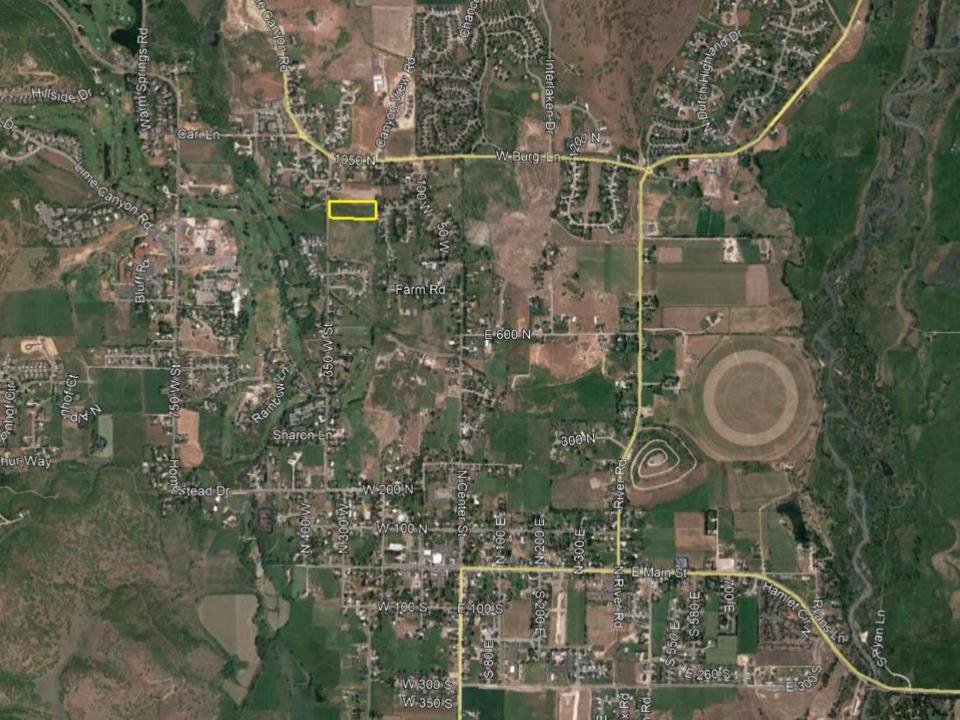
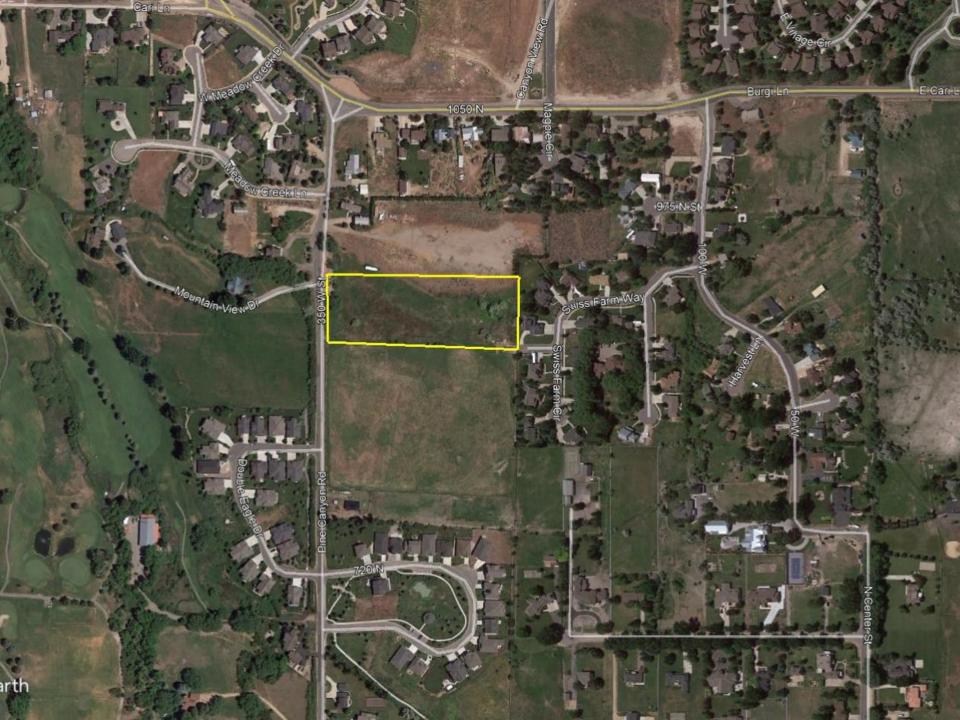
LABARGE SUBDIVISION

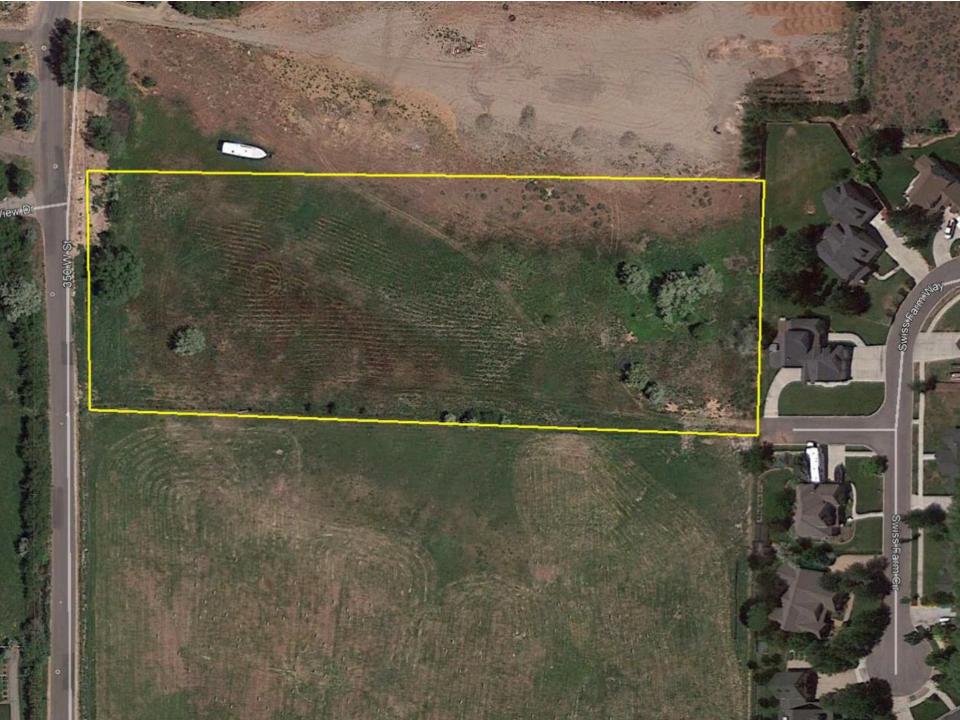
FINAL

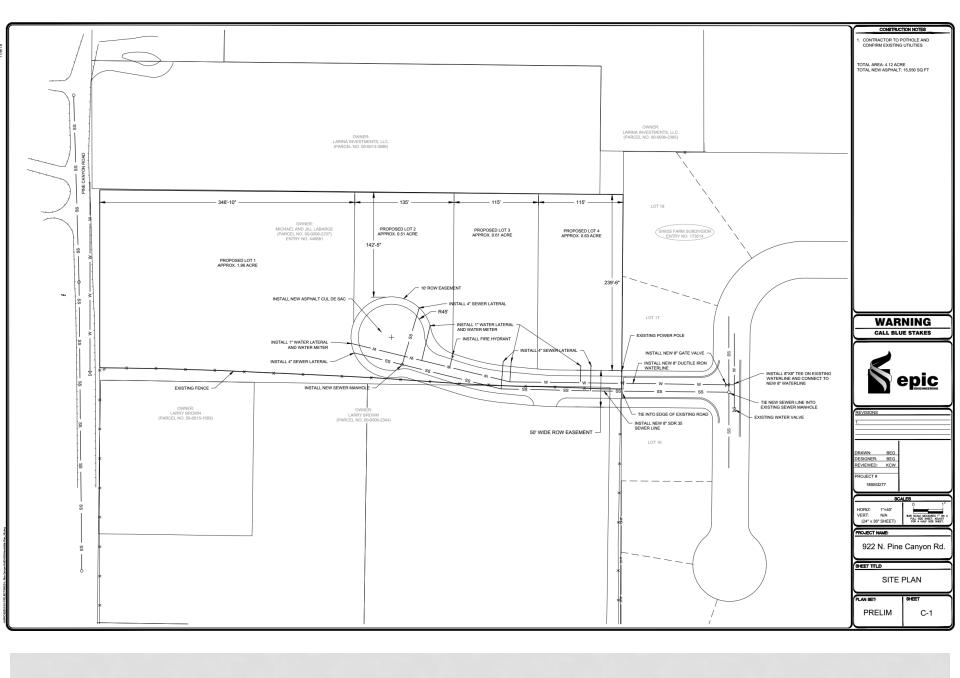
LAND USE SUMMARY

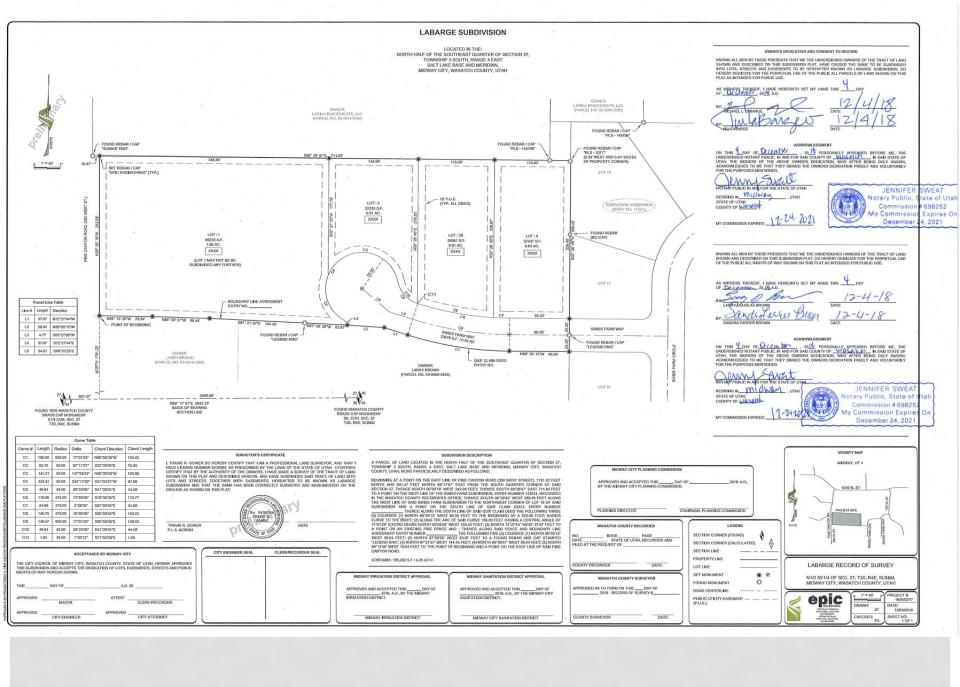
- 4.2-acre parcel
- R-1-15 & R-1-22 zoning
- Proposal contains four lots
- Frontage on Pine Canyon Road and Swiss Farm Way
- The lots will connect to the Midway Sanitation District's sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line
- 4 lots
 - Lot 1 1.96 acres
 - Lot 2 0.51 acres
 - Lot 3 0.61 acres
 - Lot 4 0.63 acres











RECOMMENDATION

- 4.12-acre parcel
 - Area of lots
 - 3.71
 - Impervious area of 4 lots
 - 0.73 acres (4 x 8,000 sq. ft. = 32,000 sq. ft.)
 - Irrigated lot area
 - 2.98 acres
 - ROW park strip
 - 0.13 acres
 - Total irrigated acreage
 - $3.11 (3 \times 3.11) = 9.33$ acre feet

4 culinary connections

- $4 \times 0.8 = 3.2$ acre feet
- 12.53 acre feet requirement

POSSIBLE FINDINGS

- The proposed lot meets the minimum requirements for the R-1-15 and R-1-22 zoning districts
- The proposal does meet the intent of the General Plan for the R-1-15 and R-1-22 zoning districts
- The subdivision will contribute to the master trails plan by either building the bike lane along the frontage of the project or adding funds the general trails fund that will be used to help complete the master trails plan

POSSIBLE FINDINGS

- The property owned by Larry Brown is deeded to the City before the plat is recorded.
- Funds to build the bike lane along Pine Canyon Road are added to the general trails fund. Those funds will be used as part of a larger improvement project that will complete the bike lane along the entirety of Pine Canyon Road.
- A stub from the proposed cul-de-sac is built to access the Brown property to the south that will be used for agricultural access, and if the property is developed in the future, for a road connection to Pine Canyon Road.
- A deed restriction is recorded on lot 1 that in perpetuity restricts the lot from being further subdivided and a note is included on the plat that explains this limitation for lot 1.

RECOMMENDED CONDITIONS

- 1. The property owned by Larry Brown is deeded to the City before the plat is recorded.
- 2. Funds to build the bike lane along Pine Canyon Road are added to the general trails fund. Those funds will be used as part of a larger improvement project that will complete the bike lane along the entirety of Pine Canyon Road.
- 3. A stub from the proposed cul-de-sac is built to access the Brown property to the south that will be used for agricultural access, and if the property is developed in the future, for a road connection to Pine Canyon Road.
- 4. A deed restriction is recorded on lot 1 that in perpetuity restricts the lot from being further subdivided and note is included on the plat that explains this limitation for lot 1.

RECOMMENDED CONDITIONS

- 5. The owner of lot 1 will landscape and maintain the park strip along the south side of the road from lot 1 to the boundary of the Swiss Farms subdivision until the Brown parcel is developed.
- 6. Two Midway Irrigation Company easements would be included on the plat map as described in the staff report.
- 7. 100' setback is shown on the plat parallel Pine Canyon Road.
- 8. All required water rights will be dedicated to the City, before the plat is recorded, as recommended by the Midway Water Advisory Board.

BOUNDARY LINE AGREEMENT

This Boundary Line Agreement is entered into the 3rd day of December, 2018, by and between Michael and Jill LaBarge, whose principal address is 211 E. Greenfield Circle Unit #101 Heber City, UT 84032, and Larry and Sandra Brown, whose principal address is 825 Pine Canyon Rd. Midway City, UT 84049.

RECITALS:

- A. <u>LaBarge</u> represents that they are the owner of certain real property located in Wasatch County, State of Utah which shown in Exhibit "A" attached hereto and incorporated herein (<u>LaBarge</u> property).
- B. <u>Brown</u> represents that they are the owner of certain real property located in Wasatch County, State of Utah which is shown in Exhibit "A" attached hereto and incorporated herein (<u>Brown</u> property). The <u>LaBarge</u> property and <u>Brown</u> property are collectively refereed to herein as the "Properties".
- Brown Property is located immediately adjacent and to the <u>south</u> of the <u>LaBarge</u> property.
- The exact location of the boundary line between the LaBarge and Brown Property has been uncertain.
- E. The parties desire to agree upon the location of the boundary line between the properties.

Now, THEREFORE the parties agree that the boundary line between their respective properties shall be the following described line ("Agreed Boundary Line"):

LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, MIDWAY CITY, WASATCH COUNTY, UTAH, MORE PARTICULARLY DESCRIBES AS FOLLOWS:

BEGINNING AT A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING" AT THE CORNER OF AN EXISTING WIRE FENCE, 1791.22 FEET NORTH AND 601.47 FEET NORTH 89°17'57' EAST FROM THE SOUTH QUARTER CORNER OF SAID SECTION 27, RUNNING THENCE ALONG SAID WIRE FENCE LINE THE FOLLOWING NINE (9) COURSES: (1) SOUTH 89°13'36" EAST 79.94 FEET TO A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING"; (2) SOUTH 88°09'27" EAST 86.44 FEET TO A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING"; (3) SOUTH 87°21'57" EAST 144.43 FEET TO A FOUND REBAR AND CAP STAMPED "LEGEND ENG"; (4) SOUTH 87°08'26" EAST 63.87 FEET TO A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING"; (5) SOUTH 86°05'15" EAST 119.90 FEET TO A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING"; (6) SOUTH 87°23'30" EAST 67.33 FEET TO A FOUND REBAR AND CAP STAMPED "LEGEND ENG"; (7) SOUTH 88°40'45" EAST 68.98 FEET TO A FOUND REBAR AND CAP STAMPED "LEGEND ENG"; (8) SOUTH 87°39'56" EAST 51.54 FEET TO A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING"; (9) SOUTH 89°28'48" EAST 27.99 FEET TO A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING"; (9) SOUTH 89°28'48" EAST 27.99 FEET TO A FOUND REBAR AND CAP STAMPED "EPIC ENGINEERING"; (9) SOUTH 87°28'48" EAST 27.99 FEET TO A FOUND REBAR AND CAP STAMPED "LEGEND ENG" AND THE POINT OF TERMINATION. SAID POINT OF TERMINATION BEING 2188.62 FEET NORTH 37°27'18" WEST FROM THE SOUTHEAST CORNER OF SAID SECTION 27.

EFFECTS PARCELS 00-0015-1683, 00-006-2344 AND 00-006-2237

LaBarge hereby quit-claims to Brown any and all of its rights, title and interest in any portion of the LaBarge Property lying **south** of the **Agreed Boundary Line**.

Brown hereby quit-claims to LaBarge any and all of its rights, title and interest in any portion of the Brown Property lying **north** of the **Agreed Boundary Line**.

The conveyance of the various parcels of property by the parties set forth above is made without warranty of title and subject to: (i) any state of facts which an accurate survey or physical inspection of the property might show, (ii) all zoning regulations, restrictions, rules and ordinances, building restrictions and other laws and regulations now in effect or hereafter adopted by any governmental authority having the jurisdiction; and (iii) all reservations, easements, rights-of-way, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity.

This agreement is made for the purpose of setting a disputed boundary line and is intended for that purpose and shall run with the land and inure to the benefit of and be binding upon the heirs, assignees, successors, and transferees of the parties.

IN WITNESS WHEREOF, the parties have executed this Boundary Line Agreement as of the date first written.

MICHAEL L. LABARGE 12/4/18

Y: Any DOUGLAS BROWN DATE

JULIABARGE DATE

BY: Saudra Favrer Brown DAT

State of Utah, County Wasatch

The foregoing instrument was acknowledged before me on this 4 day of December, 2016.

By Michael Labarge & Jillabarge

Notary Public

JENNIFER SWEAT otary Public, State of Utah Commission # 698252 IV Commission Expires On December 24, 2021 State of Utah, County Wasatch

The foregoing instrument was acknowledged before me on this 4 day of De Combb, 20 18.

By Larry Duglas Brann & Sandrafarrer

Notary Public



