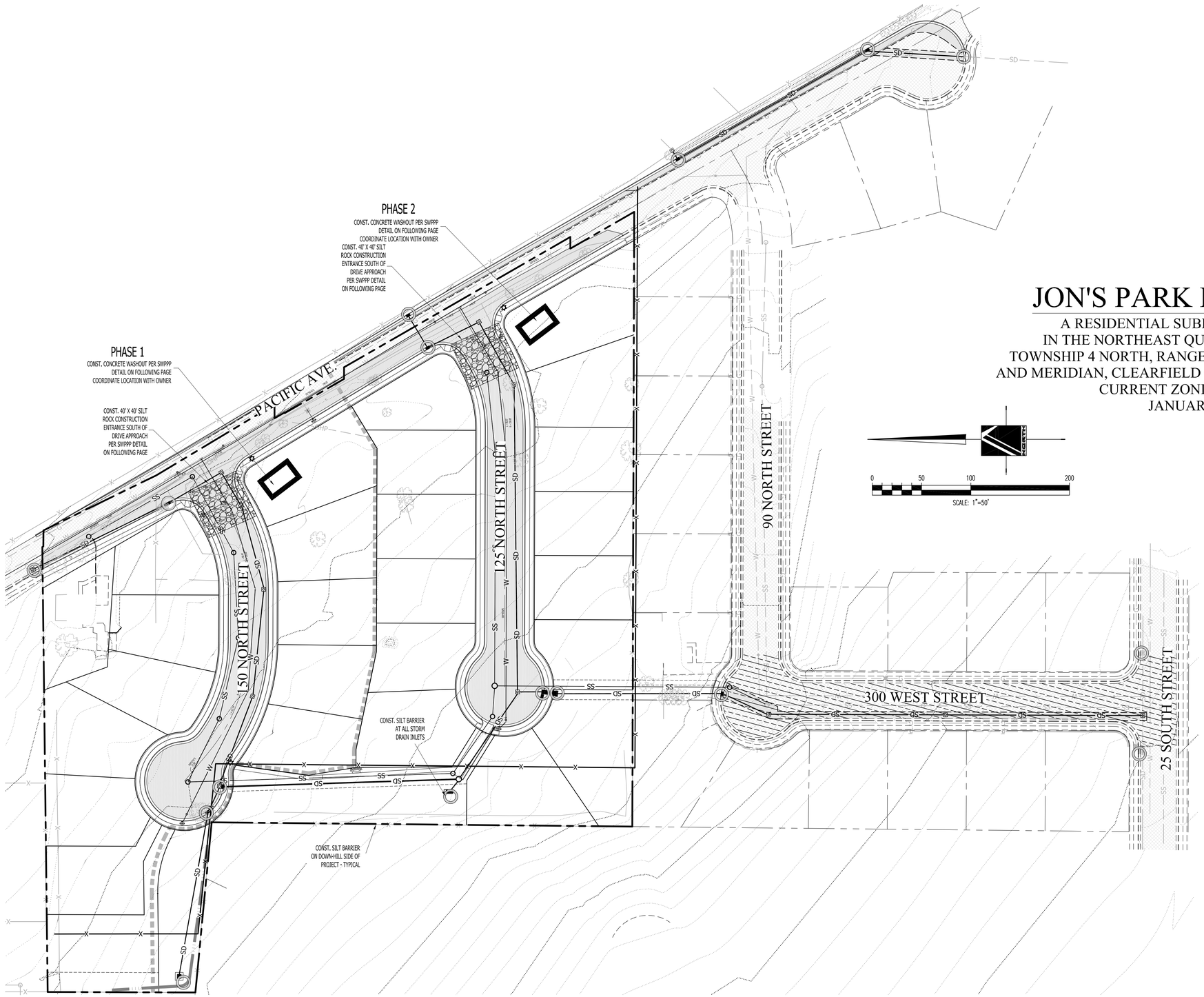

JON'S PARK PHASE 1 & 2

A RESIDENTIAL SUBDIVISION LOCATED
IN THE NORTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE
AND MERIDIAN, CLEARFIELD CITY, DAVIS COUNTY, UTAH
CURRENT ZONING: R-1 OPEN
JANUARY 2010

NORTH

0 50 100 200
SCALE: 1"=50'

LEGEND

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- (4250) EG CONTOUR MAJOR
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JON'S PARK PHASE 1 & 2
STORM WATER POLLUTION PREVENTION PLAN
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

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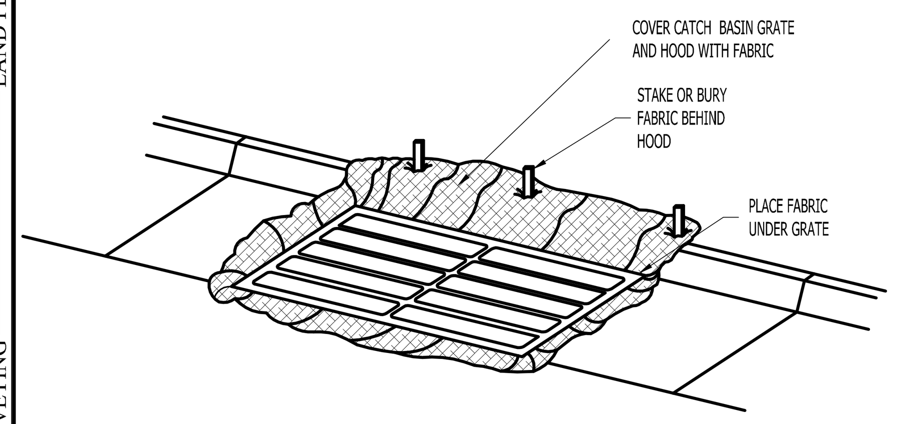
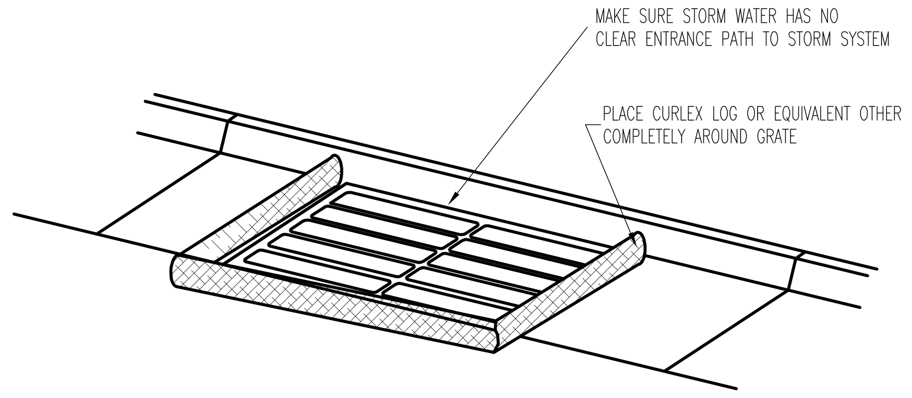
STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

JON'S PARK PHASE 1 & 2



FABRIC UNDER GRATE

MAINTENANCE: LIFT GRATE & CLEAN SEDIMENT OFF OF FABRIC WEEKLY & AFTER A STORM. TAKE CARE WHILE LIFTING GRATE TO PREVENT SEDIMENT FROM FALLING INTO THE CATCH BASIN. DISPOSE OF SEDIMENT AWAY FROM THE STORM DRAIN.



CURLEX LOG (STRAW/CLOTH SACK)

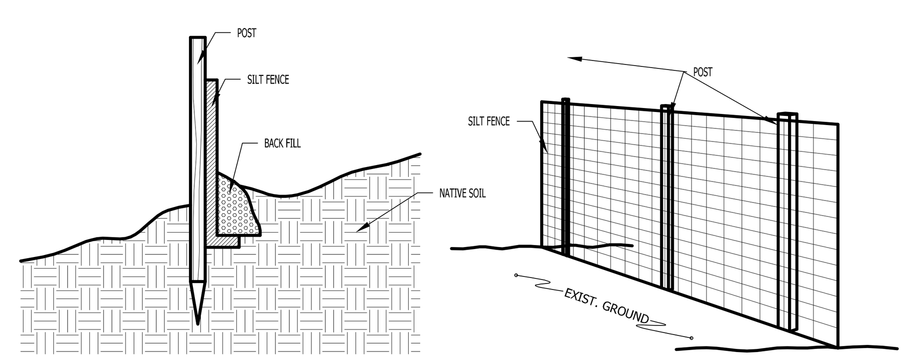
MAINTENANCE: REMOVE & CLEAN CURLEX LOGS THOROUGHLY EACH WEEK OR AFTER A STORM. TAKE CARE WHILE MOVING ROCK SACKS TO PREVENT SEDIMENT FROM FALLING INTO THE CATCH BASIN. DISPOSE OF SEDIMENT AWAY FROM THE STORM DRAIN.

INLET PROTECTION

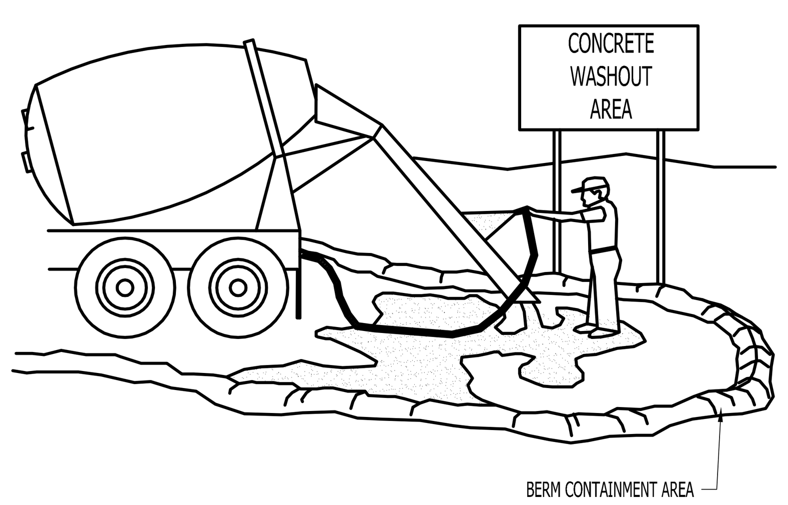
NOTES:

1. PRIOR TO PLACING CURB & GUTTER, OR LANDSCAPING, USE A STEEL PLATE & DRAIN ROCK TO PROTECT THE CATCH BASIN FROM SEDIMENTATION.

2. AFTER PLACING CURB & GUTTER, OR LANDSCAPING, USE FABRIC UNDER GRATE TO PROTECT THE CATCH BASIN FROM SEDIMENTATION.



SILT FENCE DETAIL



CONCRETE WASTE MANAGEMENT

NOTES:

1. EXCESS AND WASTE CONCRETE SHALL NOT BE WASHED INTO THE STREET OR INTO A DRAINAGE SYSTEM.

2. FOR WASHOUT OF CONCRETE AND MORTAR PRODUCTS, A DESIGNATED CONTAINMENT FACILITY OF SUFFICIENT CAPACITY TO RETAIN LIQUID AND SOLID WASTE SHALL BE PROVIDED ON SITE. THIS DISCHARGE AREA MUST BE LINED WITH AN IMPERMEABLE BARRIER.

3. SLURRY FROM CONCRETE AND ASPHALT SAW CUTTING SHALL BE VACUUMED OR CONTAINED, DRIED, PICKED UP, AND DISPOSED OF PROPERLY.

CONSTRUCTION & BMP SEQUENCING

BMP INSPECTION AND MAINTENANCE SHALL BEGIN WITH THE INSTALLATION OF THE FIRST BMP AND CONTINUE UNTIL THE LAST BMP (REVEGETATION) HAS BEEN COMPLETED.

CATCH BASIN PROTECTION

1 CATCH BASIN PROTECTION PER DETAIL LABELED "CURLEX LOG" AND/OR "FABRIC UNDER GRATE" SHALL BE INSTALLED UPON COMPLETION OF STORM DRAIN CONSTRUCTION.
2 FOR CATCH BASINS LOCATED IN CURB AND GUTTER:
  A "CURLEX LOG" SHALL REMAIN IN PLACE UNTIL CURB AND GUTTER IS CONSTRUCTED.
  B CATCH BASIN PROTECTION PER DETAIL LABELED "FABRIC UNDER GRATE" SHALL BE INSTALLED UPON COMPLETION OF CURB AND GUTTER CONSTRUCTION, AND SHALL REMAIN IN PLACE UNTIL ALL FINISH GRADING IS COMPLETED.
3 FOR CATCH BASINS LOCATED IN LANDSCAPE AREAS:
  A "CURLEX LOG" SHALL REMAIN IN PLACE UNTIL SITE GRADING OCCURS.
  B CATCH BASIN PROTECTION PER DETAIL LABELED "CURLEX LOG" AND/OR "FABRIC UNDER GRATE" SHALL BE INSTALLED UPON COMPLETION OF SITE GRADING, AND SHALL REMAIN IN PLACE UNTIL ALL GRADING & LANDSCAPING IS COMPLETED.

CONCRETE WASTE MANAGEMENT

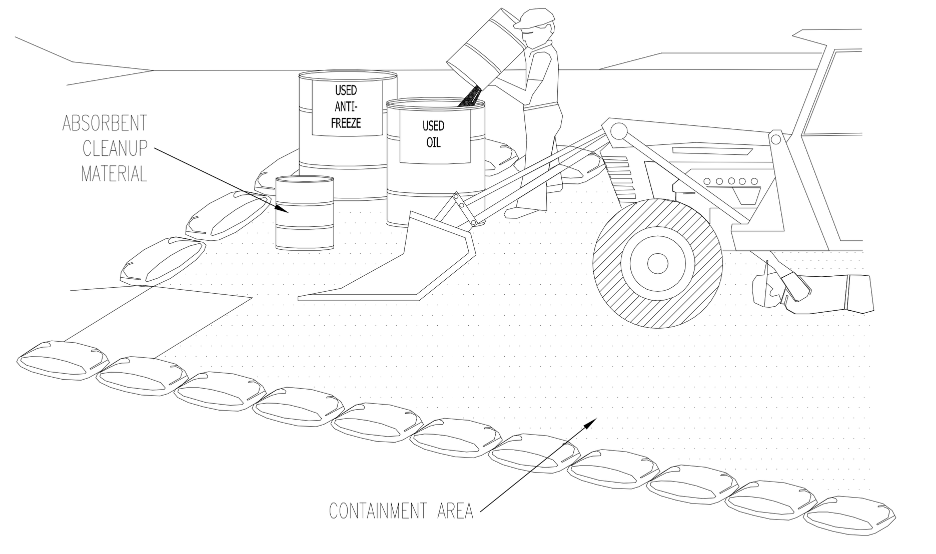
1 A CONCRETE WASTE MANAGEMENT FACILITY SHALL BE CONSTRUCTED PRIOR TO POURING ANY CONCRETE ON THE SITE, AND SHALL REMAIN IN PLACE UNTIL THE LAST CONCRETE POUR HAS BEEN COMPLETED.
2 CONTRACTOR IS TO REMOVE THE CONCRETE WASTE MANAGEMENT FACILITY BY LEGALLY REMOVING AND DISPOSING OF WASTE CONCRETE AND, IF NECESSARY, ANY NON-SOIL BERM MATERIALS.

REVEGETATION

1 SEEDING AND PLANTING OF THE SITE PER THE LANDSCAPE PLAN SHALL OCCUR WITHIN 14 DAYS OF COMPLETION OF THE FINISH GRADING, IF SAID 14 DAYS OCCUR BETWEEN APRIL 15 AND SEPTEMBER 15. OTHERWISE, SEEDING AND PLANTING SHALL BEGIN APRIL 15.
2 PLANTING EFFORTS SHALL BE COMPLETED WITHIN 15 DAYS.
3 SEEDING AND PLANTING SHALL BE CONSIDERED COMPLETE WHEN 70% OF PLANTINGS ARE ESTABLISHED.

STREET CLEANING

1 IN THE EVENT THAT SOIL IS TRACKED ONTO CLEARFIELD CITY STREETS THE STREETS SHALL BE CLEANED.



EQUIPMENT MAINTENANCE/REPAIR

NOTES:

1. LEAKING VEHICLES AND EQUIPMENT SHALL NOT BE ALLOWED ON-SITE. EQUIPMENT AND VEHICLES SHALL BE INSPECTED FREQUENTLY FOR LEAKS AND SHALL BE REPAIRED IMMEDIATELY. CLEAN UP SPILLS AND LEAKS PROMPTLY WITH ABSORBENT MATERIALS; DO NOT FLUSH WITH WATER.

2. VEHICLES AND EQUIPMENT SHALL BE MAINTAINED, AND REPAIRED ON-SITE ONLY IN DESIGNATED AREAS. PREVENT RUN-ON AND RUN-OFF FROM DESIGNATED AREAS.

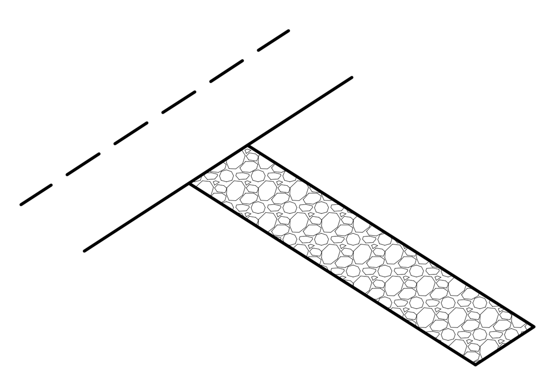
3. CONTAINMENT DEVICES SHALL BE PROVIDED AND AREAS SHALL BE COVERED IF NECESSARY.

4. DESIGNATE ON-SITE VEHICLE AND EQUIPMENT MAINTENANCE AREAS, AWAY FROM STORM DRAIN INLETS AND WATERCOURSES.

5. ALWAYS USE SECONDARY CONTAINMENT, SUCH AS A DRAIN PAN OR DROP CLOTH TO CATCH SPILLS AND LEAKS WHEN REMOVING OR CHANGING FLUIDS. LEGALLY DISPOSE OF USED OILS, FLUIDS AND LUBRICANTS.

6. PROVIDE SPILL CONTAINMENT DIKES OR SECONDARY CONTAINMENT AROUND STORED OIL, FUEL, AND CHEMICAL DRUMS.

7. MAINTAIN AN ADEQUATE SUPPLY OF ABSORBENT SPILL CLEANUP MATERIALS IN DESIGNATED AREAS.



COBBLE STONE 4-8" IN DIAMETER. ADDITIONAL ROCK SHALL BE AVAILABLE NEAR THE ENTRANCE TO REPLACE ANY ROCKS THAT ARE LOST.

ANY TRUCKS AND OTHER CONSTRUCTION TRAFFIC MUST DRIVE OUT OF THE SITE THROUGH THE STABILIZED CONSTRUCTION ENTRANCE

STABILIZED CONSTRUCTION ENTRANCE

REQ'D UNTIL PLACING ROAD BASE

1. THIS STORM WATER POLLUTION PREVENTION PLAN (SWPPP) WAS DEVELOPED AT THE REQUEST OF THE OWNER FOR THE CONSTRUCTION OF AN RESIDENTIAL SITE IN CLEARFIELD CITY, DAVIS COUNTY, STATE OF UTAH. THIS PLAN IDENTIFIES POTENTIAL SOURCES OF POLLUTANTS OF STORM WATER, PRESENTS POLLUTION CONTROL MEASURES, AND ASSISTS IN INSURING IMPLEMENTATION AND MAINTENANCE OF THE BEST MANAGEMENT PRACTICES (BMP'S) INDICATED HEREIN.

2. A NOTICE OF INTENT SHALL BE FILED WITH THE STATE OF UTAH DIVISION OF WATER QUALITY BY THE OWNER SO THAT THIS CONSTRUCTION PROJECT MAY BE COVERED UNDER THE STATE GENERAL PERMIT. THE PERMIT IS UTAH POLLUTION DISCHARGE ELIMINATION SYSTEM (UPDES) GENERAL PERMIT (NO. UTR 300000) FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY. PERMIT FORMS ARE AVAILABLE FOR DOWNLOAD FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY AT WWW.WATERQUALITY.UTAH.GOV/UPDES/SWCON02.PDF

3. IN THE EVENT OF A CHANGE IN OWNERSHIP, A NEW NOTICE OF INTENT SHALL BE FILED WITH THE DIVISION OF WATER QUALITY.

4. IN THE EVENT OF A RELEASE OF A REPORTABLE QUANTITY OF A POLLUTANT, THE CONTRACTOR SHALL ADVISE THE OWNER TO NOTIFY THE UTAH RESPONSE CENTER, ROY CITY, AND PINNACLE ENGINEERING & LAND SURVEYING, INC. IF NECESSARY, THIS SWPPP SHOULD BE REVISED TO REFLECT THE CHANGE IN CONDITIONS OF THE CONSTRUCTION ACTIVITY. A REPORTABLE QUANTITY IS ESTABLISHED BY 40 CODE OF FEDERAL REGULATIONS (CFR) 117.3 OR 40 CFR 302.4.

5. ALL CONTRACTORS AND THEIR PERSONNEL WHOSE WORK CAN CONTRIBUTE TO OR CAUSE POLLUTION OF STORM WATER SHALL BE MADE FAMILIAR WITH THIS SWPPP PLAN. ADEQUATE TRAINING FOR IMPLEMENTATION OF THE MEASURES PRESENTED HEREIN SHALL BE PROVIDED TO THE CONTRACTORS AND THEIR PERSONNEL. ALL CONTRACTORS AND SUBCONTRACTORS, EVEN ON RESIDENTIAL CONSTRUCTION WITH DISTURBANCE AREAS LESS THAN ONE ACRE, SHALL ABIDE BY THIS SWPPP.

6. CHANGES IN CONSTRUCTION OR IN CONDITIONS WHICH ARE NOT COVERED BY THIS SWPPP SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND PINNACLE ENGINEERING & LAND SURVEYING, INC. IF NECESSARY, THIS SWPPP WILL BE REVISED TO REFLECT THE CHANGE IN CONSTRUCTION OR IN CONDITIONS.

7. ALL PREVENTION AND CLEAN UP MEASURES SHALL BE CONDUCTED IN ACCORDANCE WITH LAYTON CITY ORDINANCES, AS WELL AS STATE AND FEDERAL REGULATIONS. WASTE MATERIALS SHOULD BE DISPOSED OF IN A LEGAL MANNER. ALL DISCHARGERS OF STORM WATER MUST COMPLY WITH THE LAWFUL REQUIREMENTS OF LAYTON CITY REGARDING THE DISCHARGES OF STORM WATER TO STORM DRAINS.

8. THIS SWPPP DOES NOT COVER THE REMOVAL OF HAZARDOUS OR TOXIC WASTE. IN THE EVENT OF A DISCHARGE OR RELEASE OF A REPORTABLE QUANTITY OF TOXIC WASTE, WORK SHALL BE STOPPED UNTIL THE SPILL CAN BE ASSESSED AND A MITIGATION REPORT PREPARED BY A QUALIFIED ENVIRONMENTAL CONSULTANT, AND IF NECESSARY, REVIEWED BY ROY CITY AND ANY OTHER AGENCY HAVING JURISDICTION.

9. THIS SWPPP SHALL BE MADE AVAILABLE TO THE PUBLIC UNDER SECTION 308(B) OF THE CLEAN WATER ACT. UPON REQUEST BY MEMBERS OF THE PUBLIC, THE DISCHARGER SHALL MAKE AVAILABLE FOR REVIEW A COPY OF THIS SWPPP EITHER TO THE DIVISION OF WATER QUALITY OR DIRECTLY TO THE REQUESTER. THIS SWPPP MUST BE KEPT ON SITE DURING CONSTRUCTION ACTIVITY AND MADE AVAILABLE UPON REQUEST OF A REPRESENTATIVE OF THE DIVISION OF WATER QUALITY AND/OR THE LOCAL AGENCY.

10. CONTACTS

OWNER	NSC PROPERTIES
ADDRESS	1188 SPORTSPLEX DRIVE, SUITE 203
CITY, STAT	KAYSVILLE, UTAH 84037
TELEPHONE	(801) 499-5114
CONTRACTOR/DISCHARGER	NSC PROPERTIES

CIVIL ENGINEER
PINNACLE ENGINEERING & LAND SURVEYING, INC — STEPHEN BOTT, P.E.
2720 NORTH 350 WEST SUITE 108 — PROJECT MANAGER
LAYTON, UTAH 84041 — (801) 773-1925

CLEARFIELD CITY
55 SOUTH STATE
CLEARFIELD, UTAH 84015
TEL: 1-801-525-2700

STATE OF UTAH — 288 NORTH 1460 WEST
DEPARTMENT OF ENVIRONMENTAL QUALITY — P.O. BOX 144870
DIVISION OF WATER QUALITY — SALT LAKE CITY, UTAH 84114-4870

U.S. EPA
ENVIRONMENTAL PROTECTION AGENCY — REGION VIII
DENVER, COLORADO — 800-759-4372

ENVIRONMENTAL PROTECTION AGENCY — 202-475-9518
WASHINGTON, D.C. 20460

11. REFERENCES
A. IMPROVEMENT PLANS PER PINNACLE ENGINEERING & LAND SURVEYING, INC.,
B. STORMWATER POLLUTION PREVENTION PLAN PREPARED BY PINNACLE ENGINEERING & LAND SURVEYING, INC.

12. THE PROPOSED CONSTRUCTION ACTIVITY IS THE CONSTRUCTION OF A SEWER OUTFALL LINE AND TOTAL SITE GRADING.

13. THE ESTIMATED EXISTING RUN-OFF COEFFICIENT IS 0.2. THE ESTIMATED RUN-OFF COEFFICIENT AFTER COMPLETION IS 0.45.

14. THE PROPERTY HAS A GENERAL SLOPE OF 2.0% TO THE SOUTHWEST. EXISTING VEGETATION CONSIST OF NATIVE GRASSES AND WEEDS. FILL SLOPES SHALL BE GRADED AT A MAXIMUM OF 33%. THERE ARE NO EXISTING PONDS OR BODIES OF WATER LOCATED ON THE SITE. EXISTING DRAINAGE IS SHEET FLOWING SOUTHWESTERLY. FOLLOWING CONSTRUCTION ALL STORM WATER SHALL BE METERED INTO THE CLEARFIELD CITY STORM WATER COLLECTION SYSTEM. THERE ARE NO WETLANDS ON THE SITE.

15. A NEGLIGIBLE AMOUNT OF WATER FLOWS ONTO THE SITE.

STORM WATER POLLUTION PREVENTION PLAN SPECIFIC NOTES

A. PROHIBITION ON MOST NON-STORM WATER DISCHARGES

ONLY STORM WATER FROM THE PROJECT SITE SHALL BE ALLOWED TO FLOW INTO THE ON-SITE STORM DRAIN SYSTEM. CLEAN WATER FROM THE FLUSHING OF FIRE HYDRANTS, WATER MAINS, AND STORM DRAINS MAY BE DISCHARGED TO THE STORM DRAIN IF IT IS NOT ALLOWED TO COLLECT DIRT, DEBRIS, AND TRASH WHILE FLOWING TO A STORM DRAIN INLET.

B. POTENTIAL SOURCES OF STORM WATER POLLUTANTS

POTENTIAL STORM WATER POLLUTANTS INCLUDE SOIL SEDIMENT AND NUTRIENTS, OIL, GREASE, TOXIC POLLUTANTS, AND HEAVY METALS. SOURCES OF STORM WATER POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO SOIL EROSION BY WATER AND/OR WIND; CLEARING OF VEGETATION; GRADING; VEHICLE AND EQUIPMENT REFUELING AND MAINTENANCE; WASHING OF CONCRETE TRUCKS, MIXERS AND HANDLING EQUIPMENT; PAINTS, SOLVENTS AND ADHESIVES; AND LANDSCAPING WORK.

C. EROSION AND SEDIMENT CONTROLS

1. COVER EXPOSED STOCKPILES OF SOILS, CONSTRUCTION AND LANDSCAPING MATERIALS WITH HEAVY PLASTIC SHEETING.
2. IN LANDSCAPING AREAS WHERE THE VEGETATION HAS NOT ESTABLISHED GROWTH AND TAKEN HOLD, CONSTRUCT SANDBAG OR DIRT BERMS AROUND THEIR PERIMETER TO INSURE THAT WATER WILL BE CONTAINED INSIDE THE LANDSCAPING AREA AND THAT IT WILL NOT BE CONVEYED TO A STORM DRAIN INLET.
3. DISTURBED AREAS SHALL BE SEEDED BY THE THE DEVELOPER. SILT BARRIERS SHALL BE MAINTAINED BY THE DEVELOPER IN THE MEAN TIME. OR, THE DEVELOPER SHALL RE-SEED DISTURBED AREAS AS THEY SEE FIT AND REMOVE THE SEDIMENT CONTROLS.
4. THROUGHOUT CONSTRUCTION, CONTRACTOR SHALL DIVERT STORM WATER RUNOFF AROUND DISTURBED SOILS WITH BERMS OR DIRT SWALES.

D. OTHER CONTROLS

1. WASTE DISPOSAL
   A. KEEP WASTE DISPOSAL CONTAINERS COVERED.
   B. PROVIDE FOR THE WEEKLY (OR MORE FREQUENT, IF NECESSARY) DISPOSAL OF WASTE CONTAINERS.
   C. PROVIDE CONTAINERS AT CONVENIENT LOCATIONS AROUND THE SITE.

2. SWEEPING OF SITE
   A. PROVIDE DAILY, IF NECESSARY, SWEEPING BY HAND OR MECHANICAL MEANS TO KEEP THE PAVED AREAS OF THE SITE FREE OF DUST, DIRT, AND DEBRIS IF NECESSARY DURING PERIODS OF CONSTRUCTION.
   B. DISPOSE OF ACCUMULATED DIRT IN WASTE CONTAINERS, OR HAUL IT OFF THE SITE TO A LANDFILL.

3. SANITARY/SEPTIC DISPOSAL

   PORTABLE TOILETS AND OTHER SANITARY FACILITIES SHALL BE SERVICED WEEKLY AND PUMPED CLEAN BY A WASTE DISPOSAL COMPANY. NO TOXIC OR HAZARDOUS WASTE SHALL BE DISPOSED OF IN A PORTABLE TOILET OR IN THE ON-SITE SANITARY SEWER. TOILETS SHALL BE ANCHORED AGAINST OVERTURNING.

4. SPILLS
   A. STORE ADEQUATE ABSORBENT MATERIALS, RAGS, BROOMS, SHOVELS, AND WASTE CONTAINERS ON THE SITE TO CLEAN-UP SPILLS OF MATERIALS SUCH AS FUEL, PAINT, SOLVENTS, OR CLEANERS. CLEAN UP MINOR SPILLS IMMEDIATELY.
   B. FOR REPORTABLE QUANTITY OF HAZARDOUS OR TOXIC SUBSTANCE, SECURE THE SERVICES OF QUALIFIED PERSONNEL FOR CLEAN-UP AND DISPOSAL.

5. CONTROL OF ALLOWABLE NON-STORM WATER DISCHARGES LANDSCAPING IRRIGATION, EROSION CONTROL MEASURES, PIPE FLUSHING AND TESTING, AND PAVEMENT WASHING ARE ALLOWED IF THEY CANNOT FEASIBLY BE ELIMINATED, COMPLY WITH THIS PLAN, DO NOT CAUSE OR CONTRIBUTE TO A VIOLATION OF WATER QUALITY STANDARDS, AND ARE NOT REQUIRED TO BE PERMITTED BY THE LOCAL REGIONAL WATER QUALITY CONTROL BOARD.

6. VEHICLES AND EQUIPMENT
   A. FIX LEAKS OF FUEL, OIL AND OTHER SUBSTANCES IMMEDIATELY.
   B. PERFORM REFUELING AND SERVICE OF VEHICLES OR EQUIPMENT OFF-SITE WHEN POSSIBLE. IF REFUELING OR SERVICE OF EQUIPMENT IS PERFORMED ON-SITE, THEN PROVIDE AN IMPERVIOUS, CONTAINED AREA WHERE ANY SPILLS CAN BE CONTAINED WITHOUT FLOWING TO A STORM WATER INLET OR INTO THE GROUND.
   C. USE DRIP PANS TO CATCH LEAKS AND SMALL SPILLS.

7. CONCRETE TRUCKS, MIXERS AND HANDLING EQUIPMENT
   A. DO NOT DISPOSE OF WASHOUT FROM THE WASHING OF CONCRETE TRUCKS,MIXERS, AND HANDLING EQUIPMENT WHERE IT WILL FLOW INTO A STORM WATER INLET OR INTO A PUBLIC STREET.
   B. PROVIDE A HOLDING TANK TO RECEIVE ANY WASHOUT FROM CONCRETE EQUIPMENT. DISPOSAL OF TANK CONTENTS SHALL BE CONDUCTED BY CONTRACTOR.
   C. PROVIDE, DESIGNATE AND POST A SIGN MARKING A DESIGNATED AREA FOR WASHING ANY VEHICLES OR EQUIPMENT. DRAINAGE FROM THIS AREA SHOULD BE CONTAINED OR FLOW TO A HOLDING TANK.

8. LANDSCAPING OPERATIONS
   A. USE ONLY THE MINIMUM AMOUNT OF LANDSCAPING FERTILIZES, NUTRIENTS, AND OTHER CHEMICALS THAT ARE NEEDED.
   B. DO NOT OVER WATER FERTILIZED OR TREATED LANDSCAPE AREAS. MINIMIZE RUNOFF OF IRRIGATION WATER FROM LANDSCAPING.
   C. DO NOT PLACE LANDSCAPING MATERIAL IN THE STREET ONCE PAVING IS COMPLETE.

9. STORM WATER INLETS

   CONTRACTOR SHALL PROVIDE STRAW FILLED BAGS OR SOCKS AROUND INLETS WITHIN 1000 FEET OF CONSTRUCTION AS BARRIERS TO PREVENT SEDIMENT ENTERING THE INLETS. TRAPPED SEDIMENT SHALL BE REMOVED FOLLOWING STORM EVENTS. BARRIERS SHALL BE REMOVED FOLLOWING COMPLETION OF CONSTRUCTION.

E. INSPECTION

1. REGULAR INTERVAL INSPECTION AND INSPECTION BEFORE AND AFTER STORMS
   A. VISUALLY INSPECT THE SITE WEEKLY TO INSURE THAT STORM WATER INLETS ARE FREE OF DIRT AND DEBRIS.
   B. BEFORE A STORM, INSPECT THE SITE TO INSURE THAT STORM WATER POLLUTION CONTROL MEASURES ARE IN PLACE.
   C. AFTER A STORM, INSPECT ALL STORM WATER INLETS TO INSURE THAT THEY ARE CLEAR OF DIRT AND DEBRIS. CLEAN THOSE STORM WATER INLETS THAT ARE NOT CLEAR AND FREE OF DEBRIS.
   D. THE DIVISION OF WATER QUALITY MAY REQUIRE THE DISCHARGER TO CONDUCT ADDITIONAL SITE INSPECTIONS, SUBMIT REPORTS AND CERTIFICATIONS, OR TO PERFORM SAMPLING AND ANALYSIS.

2. CONDUCT INSPECTIONS OF THE CONSTRUCTION SITE PRIOR TO ANTICIPATED STORM EVENTS AND AFTER ACTUAL STORM EVENTS, TO IDENTIFY AREAS CONTRIBUTING TO A STORM WATER DISCHARGE, TO EVALUATE WHETHER MEASURES TO REDUCE POLLUTANT LOADINGS IDENTIFIED IN THIS SWPPP ARE ADEQUATE, TO PROPERLY IMPLEMENT IN ACCORDANCE WITH THE TERMS OF THE GENERAL PERMIT, AND TO DETERMINE WHETHER ADDITIONAL CONTROL PRACTICES ARE NEEDED.

3. PREPARATION OF REPORTS AND RETENTION OF RECORDS
   A. EACH DISCHARGER MUST CERTIFY ANNUALLY THAT ITS CONSTRUCTION ACTIVITY IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE GENERAL PERMIT AND THIS SWPPP. THIS CERTIFICATION MUST BE BASED ON THE SITE INSPECTIONS. THE FIRST CERTIFICATION MUST BE COMPLETED BY JULY 1, 2009, AND EACH JULY 1 THEREAFTER.
   B. THE DISCHARGER IS REQUIRED TO RETAIN RECORDS OF ALL MONITORING INFORMATION, COPIES OF ALL REPORTS REQUIRED BY THIS GENERAL PERMIT, AND RECORDS OF ALL DATA USED TO COMPLETE THE NOTICE OF INTENT FOR CONSTRUCTION ACTIVITY FOR A PERIOD OF AT LEAST THREE YEARS. THIS PERIOD MAY BE EXTENDED BY REQUEST OF THE STATE. WITH THE EXCEPTION OF NONCOMPLIANCE REPORTING, DISCHARGERS ARE NOT REQUIRED TO SUBMIT THE RECORDS EXCEPT UPON SPECIFIC REQUEST BY THE STATE DEQ DIVISION OF WATER QUALITY.
   C. DISCHARGERS WHO CANNOT CERTIFY COMPLIANCE MUST NOTIFY THE STATE DEQ DIVISION OF WATER QUALITY. THIS NOTIFICATION SHALL IDENTIFY THE TYPE OR TYPES OF NONCOMPLIANCE, DESCRIBE THE ACTIONS NECESSARY TO ACHIEVE COMPLIANCE, AND INCLUDE A TIME SCHEDULE, SUBJECT TO THE MODIFICATIONS BY THE STATE DEQ DIVISION OF WATER QUALITY, INDICATING WHEN COMPLIANCE WILL BE ACHIEVED. NONCOMPLIANCE REPORTS MUST BE SUBMITTED WITHIN 30 DAYS OF THE IDENTIFICATION OF THE NONCOMPLIANCE.

F. MAINTENANCE OF CONTROLS

1. MAINTENANCE AND REPAIR ALL CONTROLS AND MEASURES INDICATED ON THIS PLAN SHALL BE MAINTAINED IN GOOD AND EFFECTIVE CONDITION. IF ANY CONTROLS OR MEASURES ARE DAMAGED OR REMOVED, THEY SHALL BE PROMPTLY REPAIRED OR RESTORED.
2. PLAN REVISIONS IF CONSTRUCTION ACTIVITY OR CONDITIONS CHANGE FROM THOSE SHOWN IN THIS PLAN, THEN THIS PLAN SHALL BE REVISED TO REFLECT THE CURRENT CONDITIONS.

G. FINAL STABILIZATION AND POST-CONSTRUCTION CONTROLS

1. AFTER CONSTRUCTION HAS BEEN COMPLETED, THE SITE SHALL BE SWEPT CLEAN, STORM WATER INLETS (GRATES AND BASINS) SHALL BE CLEANED, AND ALL WASTE AND LEFTOVER MATERIALS SHALL BE REMOVED FROM THE SITE.
2. ALL LANDSCAPING AND PLANTING AREAS SHALL BE WELL MAINTAINED TO PREVENT EROSION. AVOID OVER WATERING OF LANDSCAPING.
3. ALL PAVED AREAS SHALL BE SWEPT WEEKLY EITHER BY HAND OR BY MECHANICAL MEANS TO KEEP THE SITE CLEAR OF DIRT, DUST, AND DEBRIS.
4. WASTE MATERIALS ON-SITE SHALL BE STORED IN COVERED CONTAINERS WHICH ARE CLEANED OUT REGULARLY.
5. TESTING OF FIRE HYDRANTS ON-SITE SHALL NOT BE CONDUCTED UNTIL THE AREA WHERE THE WATER DISCHARGES HAS BEEN SWEPT CLEAN OF DIRT AND DEBRIS.
6. STORM DRAIN LINES SHALL BE CHECKED AND CLEANED ANNUALLY TO KEEP THEM CLEAN AND CLEAR OF DEBRIS.
7. ALL ON-SITE STORM WATER INLETS SHOULD BE CLEARLY MARKED "STORM WATER ONLY".

H. COMPLETION OF CONSTRUCTION ACTIVITIES AND NOTICE OF TERMINATION

WHEN CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED ON THIS SITE, THE OWNER SHALL FILE A LETTER WITH THE STATE DEQ DIVISION OF WATER QUALITY. THIS LETTER SHALL CERTIFY THAT THE CONSTRUCTION ACTIVITY HAS BEEN COMPLETED, THAT ALL ELEMENTS OF THE SWPPP HAVE BEEN IMPLEMENTED, THAT CONSTRUCTION AND EQUIPMENT MAINTENANCE WASTES HAVE BEEN DISPOSED OF PROPERLY, THAT THE SITE IS IN COMPLIANCE WITH ALL LOCAL STORM WATER REQUIREMENTS INCLUDING EROSION/SEDIMENT CONTROL REQUIREMENTS, POLICIES, AND GUIDELINES.

DEFINITIONS

1. "BEST MANAGEMENT PRACTICES" ("BMP'S") MEANS SCHEDULES OF ACTIVITIES, PROHIBITIONS OF PRACTICES, MAINTENANCE PROCEDURES, AND OTHER MANAGEMENT PRACTICES TO PREVENT OR REDUCE THE POLLUTION OF WATERS OF THE UNITED STATES. BMP'S ALSO INCLUDE TREATMENT REQUIREMENTS, OPERATING PROCEDURES, AND PRACTICES TO CONTROL SITE RUNOFF, SPILLAGE OR LEAKS, WASTE DISPOSAL, OR DRAINAGE FROM RAW MATERIAL STORAGE.

2. "CLEAN WATER ACT" ("CWA") MEANS THE FEDERAL WATER POLLUTION CONTROL ACT ENACTED BY PUBLIC LAW 92-500 AS AMENDED BY PUBLIC LAWS 95-217, 95-576, 96-483, AND 97-111; 33 USC 1251 ET SEQ.

3. "CONSTRUCTION SITE" IS THE LOCATION OF THE CONSTRUCTION ACTIVITY.

4. "NON-STORM WATER DISCHARGE" MEANS ANY DISCHARGE TO STORM DRAIN SYSTEMS THAT IS NOT COMPOSED ENTIRELY OF STORM WATER EXCEPT DISCHARGE PURSUANT TO AN NPDES PERMIT AND DISCHARGES RESULTING FROM FIRE FIGHTING ACTIVITIES.

5. "SIGNIFICANT MATERIALS" INCLUDES, BUT IS NOT LIMITED TO RAW MATERIALS; FUELS; MATERIALS SUCH AS SOLVENTS, DETERGENTS, AND PLASTIC PELLETS; FINISHED MATERIALS SUCH AS METALLIC PRODUCTS; RAW MATERIALS USED IN FOOD PROCESSING OR PRODUCTION HAZARDOUS SUBSTANCES DESIGNATED UNDER SECTION 101(14) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERLCA); ANY CHEMICAL THE FACILITY IS REQUIRED TO REPORT PURSUANT TO SECTION 313 OF TITLE III OF SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT (SARA); FERTILIZERS; PESTICIDES; AND WASTE PRODUCTS SUCH AS ASHES, SLAG, AND SLUDGE THAT HAVE THE POTENTIAL TO BE RELEASED WITH STORM WATER DISCHARGES.

6. "SIGNIFICANT QUANTITIES" IS THE VOLUME, CONCENTRATIONS, OR MASS OF A POLLUTANT IN STORM WATER DISCHARGE THAT CAN CAUSE OR THREATEN TO CAUSE POLLUTION, CONTAMINATION, OR NUISANCE; ADVERSELY IMPACT HUMAN HEALTH OR THE ENVIRONMENT; AND CAUSE OR CONTRIBUTE TO A VIOLATION OF ANY APPLICABLE WATER QUALITY STANDARDS FOR THE RECEIVING WATER.

7. "STORM WATER" MEANS STORM WATER RUNOFF, SNOW MELT RUNOFF, SURFACE RUNOFF AND DRAINAGE. IT EXCLUDES INFILTRATION AND RUNOFF FROM AGRICULTURAL LAND.

8. "POLLUTION" MEANS THE "MAN-MADE OR MAN-INDUCED ALTERATION OF THE CHEMICAL, PHYSICAL, BIOLOGICAL, AND RADIOLOGICAL INTEGRITY OF WATER" [CLEAN WATER ACT SECTION 502(19)]. POLLUTION ALSO MEANS "AN ALTERATION OF THE QUALITY OF THE WATERS OF THE STATE BY WASTE TO A DEGREE WHICH UNREASONABLY AFFECTS EITHER... THE WATERS FOR BENEFICIAL USES... OR FACILITIES WHICH SERVE THESE BENEFICIAL USES." [CALIFORNIA WATER CODE SECTION 13050(I)].

9. "CONTAMINATION" MEANS "AN IMPAIRMENT OF THE QUALITY OF THE WATERS OF THE STATE BY WASTE TO A DEGREE WHICH CREATES A HAZARD TO THE PUBLIC HEALTH THROUGH POISONING OR THROUGH THE SPREAD OF DISEASE...INCLUDING ANY EQUIVALENT EFFECT RESULTING FROM THE DISPOSAL OF WASTE, WHETHER OR NOT WATERS OF THE STATE ARE AFFECTED."

10. "NUISANCE" MEANS "ANYTHING WHICH MEETS ALL OF THE FOLLOWING REQUIREMENTS: (1) IS INJURIOUS TO HEALTH , OR IS INDECENT OR OFFENSIVE TO THE SENSES, OR AN OBSTRUCTION TO THE FREE USE OF PROPERTY, SO AS TO INTERFERE WITH THE COMFORTABLE ENJOYMENT OF LIFE AND PROPERTY; (2) AFFECTS AT THE SAME TIME AN ENTIRE COMMUNITY OR NEIGHBORHOOD, OR ANY CONSIDERABLE NUMBER OF PERSONS, ALTHOUGH THE EXTENT OF THE ANNOYANCE OR DAMAGE INFLICTED UPON INDIVIDUALS MAY BE UNEQUAL; (3) OCCURS DURING OR AS A RESULT OF THE TREATMENT OR DISPOSAL OF WASTES."

11. "LOCAL AGENCY" MEANS ANY AGENCY THAT IS INVOLVED WITH REVIEW, APPROVAL, OR OVERSIGHT OF THE CONSTRUCTION SITES' (a) CONSTRUCTION ACTIVITY, (b) EROSION AND SEDIMENT CONTROLS, (c) STORM WATER DISCHARGE.

RESPONSIBLE PARTY

NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203
KAYSVILLE, UTAH 84037
(801) 499-5114

RESPONSIBLE PARTY (print name here):______________________.

POSITION:______________________.

Signature:______________________.

DATE, STAMP & SIGN

PINNACLE Engineering & Land Surveying, Inc.
Layton • West Bountiful • Mount Pleasant • St. George
2720 North 350 West, Suite #108 — Phone: (801) 773-1910
Layton, UT 84041 — Fax: (801) 773-1925

JON'S PARK PHASE 1 & 2
STORM WATER POLLUTION PREVENTION NOTES
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

REVISION	BY	DATE

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION

SURVEYED BY	DATE	DESIGNED BY	DATE	DRAWN BY	DATE	APPROVED BY	DATE
SPB	01-2010	SPB	01-2010	SPB	08-21-2013	SJF	08-21-2013

SHEET # 18 OF 20

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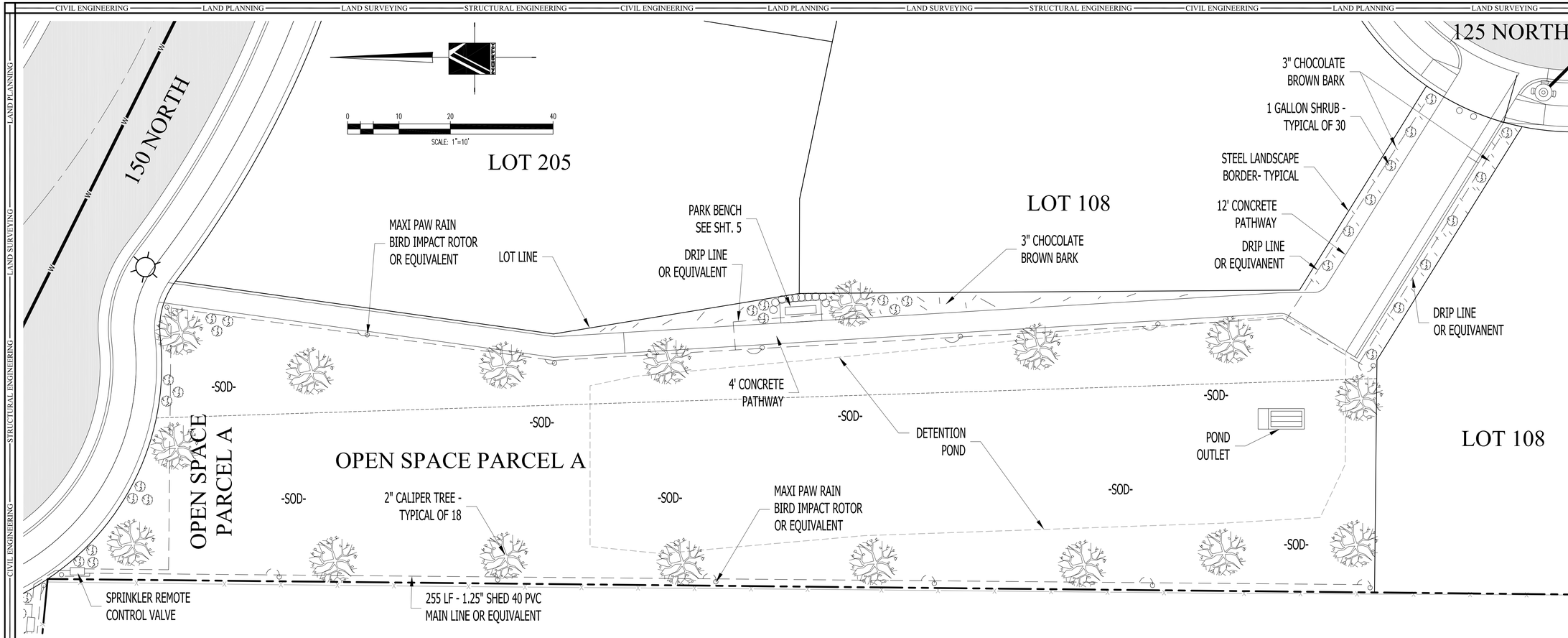
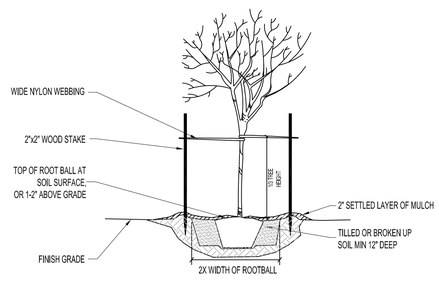


LANDSCAPE PLAN A

PLANTINGS NOTE

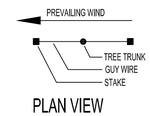
2" CALIPER TREES SHALL BE A MIXTURE OF IMPERIAL HONEYLOCUST AND BIG CIS FLOWERING PLUM OR EQUIVALENT AS DIRECTED BY THE OWNER. COORDINATE ALL PLANT SPECIES AND LOCATIONS WITH THE OWNER PRIOR TO CONSTRUCTION.

1 GALLON SHRUBS SHALL BE AMIXTURE OF CRIMSON PIGMY BARBARRY, DWARF GLOBOSA SPRUCE, AND UTAH SERVICE BEARRY OR EQUIVALENT AS DIRECTED BY THE OWNER. COORDINATE ALL PLANT SPECIES AND LOCATIONS WITH THE OWNER PRIOR TO CONSTRUCTION.

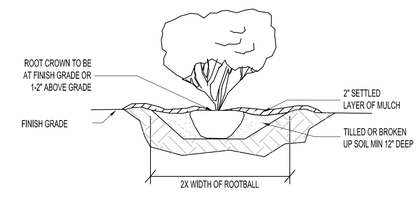


DECIDUOUS TREE PLANTING

N.T.S.



PLAN VIEW



SHRUB PLANTING

N.T.S.

LEGEND

NOT ALL ITEMS IN THE LEGEND MAY BE APPLICABLE

- BOUNDARY LINE
- STREET RIGHT-OF-WAY LINE
- CENTERLINE
- ADJACENT PROPERTY LINE
- EASEMENT LINE
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- SS — NEW SANITARY SEWER
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- G — EX. GAS LINE
- CTV — EX. CULINARY WATERLINE
- W — EX. CULINARY WATERLINE
- NEW BUILDING
- NEW DRAINAGE SWALE
- (4250) EG CONTOUR MAJOR
- (4250) EG CONTOUR MINOR
- 4250 FG CONTOUR MAJOR
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- ASPHALT SAWCUT
- EXIST. CONC. C&G OR SIDEWALK
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- OVERLAY ASPHALT SEE STREET PROFILE

BENCHMARK

BENCHMARK IS THE NORTH QUARTER CORNER OF SECTION2, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M., ELEVATION = 4478.12

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JON'S PARK PHASE 1 & 2

LANDSCAPE PLAN A
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER
343593
STEPHEN P. BOTT
8-21-13
UTAH

REVISION	BY	DATE

CALL BLUESTAKES
@ 1-800-662-4111
AT LEAST 48 HOURS
PRIOR TO COMMENCING
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SURVEYED BY SPB	DATE 01-2010	
DESIGNED BY SPB	DATE 01-2010	
DRAWN BY SPB	DATE 08-21-2013	
APPROVED BY SJF	DATE 08-21-2013	

SHEET # 19 OF 20

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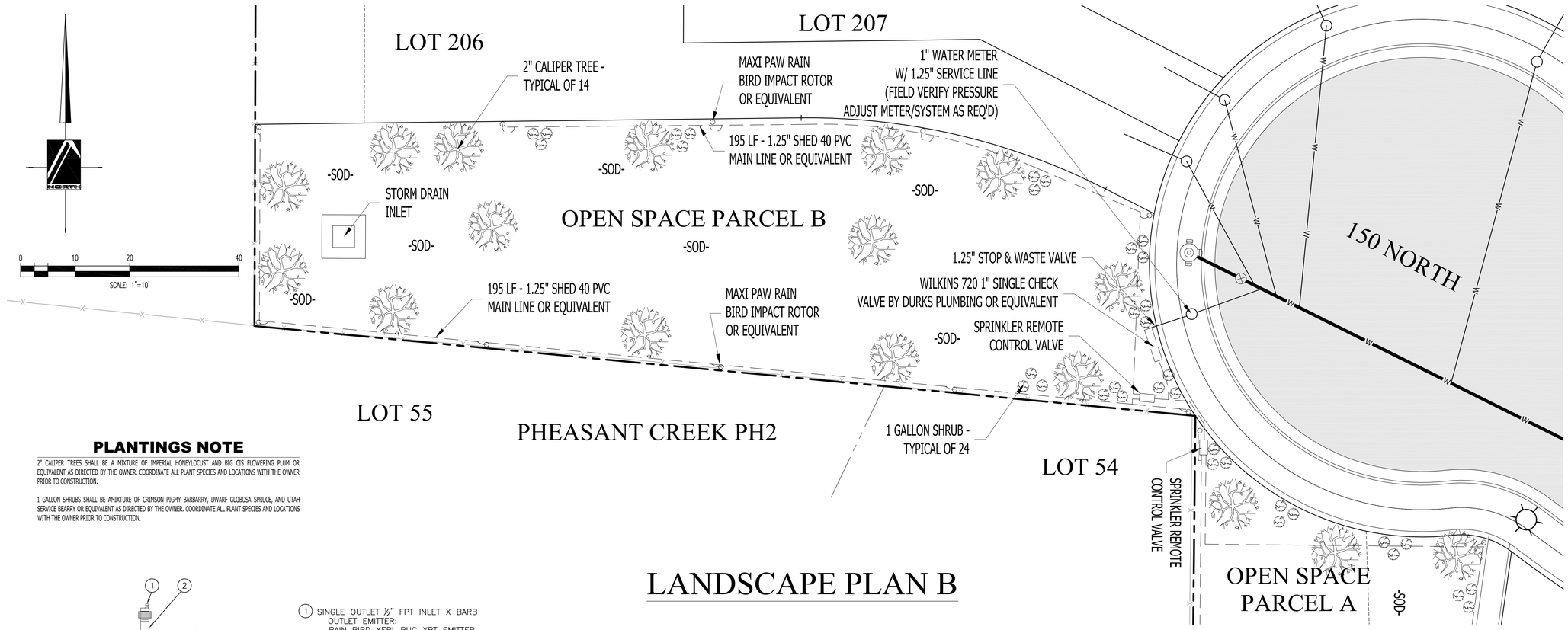

PLANTINGS NOTE

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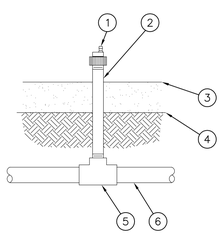
LANDSCAPE PLAN B

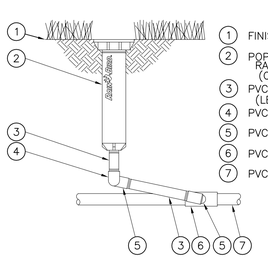


1. SINGLE OUTLET ½" FPT INLET X BARB OUTLET EMITTER: RAIN BIRD XERI–BUG XBT EMITTER
2. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
3. TOP OF MULCH
4. FINISH GRADE
5. PVC SCH 40 TEE OR ELL
6. PVC LATERAL PIPE (OR EQUIVALENT)

NOTE:
1. RAIN BIRD XERI–BUG ½" FPT X BARB EMITTERS ARE AVAILABLE IN THE FOLLOWING MODELS:
XBT–10 1.0 GPH XBT–20 2.0 GPH

DRIP EMITTER

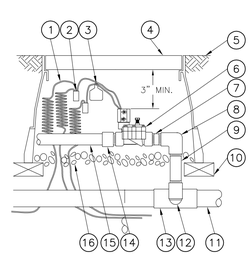
N.T.S.



1. FINISH GRADE/TOP OF MULCH
2. POP–UP SPRAY SPRINKLER: RAIN BIRD MAXI PAW (OR EQUIVALENT)
3. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
4. PVC SCH 40 ELL
5. PVC SCH 40 STREET ELL
6. PVC SCH 40 TEE OR ELL
7. PVC LATERAL PIPE

POP-UP SPRAY HEAD

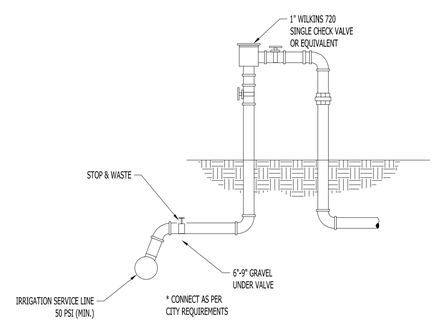
N.T.S.



1. 30–INCH LINEAR LENGTH OF WIRE, COILED
2. WATERPROOF CONNECTION: RAIN BIRD SPLICE–1 (1 OF 2)
3. ID TAG: RAIN BIRD VID SERIES
4. VALVE BOX WITH COVER: RAIN BIRD VB–STD
5. FINISH GRADE/TOP OF MULCH
6. REMOTE CONTROL VALVE: RAIN BIRD 100–DV
7. PVC SCH 80 NIPPLE (CLOSE)
8. PVC SCH 40 ELL
9. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
10. BRICK (1 OF 4)
11. PVC MAINLINE PIPE
12. SCH 80 NIPPLE (2–INCH LENGTH, HIDDEN) AND SCH 40 ELL
13. PVC SCH 40 TEE OR ELL
14. PVC SCH 40 MALE ADAPTER
15. PVC LATERAL PIPE
16. 3.0–INCH MINIMUM DEPTH OF 3/4–INCH WASHED GRAVEL (OR EQUIVALENT)

REMOTE CONTROL VALVE

N.T.S.



BACKFLOW PREVENTOR & MAINLINE CONNECTION

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JON'S PARK PHASE 1 & 2

LANDSCAPE PLAN B
FOR: NSC PROPERTIES
1188 SPORTSPLEX DRIVE, SUITE 203, KAYSVILLE, UTAH
SITE: 150 NORTH PACIFIC AVE.
CLEARFIELD, UTAH
PROJECT #09-073

LICENSED PROFESSIONAL ENGINEER 343593 STEPHEN P. BOTT 8-21-13 UTAH

REVISION	BY	DATE

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APPROVED BY	DATE
SJF	08-21-2013

SHEET # 20 OF 20

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