

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Only unpaid invoices included.

Vendor	Vendor Name	Description	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Payment Due Date
<b>Bell Janitorial Supply</b>									
2880	Bell Janitorial Supply	Vendor Address	1075567	Maintenance Cleaning Supplies -Buildings	11/20/2025	2,059.24	.00		12/12/2025
Total Bell Janitorial Supply:						2,059.24	.00		
<b>BORDER STATES INDUSTRIES Inc.</b>									
2757	BORDER STATES INDUSTRIES I	Vendor Address	931502207	Valais Restroom Heaters	11/17/2025	23.69	.00		12/10/2025
2757	BORDER STATES INDUSTRIES I	Vendor Address	931508828	Building Restroom Heaters	11/18/2025	11.37	.00		12/11/2025
Total BORDER STATES INDUSTRIES Inc.:						35.06	.00		
<b>Car Quest Auto Parts</b>									
2700	Car Quest Auto Parts	Vendor Address	15341-224099	F-250 Dump bucket truck, air compressor, Dodge 3500	11/20/2025	164.44	.00		12/12/2025
Total Car Quest Auto Parts:						164.44	.00		
<b>CASCADE DESIGN LLC</b>									
3071	CASCADE DESIGN LLC	Vendor Address	956	Retail Items for Midway Must Haves	09/25/2025	1,120.60	.00		09/25/2025
Total CASCADE DESIGN LLC:						1,120.60	.00		
<b>Celeste Johnson</b>									
2709	Celeste Johnson	Vendor Address	112025	Reimbursement to Celeste Johnson	11/20/2025	45.47	.00		12/12/2025
Total Celeste Johnson:						45.47	.00		
<b>CENTURYLINK -435-654-3924 453B</b>									
2561	CENTURYLINK -435-654-3924 45	Vendor Address	333386055 11/	Phone/Internet Service	11/07/2025	156.97	.00		12/05/2025
2561	CENTURYLINK -435-654-3924 45	Vendor Address	333386055 11/	Late Fee	11/07/2025	34.00	.00		12/05/2025
Total CENTURYLINK -435-654-3924 453B:						190.97	.00		
<b>COLONIAL FLAG &amp; SPECIALTY CO</b>									
305	COLONIAL FLAG & SPECIALTY	Vendor Address	0350179-IN	Flags-TownHall	11/17/2025	1,357.50	.00		12/10/2025

Vendor	Vendor Name	Description	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Payment Due Date
Total COLONIAL FLAG & SPECIALTY CO:						1,357.50	.00		
<b>DJB GAS SERVICES, INC</b>									
2979	DJB GAS SERVICES, INC	Vendor Address	0001636520	Welder Repair	11/18/2025	2,418.59	.00		12/18/2025
Total DJB GAS SERVICES, INC:						2,418.59	.00		
<b>Enbridge Gas</b>									
930	Enbridge Gas	Vendor Address	2731063797 11	2731063797 Community Center	11/17/2025	336.11	.00		12/09/2025
930	Enbridge Gas	Vendor Address	5770020000 11	5770020000 TOWN HALL	11/17/2025	648.50	.00		12/09/2025
930	Enbridge Gas	Vendor Address	6801020000 11	6801020000 - Admin Office	11/17/2025	73.69	.00		12/09/2025
Total Enbridge Gas:						1,058.30	.00		
<b>FINAL COMPLETION DEPOSIT</b>									
2418	FINAL COMPLETION DEPOSIT	Midway Heritage Develop	23-242 FCD	23-242 FINAL COMPLETION DEPOSIT	11/13/2025	3,000.00	.00		12/11/2025
2418	FINAL COMPLETION DEPOSIT	Tom Swapp	24-168 FCD	24-168 FINAL COMPLETION DEPOSIT	11/13/2025	3,000.00	.00		12/13/2025
Total FINAL COMPLETION DEPOSIT:						6,000.00	.00		
<b>HARBOR FREIGHT TOOLS</b>									
2166	HARBOR FREIGHT TOOLS	Vendor Address	265705	Wing Divider Measuring Tool	11/13/2025	9.66	.00		12/08/2025
Total HARBOR FREIGHT TOOLS:						9.66	.00		
<b>INTERMOUNTAIN BOBCAT</b>									
2659	INTERMOUNTAIN BOBCAT	Vendor Address	P34055	Bobcats-2 Units, air, oil, hydraulic filters	11/19/2025	1,402.84	.00		12/12/2025
2659	INTERMOUNTAIN BOBCAT	Vendor Address	P34093	Filter Replacement Bobcat	11/20/2025	845.40	.00		12/20/2025
Total INTERMOUNTAIN BOBCAT:						2,248.24	.00		
<b>MIDWAY SANITATION DISTRICT</b>									
815	MIDWAY SANITATION DISTRICT	Vendor Address	3703	Reimbursement to MSD-accidently paid to Midway City	11/13/2025	85.50	.00		11/20/2025
Total MIDWAY SANITATION DISTRICT:						85.50	.00		
<b>MOUNTAINLAND POWER EQUIPMENT</b>									
2993	MOUNTAINLAND POWER EQUI	Vendor Address	194626	BOSS Plow repair parts	11/19/2025	319.75	.00		12/12/2025

Vendor	Vendor Name	Description	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Payment Due Date
Total MOUNTAINLAND POWER EQUIPMENT:						319.75	.00		
<b>MOUNTAINLAND SUPPLY COMPANY</b>									
845	MOUNTAINLAND SUPPLY COMP	Vendor Address	S107458265.0	Blackout paint - water depart.	11/19/2025	193.31	.00		12/31/2025
Total MOUNTAINLAND SUPPLY COMPANY:						193.31	.00		
<b>Norfield</b>									
3030	Norfield	Vendor Address	3267	For Blue Stakes-Annual Renewal Invoice	12/06/2025	1,575.30	.00		12/06/2025
Total Norfield:						1,575.30	.00		
<b>ODP BUSINESS SOLUTIONS LLC</b>									
875	ODP BUSINESS SOLUTIONS LL	Vendor Address	446316950001	White Multipurpose Labels	11/12/2025	36.96	.00		12/14/2025
875	ODP BUSINESS SOLUTIONS LL	Vendor Address	446318099000	Label, Multi-Purpose, Dymo	11/11/2025	77.78	.00		12/14/2025
875	ODP BUSINESS SOLUTIONS LL	Vendor Address	446916958002	Travus-Stamp Preink Red	11/20/2025	9.69	.00		12/21/2025
Total ODP BUSINESS SOLUTIONS LLC:						124.43	.00		
<b>PREMIER TRUCK GROUP</b>									
3045	PREMIER TRUCK GROUP	Vendor Address	775773300	2018 Freight Liner- Smoke Stack Repair Parts	11/17/2025	169.24	.00		12/10/2025
Total PREMIER TRUCK GROUP:						169.24	.00		
<b>Robert Duncan Studios</b>									
2823	Robert Duncan Studios	Vendor Address	2512	Retail Items for Midway Must Haves	11/19/2025	200.00	.00		12/12/2025
Total Robert Duncan Studios:						200.00	.00		
<b>ROCKY MOUNTAIN POWER</b>									
1603	ROCKY MOUNTAIN POWER	Vendor Address	52369498-002	868 W GOLF COURSE DR Culinary Watter Valve Sch	11/12/2025	12.08	.00		12/08/2025
Total ROCKY MOUNTAIN POWER:						12.08	.00		
<b>SMITH &amp; EDWARDS WEST JORDAN</b>									
2961	SMITH & EDWARDS WEST JOR	Vendor Address	35531	Clothing Allowance- Elroy Hortin	11/11/2025	612.74	.00		12/08/2025
Total SMITH & EDWARDS WEST JORDAN:						612.74	.00		

Vendor	Vendor Name	Description	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Payment Due Date
<b>STANDARD PLUMBING SUPPLY CO.</b>									
1045	STANDARD PLUMBING SUPPLY	Vendor Address	ZNQP43	3 Yard Fertilizer	11/12/2025	170.69	.00		12/10/2025
1045	STANDARD PLUMBING SUPPLY	Vendor Address	ZNQP67	CREDIT	11/12/2025	170.69-	.00		12/10/2025
1045	STANDARD PLUMBING SUPPLY	Vendor Address	ZNRX37	Cemetery Mouse	11/12/2025	14.98	.00		12/10/2025
1045	STANDARD PLUMBING SUPPLY	Vendor Address	ZNV413	9" Lineman's Plier	11/13/2025	35.99	.00		12/10/2025
1045	STANDARD PLUMBING SUPPLY	Vendor Address	ZPG582	Christmas Tree Timers	11/18/2025	39.98	.00		12/10/2025
Total STANDARD PLUMBING SUPPLY CO.:						90.95	.00		
<b>TAP FUND</b>									
3183	TAP FUND	High Valley Arts	111225	Tap Award for Julu-Aug 2025 period	11/12/2025	10,000.00	.00		12/02/2025
3183	TAP FUND	Folklore Bookshop	11132025	Tap Award for July-Aug. period	11/13/2025	1,999.00	.00		12/03/2025
Total TAP FUND:						11,999.00	.00		
<b>THE NUT GARDEN</b>									
2988	THE NUT GARDEN	Vendor Address	577131	Tree Lighting	11/05/2025	900.00	.00		12/05/2025
2988	THE NUT GARDEN	Vendor Address	577131	Retail Items for Midway Must Haves	11/05/2025	47.52	.00		12/05/2025
Total THE NUT GARDEN:						947.52	.00		
<b>THE UPS STORE</b>									
1160	THE UPS STORE	Vendor Address	111725	Tree Lighting - Candy Bag Stickers	11/17/2025	129.80	.00		12/10/2025
Total THE UPS STORE:						129.80	.00		
<b>TIMBERLINE ACE HARDWARE</b>									
1170	TIMBERLINE ACE HARDWARE	Vendor Address	190420	Misc Nuts Bolts	11/18/2025	28.36	.00		12/10/2025
1170	TIMBERLINE ACE HARDWARE	Vendor Address	190435	Candy Canes	11/18/2025	388.66	.00		12/10/2025
1170	TIMBERLINE ACE HARDWARE	Vendor Address	190522	10" Work Wide SZ	11/20/2025	157.49	.00		12/10/2025
Total TIMBERLINE ACE HARDWARE:						574.51	.00		
<b>Travis Norman</b>									
3021	Travis Norman	Vendor Address	1011	Santa Visit-Tree Lighting	09/27/2025	300.00	.00		09/27/2025
Total Travis Norman:						300.00	.00		
<b>WASATCH AUTO PARTS</b>									
1310	WASATCH AUTO PARTS	Vendor Address	329774	Water-Closed Socket	11/12/2025	11.99	.00		12/10/2025



Midway City  
75 North 100 West

Payment Approval Report - With Due Date - Unpaid Invoices Only  
Report dates: 11/19/2025-12/2/2025

Page: 5  
Nov 24, 2025 11:51AM

Vendor	Vendor Name	Description	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Payment Due Date
1310	WASATCH AUTO PARTS	Vendor Address	329999	Bulbs for grease fittings F-550 Bed	11/17/2025	20.47	.00		12/10/2025
1310	WASATCH AUTO PARTS	Vendor Address	330070	Wire Harness	11/18/2025	15.52	.00		12/11/2025
1310	WASATCH AUTO PARTS	Vendor Address	330101	Shop	11/18/2025	85.99	.00		12/11/2025
1310	WASATCH AUTO PARTS	Vendor Address	330147	Spray Solvent	11/19/2025	145.78	.00		12/19/2025
Total WASATCH AUTO PARTS:						279.75	.00		
<b>Western Nut Company</b>									
3016	Western Nut Company	Vendor Address	I284613-IN	Candy for Christmas Tree Lighting	11/17/2025	4,477.76	.00		12/10/2025
Total Western Nut Company:						4,477.76	.00		
<b>WILDE EMBROIDERY</b>									
2799	WILDE EMBROIDERY	Vendor Address	544	Embroider Midway Logo Cinch Jacket for Gage A.	11/12/2025	7.50	.00		11/12/2025
2799	WILDE EMBROIDERY	Vendor Address	546	Embroidery-Midway Logo for Elroy Hortin & Travis Sm	11/14/2025	120.00	.00		11/14/2025
Total WILDE EMBROIDERY:						127.50	.00		
Grand Totals:						38,927.21	.00		

Dated: \_\_\_\_\_

City Treasurer: \_\_\_\_\_

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only unpaid invoices included.



# Memo

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**Date:** 28 November 2025

**To:**

**Cc:**

**From:** Brad Wilson, City Recorder

**RE:** Minutes of the 18 November 2025 City Council Regular Meeting

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Please note that the following minutes await formal approval and are in draft or unapproved form.

# **MINUTES OF THE MIDWAY CITY COUNCIL**

## **(Regular Meeting)**

**Tuesday, 18 November 2025, 6:00 p.m.**  
**Midway Community Center, City Council Chambers**  
**160 West Main Street, Midway, Utah**

**Note:** Notices/agendas were posted at 7-Eleven, The Market Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the Mayor, City Council, City Engineer, City Attorney, and Planning Director. The public notice/agenda was published on the Utah State Public Notice Website and on the City's website. A copy of the public notice/agenda is contained in the supplemental file for the meeting.

### **1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message**

Mayor Johnson called the meeting to order at 6:00 p.m. She excused Council Member Simonsen and Wes Johnson, City Engineer.

#### **Members Present**

Celeste Johnson, Mayor  
Jeff Drury, Council Member  
Lisa Orme, Council Member  
Kevin Payne, Council Member  
Craig Simons, Council Member

#### **Staff Present**

Corbin Gordon, City Attorney  
Michael Henke, City Planning Director  
Camille Palmer, Mayor's Assistant  
Nancy Simons, Accounting/Budget Officer  
Katie Villani, City Planner  
Brad Wilson, City Recorder

#### **Members Excused**

JC Simonsen, Council Member

**Note:** A copy of the meeting roll is contained in the supplemental file for the meeting.

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. Council Member Payne gave the prayer and/or inspirational message.

### **2. Consent Agenda**

- a. Agenda for the 18 November 2025 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 21 October 2025 City Council Regular Meeting
- d. Final extension of the final approval for the Labarge Subdivision located at 922 North Pine Canyon Road.

- e. Conclude the warranty period and release the remainder of the bond for the Edelweiss Meadows Subdivision located at 640 East 200 South subject to the payment of all fees due to Midway City.
- f. Release the construction bond, minus 10% and any amount for landscaping, and begin the one-year warranty period for Plat A of Southhill located at Main Street and Holly Lane.

**Note:** Copies of items 2a through 2f are contained in the supplemental file for the meeting.

Mayor Johnson read the consent agenda.

**Motion:** Council Member Simons moved to approve the consent agenda with items 2a through 2f as listed.

**Second:** Council Member Payne seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

### 3. Public Comment – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public about items that were not on the agenda.

#### Gratitude Concert

Corbin Gordon invited everyone to attend a concert, on November 25 at the Midway Town Hall, to express gratitude. The concert would be free.

No further comments were offered.

### 4. Department Reports

#### Law Enforcement / New Hires / Police Dog / New Patch

Parker Sever, Heber City Police Chief, made the following comments:

- The Heber City Police Department would hire two graduates from the Police Academy and would rehire a retired officer.

- The Department had a new police dog named Bane.
- The Department adopted a new patch that referenced Midway.

#### Council / Staff / Public Works

Council Member Drury indicated that evening would be his last meeting before his term ended and he left the Council. He thanked the City Council, staff, and the Public Works Department.

#### Ice Rink / Opening

Council Member Drury reported that the City's ice rink would open when the daytime temperatures were below 50 degrees.

#### Housing Board / Director

Council Member Payne reported that the Wasatch County Housing Authority was again considering hiring an executive director. He added that the municipalities might be asked to help pay for the position.

#### HL&P / Impact Fee

Council Member Payne reported that Heber Light & Power Company was updating the amount of its impact fee.

#### HVRR / North Pole Express / Track Repair / Assistant

Mayor Johnson reported that Heber Valley Railroad's (HVRR) North Pole Express was sold out but another car was being added. She reported on a section of track that needed to be repaired and who would be responsible for the cost. She added that an assistant had been hired for HVRR's executive director.

#### HVSSD / Pond Dredging

Mayor Johnson reported that the Heber Valley Special Service District (HVSSD) had hired an experienced contractor to dredge its most problematic sewer pond. She said that the work would be done in the winter when the smell would be reduced.

#### MSD / Rate Increase

Mayor Johnson reported that the Midway Sanitation District (MSD) would increase its rates by 5%.

#### Wasatch County Caring Coalition

Mayor Johnson reported that she would continue as a board member for the Wasatch County Caring Coalition after her term as mayor ended.

### Legislative

Katie Villani gave a presentation and reviewed the following items:

- Property taxes
- Water Infrastructure Fee Study
- State Housing Plan
- Detached ADUs as a right
- ULCT response to Governor Spencer Cox

Ms. Villani also made the following comments:

- Input was the most useful before the state legislative session began.
- It was worthwhile to meet with state legislators.
- The Utah League of Cities and Towns (ULCT) would hold training for municipal elected officials.

**Note:** A copy of Ms. Villani's presentation is contained in the supplemental file.

### Land Use / Pine Canyon PUD

Michael Henke reported on a proposed PUD on Pine Canyon Road.

### Financial Report

Brad Wilson asked if there were any questions with the September financial report provided to the Council. There were no questions.

### **5. 2025 General Election / Canvass Ballots** (City Recorder – Approximately 10 minutes) – Canvass the Ballots for the 2025 Municipal General Election.

Brad Wilson gave a presentation on the summary and precinct results for the general election.

**Note:** A copy of Mr. Wilson's presentation is contained in the supplemental file.

**Motion:** Council Member Drury moved to approve the canvass of the ballots for the 2025 Municipal General Election.

**Second:** Council Member Payne seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

**6. Zermatt Resort / Conditional Use Permit / Local Consent** (Jack Sullivan – Approximately 20 minutes) – Discuss and possibly deny, continue, or approve a conditional use permit and grant local consent for an alcohol dispensing establishment at the Zermatt Resort located at 784 West Resort Drive (Zoning is Resort). Recommended with conditions by the Midway City Planning Commission. **Public Hearing** – Public comment must be related to this item on the agenda.

Katie Villani gave a presentation regarding the request and reviewed the following items:

- Background
- Past conditions of approval
- Analysis
- Possible findings
- Proposed conditions
- Planning commission recommendation

Ms. Villani also made the following comments:

- There were changes in the ownership of Zermatt Resort. This required new liquor licenses.
- The owners wanted a hotel liquor license with sub-licenses for each restaurant, etc.
- There would not be a change in use.
- Past liquor licenses had been approved.

**Note:** A copy of Ms. Villani's presentation is contained in the supplemental file for the meeting.

### **Public Hearing**

Mayor Johnson opened the hearing and asked if there were any comments from the public.

### **Scott Eckersley**

Mr. Eckersley made the following comments:

- Owned several units in Zermatt Resort
- The previous owners paid a portion of the restaurant revenue to the property owners association (POA). The new owners, who controlled the POA's management committee, discontinued this practice.
- The restaurants, like the spa and other facilities, were private businesses on POA

- property.
- The new owners increased the POA fees.
- Asked that no new approvals be granted to the owners.

Mayor Johnson responded that she had not heard of Mr. Eckersley's concerns before. Corbin Gordon added that the issue was a private matter and separate from the request being considered that evening. He indicated that the City could not do anything to address the concerns.

Mayor Johnson closed the hearing when no further public comment was offered.

**Motion:** Council Member Drury moved to approve the conditional use permit and grant local consent for an alcohol dispensing establishment at the Zermatt Resort located at 784 West Resort Drive with the following findings and conditions:

- The proposed use was conditionally permitted within the Land Use Title and would not impair the integrity and character of the intended purpose of the subject zoning districts;
- The proposed use was consistent with the General Plan. No issues to the contrary had been identified;
- The approval of the conditional use permit for the proposed use complied with the requirements of state, federal and Midway City regulations. The applicant would obtain approval of the CUP, Local Consent, Business License, Alcohol License, and obtain and comply with all applicable state licensing requirements of the UDABS;
- There would be no potential, significant negative effects upon the environmental quality and natural resources that could not be properly mitigated and monitored. No issues had been identified;
- The design, location, size, and operating characteristics of the proposed use were compatible with the existing and future land uses with the general area in which the proposed use was to be located and would not create significant noise, traffic, or other conditions or situations that might be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare to the City. The proposed use and associated traffic were consistent with current use and used in the resort zone;
- The subject site was physically suitable for the type and density/intensity of the proposed use and had been used for a comparable use in the past;
- There were adequate provisions for public access, including internal and surrounding traffic flow, water, sanitation, and public utilities, and services to ensure that the proposed use would not be detrimental to public health and safety. No detrimental impacts had been identified;
- The proposed license would allow the sale of alcohol at the Zermatt Resort.
- The State did regulate this type of alcohol license.
- Special events on site would be required to comply with Midway City Code.
- No alcohol-related signage would be visible on the exterior of the building or on the inside, visible from the outside, including from Resort Drive and Homestead Drive.
- Signage would comply with Midway City Code

**Second:** Council Member Simons seconded the motion.

**Discussion:** Council Member Orme asked if the applicants still needed to receive state approval. Katie Villani responded that they did.



**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Nay
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

**7. Nightly Rentals / TROD** (Michael Henke, Planning Director – Approximately 60 minutes) – Discuss nightly rentals and the Transient Rental Overlay District (TROD) in Midway City.

Michael Henke gave a presentation regarding transient rentals and the TROD and reviewed the following items:

- Zoning map
- Code history
- TROD
- Map of transient rentals in Midway City
- Zoning enforcement
- Overview
- Resort tax comparison

Mr. Henke also made the following comments:

- Conditional use permits (CUP) were required for transient rentals in residential zones.
- The City enforced its transient rental regulations if someone complained.
- Concerns were raised with transient rentals in residential zones.
- Each transient rental with a separate tax ID number required a license.
- Not all transient rentals were the same.

**Note:** A copy of Mr. Henke's presentation is contained in the supplemental file for the meeting.

Brad Wilson explained the impact of transient rentals in the section of the TROD along Main Street and Center Street. He noted that 27 rentals were in this section. He added that approximately 78 rentals could be eliminated or lapse before the City could no longer levy the Resort Communities Tax.

The Council, staff, and meeting attendees discussed the following items:

- The impact of transient rentals on neighborhoods and commercial areas.
- Limiting transient rentals in residential zones.
- Transient rentals outside of the TROD should be addressed. They should be shut down.
- Transient rentals would spread throughout the City if they were not regulated.
- Were some transient rental owners not paying the appropriate taxes?
- How did the State know that Midway should receive tax revenue if the owner lived in and used an address for another city?
- Transient rentals were an abuse of Midway's residents.

- The City's transient rental regulations should be proactively enforced.
- Transient rentals outside of the TROD should be shut down or there was no reason to have the TROD.
- Why have both the resort zone and the TROD?
- Previous councils had over time reduced the areas where transient rentals were allowed.
- The TROD was created to allow transient rentals in portions of various zones.
- The issues with transient rentals had increased with the creation of online rental platforms like Airbnb and VRBO.
- Did the Council want to further reduce the areas where transient rentals were allowed?
- The General Plan recommended that the TROD not be expanded.
- CUPs were complicated because they remained with the property even if the zone changed.
- The Municipal Code did not allow CUPs to be revoked. Staff had to alleviate any problems that arose.
- A business license was easier to revoke. The City Attorney would have to determine when one could be revoked.
- All zones should be reviewed at the same time as the TROD.
- Which transient rentals would be "grandfathered" if they were no longer in the TROD? Logan City had a map that showed the "grandfathered" rights of each piece of property.
- The portion of the TROD along south center street should be eliminated.
- It was difficult to decide the boundary of a zone or district.
- The TROD needed to be better managed.
- Maintaining the resort tax had been the focus of transient rental policies.
- A lot of the problems with transient rentals would be resolved if they were eliminated in residential zones.
- The real problem was the areas where commercial zones met single family residential zones.
- The TROD had slowly grown larger.
- The City's transient rental capacity should be calculated with the addition of the approved units at Homestead and Ameyalli.
- There could be a rush of transient rental applications if the Council considered reducing the areas where they were allowed. The Council could adopt a notice of pending ordinance to address this issue.

**Motion:** Without objection, Mayor Johnson recessed the meeting at 7:58 p.m. She reconvened the meeting at 8:15 p.m.

- 8. Ordinance 2025-27 / TROD Amendment** (Mark and Wendi Richard and Dallin Twilliger – Approximately 30 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2025-27 amending the Midway City Land Use Map to expand the Transient Rental Overlay District (TROD) to include a parcel located at 71 South 200 West (Zoning is R-1-7). Recommended with conditions by the Midway City Planning Commission. **Public Hearing** – Public comment must be related to this item on the agenda.

Michael Henke gave a presentation regarding the proposed ordinance and reviewed the following items:

- Noticing
- Land use summary

- Location of the proposed expansion
- Zoning map
- Approvals and denials of similar requests
- Discussion points
- Planning commission recommendation
- Possible findings

Mr. Henke also made the following comments:

- The Planning Commission recommended that the request be denied, which was different from what was indicated on the agenda.
- A written response was provided to the Council.
- Received several phone calls in opposition to the proposal.
- The Planning Commission recommended denial because it would reduce housing stock and be disruptive to the neighborhood. Their vote was unanimous.
- The Planning Commission had recommended denial of all TROD expansions that it had considered in the last five years.

**Note:** A copy of Mr. Henke's presentation is contained in the supplemental file for the meeting.

Wendi Richard, applicant, made the following comments:

- The property was next to Harvest Restaurant.
- The community would benefit from the proposal because of tax revenue and quality of life.
- Had invested in her house.
- She owned it for 30 years.
- The proposal would support her financial needs. It would bring visitors to Midway.
- Wanted to stay in the accessory dwelling unit (ADU) above the garage and rent out the house.
- Worked in Wasatch County and this would give her a place to stay.
- The ADU had a microwave and hotplate.

Michael Henke made the following comments:

- The space above the garage did not meet the requirements for a full living unit. It could not be rented and could only be used as an overflow for the house.
- Currently the entire property could only be rented long-term.

### **Public Hearing**

Mayor Johnson opened the hearing and asked if there were any comments from the public.

### **Jodi Deputy**

Ms. Deputy made the following comments:

- Was the president of the Maisons de Saint-Prex HOA.
- Lived next to a section of the TROD and a transient rental that had 14 beds and advertised that it could accommodate 14 guests. Corporate and swinger parties had been held at the rental. Some parties had over 100 guests.
- Neighbors had to patrol transient rentals.
- Better and dedicated enforcement was needed.
- The size of the TROD should be reduced rather than increased.
- Another seven houses would be built in the section of the TROD next to her house.

#### Lynette Wilson

Ms. Wilson made the following comments:

- Lived around the corner from the proposed TROD expansion.
- Opposed the expansion.
- Her neighbors also opposed the expansion.
- The Planning Commission recommended against it.
- The Council had allowed the TROD to expand.
- What was the benefit of expanding the TROD? Council Member Orme responded that transient rentals were second residences and were levied double the property taxes.
- The community was more important than transient rentals.
- The City should not rely on transient rentals for its tax revenue.
- Moved to Midway because it was an agricultural community rather than a resort town.

#### Howard Weinstein

Mr. Weinstein made the following comments:

- Lived in the Maisons de Saint-Prex
- He and other neighbors had been subjected to many violations by a transient rental owner.
- The transient rental next to them had not been licensed for many months.
- Did not want another seven houses built and then become transient rentals or even "party houses".
- The owner of the transient rental did not care about the neighbors.

#### Ray Fecteau

Mr. Fecteau made the following comments:

- Lived across the street from the proposed TROD expansion.
- Was never notified when Harvest Restaurant added a parking lot and trash dumpsters. The dumpsters were on the edge of the property, and he had to avoid them to back out of his driveway.
- He and the applicant were really in a commercial zone even though their properties were zoned residential.
- They had to deal with the parking issues created by the commercial zone.
- The proposed expansion was close to Main Street.

- The applicant needed the expansion to survive.
- If the transient rental became a problem, then the City could shut it down.
- He and his neighbors were already being forced into a commercial area.
- Their street was shut down during Swiss Days.
- Asked the Council for grace and empathy.
- Was a friend with the applicants.

Mayor Johnson closed the hearing when no further public comment was offered.

Council Member Orme stated that the applicants were in a hard situation because they lived in a commercial area.

Council Member Payne made the following comments:

- Rented a house in The Cascades at Soldier Hollow. The house had previously been known as a “party house”. The HOA eventually prohibited transient rentals.
- The issue was tough especially because the applicant lived next to a commercial zone.
- Was concerned about the areas where commercial and single-family residential zones met.
- The property was not governed by an HOA with the ability to restrict transient rentals.
- The TROD was gradually expanding.
- The adjoining property owners could request an expansion.
- Should maintaining the Resort Tax guide the City’s land use decisions?
- Transient rentals should be eliminated from residential zones.

Council Member Simons made the following comments:

- It was an important point that the proposed expansion was next to a business. This was why each TROD expansion request should be handled separately.
- It was more important to hear from the neighbor across the street than the neighbor down the road.
- Liked Swiss Days which was an important part of Midway.
- Voted against other TROD expansions.

**Motion:** Council Member Simons moved to approve Ordinance 2025-27 amending the Midway City Land Use Map to expand the Transient Rental Overlay District (TROD) to include a parcel located at 71 South 200 West with the following findings and recommendations:

- The principle of the TROD be the first or second item reviewed when the Council reviewed all the City’s zoning. It should be defined at that time and not changed again.
- The applicants were people.
- He watched them work on their house.
- They beautified it and made it inviting.
- They would not let it become a “party house”.

**Second:** Council Member Orme seconded the motion.

**Discussion:** Council Member Payne asked if the applicants would be subject to the next agenda item if it was adopted by the Council. Michael Henke responded that the code change

would apply to the applicants because they would still need to apply for a CUP and a transient rental license.

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Nay
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

Council Member Drury indicated that the decision was difficult because the area of the TROD might be reduced or someone else might want to change the TROD boundaries.

Mayor Johnson reviewed the points from the earlier discussion of transient rentals. She made the following comments:

- Spoke with Council Member Simonsen prior to the meeting and he would have voted against the expansion.
- That evening the council talked for about an hour about reducing the size of the TROD then it voted to expand it.
- Appreciated the fairness of staff.
- The Council needed to consider not just the current owners of the property but also future owners when making a decision.
- The sense of community was lost with too many transient rentals.
- Midway was at a tipping point, and transient rentals would continue to be a big issue.
- Understood that the applicants had a parking lot built next to their property.

**9. Ordinance 2025-17 / Short-Term Rentals** (Michael Henke, Planning Director – Approximately 45 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2025-17 amending the Midway City Municipal Code redefining short-term rentals and clarifying that the entire dwelling unit must be rented by one entity.

Michael Henke gave a presentation regarding the proposed ordinance and reviewed the following items:

- Background
- Proposed amendments

Mr. Henke also made the following comments:

- The City Council requested to review the City's short-term rental code.
- Advertising could not be used to shut down transient rentals.
- Some minor changes had been made since the proposed ordinance was provided to the Council.
- The required sign on the outside of a transient rental would be small and close to the main door. It would not be allowed next to the street.
- Some transient rental units, like those in Zermatt Resort, had lockouts which could create one or more additional rentable units.

**Note:** A copy of Mr. Henke's presentation is contained in the supplemental file for the meeting.

Katie Villani made the following comments:

- The proposal could hold transient rental owners liable with the loss of their license or by fines. The fine would be up to \$1,000.
- It also made managers liable.
- A lot of owners were trying to also be the manager or have a relative be the manager. They usually were not active managers.
- It required that the City Council not staff revoke the license. An appeal would go to district court.
- The City needed to know when the manager's list of rentals changed.
- It was a significant time drain for staff when they did not have access to the most current information.

The Council, staff, and meeting attendees discussed the following items:

- The ordinance needed to be enforced if it was adopted.
- It was easier for a local manager to hold renters accountable.
- A fine that was too low would just be considered a cost of business by the owner.
- A revoked license should not be granted again for one year instead of six months.
- A license should be revoked after a certain number of violations.
- A manager that oversaw many transient rentals would not want their license revoked because of problems with one rental.
- Regulations should be strong enough to stop repeat offenders.
- There should be an option for a permanent revocation.
- The manager's license should be the first to be revoked. Both the manager's and the owner's license should be revoked. A manager should not lose their entire business because of one bad owner or rental. There were different considerations for managers and owners.
- Requiring a manager's company to be in Midway was too limiting. There were too few managers available in Midway. This almost created a monopoly. The managers had high fees. Managers from Wasatch County should be allowed with a Midway business license still required. A manager in Timber Lakes would be 20 minutes away. A physical location should be required in the County.
- Managers currently had to have their business in Midway's commercial zone.
- Should home offices be allowed?
- Should managers from Summit County be allowed? Would they even be interested?
- Should basic information on all renters be required?
- Managers needed to have a 24-hour on-call service.
- Permanent revocation should apply to the owner and not the property.

**Motion:** Council Member Drury moved to continue the item.

**Second:** Council Member Simons seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

Michael Henke indicated that the proposed ordinance would be considered again at the December 3<sup>rd</sup> council meeting.

**10. Parking Lot Fencing / Award Contract** (Wes Johnson, City Engineer – Approximately 10 minutes) – Discuss and possibly approve a contract to install fencing around a public parking lot located at 70 East Main Street.

Brad Wilson gave a presentation regarding the fencing and reviewed the following items:

- Parking lot after the recent improvements
- Submitted fencing bids
- Proposed type of fence

**Note:** A copy of Mr. Wilson's presentation is contained in the supplemental file for the meeting.

The Council, staff, and meeting attendees discussed the following items:

- A fence was needed to keep the vehicle headlights from shining into the neighboring properties. Neighbors complained about headlights since the parking lot was built.
- There would not be a fence next to the commercial property on the east side.
- The existing white fence on the west side would be removed.
- A fence would take away from the open and rural feel.
- Should the existing white fence be expanded instead of removed to save money?
- The quote from the low bidder had expired but they confirmed that it would still be honored.
- Removal of the existing fence was not included in the bid. The City Engineer recommended that the fence be cut off instead of removed to prevent damage to the new curb and asphalt.
- The new fence would be identical to the one on the west side of the City's cemetery and have steel posts and vinyl slats.
- The neighbors to the west and south were expecting the City to install the fence.
- The owners to the south had the biggest complaint. The owners to the west had been good to work with. The owners to the southeast had a half-height fence that they wanted to remain. The fence next to the commercial property would drop down to provide better visibility for drivers leaving the lot.
- Drivers would go into the parking lot on the west side and leave on the east side.
- Some of the neighbors would allow the City to use some of their property for the fence.
- The fence would be six feet high. That height was needed because the property was not



- flat and headlights would shine over a lower fence.
- The City had made the same requirements of multiple developers.
- People came to Midway for a rural feel and no site obscuring fences.

**Motion:** Council Member Simons moved to award the contract to install fencing to American Vinyl, LLC, for \$29,800 with half down, if the Public Works Department removed certain existing fencing, then they needed to be sensitive to the curb and asphalt.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

**11. Resolution 2025-31 / Budget Amendment** (Nancy Simons, Financial Officer – Approximately 10 minutes) – Discuss and possibly deny, continue, or approve Resolution 2025-31 amending the Fiscal Year 2026 Budget regarding improvements to a public parking lot at 70 East Main Street and other items. **Public Hearing** – Public comment must be related to this item on the agenda.

Nancy Simons made the following comments:

- She provided a memo to the Council detailing the budget amendment.
- Item #5 in the memo covered changes to the Capital Improvement Projects (CIP) Fund.
- Repairs to Bigler Lane were being done with a developer which would save the City \$38,000.
- Additional work at Alpenhof Park, and not just the payment of the retainer, needed to be included in the budget.
- One vehicle had been booked into the Water Fund. 50% of its cost needed to be moved to the CIP Fund.

Council Member Drury reminded the Council that the City had a vehicle replacement fund. Ms. Simons noted that revenue from the sale of vehicles was booked into the General Fund but could be moved to where it was needed. The Council agreed that it should be moved to the vehicle replacement fund.

### **Public Hearing**

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

**Motion:** Council Member Drury moved to approve Resolution 2025-31 amending the budget as

noted in the packet.

**Second:** Council Member Orme seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

**Motion:** Council Member Drury moved to continue the meeting to consider Item #12.

**Second:** Council Member Payne seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

**12. Appointment Process** (Corbin Gordon, City Attorney – Approximately 15 minutes) – Discuss amending the Midway City Municipal Code regarding the process for appointing members to commissions, boards, and committees.

Corbin Gordon reviewed the separation of powers in municipal government. He made the following comments:

- The Mayor was the executive branch and City Council was the legislative branch of Midway's government,
- The Mayor had the power to make appointments.
- The City Council wanted to participate in the nomination process. However, the Council had no say in nominations. They could simply approve or deny a nomination. The Mayor would make another nomination if the first was denied.
- This process was governed by state statute.

Council Member Orme made the following comments:

- Was concerned that State Code now gave the Planning Commission more control over development.
- Was worried that a future mayor would "stack" a planning commission with members that had a certain viewpoint.

Mayor Johnson indicated that a council could always vote down a mayor's nomination. Katie Villani added that the Planning Commission's powers did not increase, but it now made recommendations to staff instead of the council. Michael Henke noted that the planning commission now only considered a development once instead of twice.

Corbin Gordon recommended that no changes be made to the current appointment process.

**Motion:** Council Member Orme moved to continue the meeting to consider Item #13.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Excused from the Meeting

**13. IT Services / Award Contract** (Brad Wilson, City Recorder – Approximately 15 minutes) – Discuss and possibly award a contract for managed IT services for Midway City.

Council Member Drury made the following comments:

- Recommended IT Now for selection as the City's new managed IT provider.
- The City Attorney and Mayor were reviewing the contract.
- If the company was purchased or its service changed, then the City could exit the contract.
- Recommended that the Council allow the Mayor and City Attorney to finalize the contract and if needed come back for approval.

Nancy Simons noted that \$40,000 had been included in the budget for work on the City's Wi-Fi. She asked if that would still happen. Council Member Drury responded that was a different budget item.

**Motion:** Council Member Drury moved to award the IT services contract to IT Now with the cost as specified in the packet with the following conditions:

- The City Attorney and Mayor continue to finalize the red lines in the agreement.
- They were given the authority to accept the red lines or bring the agreement back to the Council if necessary.

**Second:** Council Member Orme seconded the motion.

**Discussion:** Council Member Simons asked if the onboarding fee could be negotiated. Council Member Drury responded that the other proposals that did not have an onboarding fee had

higher monthly costs. He added that the onboarding fee covered some of the cost that would allow the City to exit the contract in one year. He noted that it was a substantial cost to onboard a customer.

Council Member Simons asked if Council Member Drury knew the company. Council Member Drury responded that the company was local with its office in Pleasant Grove. He added that its support desk was local.

Council Member Simons noted that IT had been a frustration for two years.

**Vote:** The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

**14. City Council / Midterm Vacancies** (Corbin Gordon, City Attorney – Approximately 20 minutes) – Discuss the process for filling midterm vacancies on the City Council.

Corbin Gordon gave a presentation regarding midterm vacancies and made the following comments:

- There would be a vacancy on the council when Council Member Simons became mayor.
- The City could require that interested candidates fill out an application that included specific questions.
- The position had to be vacated before the vacancy could be noticed.
- The vacancy would occur on 5 January 2025 at noon.
- If Council Member Simons resigned sooner, then the noticing and related process would begin sooner.
- Questions on the application would keep interviews focused.
- Asked that the Council provide potential questions to him.
- Council Member Simons could vote on his replacement.
- Suggested giving each applicant a certain amount of time to speak to the Council.

**Note:** A copy of Mr. Gordon's presentation is contained in the supplemental file for the meeting.

**15. Closed Meeting**

A closed meeting was not held.

**16. Adjournment**

**Motion:** Council Member Simons moved to adjourn the meeting. Council Member Drury seconded the motion. The motion passed unanimously.

The meeting was adjourned at 10:16 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

DRAFT

Midway City Council  
75 N 100 West  
Midway, UT 84049

November 24, 2025

*Via Email*

**Re: Homestead Project Update and Request for Brief Extension of Compliance Dates for Conditions of Approval #12 and #20.**

The Honorable Midway City Mayor and Councilmembers:

The Homestead Group has been working diligently for the past year to complete the outstanding items from Resolution 2024-21 and are providing the following updates:

**1. Dark Sky Lighting**

Conversion of the existing lighting on the property is substantially complete, and all existing lighting will be updated to Dark Sky compliant lighting by January 15, 2026. Contractors are waiting for additional updated, code-compliant replacement lighting fixtures to arrive. Accordingly, we are asking for an extension of Condition of Approval #12 until January 15<sup>th</sup>, 2026. All new construction on the property will comply with Midway City Dark Sky ordinances.

**2. Conservation Easement**

We have been working with Summit Land Conservancy ("Summit Land") to secure a conservation easement on all portions of the golf course contained within the Homestead MPDA, in accordance with Condition of Approval #20. In our initial conversations with Summit Land, we discovered that Summit Land only able to hold a conservation easement on the roughly 16.5 acre parcel off of Lime Canyon Road (parcel 00-0022-2049). Summit Land will not agree to hold a conservation easement on the many smaller pieces that make up the golf course within the MPDA boundaries. From Summit Land's perspective, those parcels are too closely intertwined with neighboring residential backyards to qualify for a conservation easement.

We have moved forward with Summit Land on perfecting a conservation easement for Parcel 00-0022-2049. To date, the following items have been completed:

- A.** Summit Land's Board voted to move forward with the project
- B.** Summit Land and The Homestead Group have signed a Letter of Intent outlining the proposed conservation easement terms and conditions
- C.** An initial baseline study contribution was made to Summit Land
- D.** The Baseline Study on the 16.5 acres was completed

**E. Title Report provided to Summit Land**

While all of the above items have been completed, the Homestead Group has hit a substantial obstacle in the process. Summit Land, like all third-party conservation groups, requires that each conservation easement be in “first position” on the property or that any existing loans be subordinated to the conservation easement.

The Homestead Group has negotiated, and is currently negotiating, with its existing lenders to subordinate its current loans on the 16.5-acre open space parcel to the conservation easement. However, as one can imagine, obtaining a lender’s consent to subordinate its security interest to a third party can be a lengthy endeavor. Accordingly, the Homestead Group requests a 4-month extension of Condition of Approval #20 to allow for the sooner of: 1) the existing lenders’ subordination of their loans to the conservation easement; or 2) the removal of the 16.5 acres as collateral from the existing loans. Both courses of action will allow for recordation of the conservation easement by April 1, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lauren Bolger', with a stylized, cursive script.

Hoffman Law  
Lauren Bolger



## RESOLUTION 2025-32

### **A RESOLUTION EXTENDING THE DEADLINE FOR THE HOMESTEAD GROUP, LLC TO RECORD CONSERVATION EASEMENT(S) ON OPEN SPACE PARCELS 1-7 IN PHASES 1 AND 2 OF THE HOMESTEAD RESORT**

**WHEREAS**, the Midway City Council adopted Resolution 2024-21 on 20 August 2024;  
and

**WHEREAS**, Resolution 2024-21 recognized certain findings of fact, conclusions of law,  
and conditions of approval for the Homestead Resort – Phases 1 and 2; and

**WHEREAS**, the following condition of approval was included in Resolution 2024-21:

20. Conservation Easement(s): A conservation easement shall be placed on Open Space  
Parcels 1-7, as designated on the proposed plats, which represent previously designated  
open space per MPDA located outside of the resort core. The conservation easement shall  
be held by an accredited land trust. Conservation easements shall be recorded no later  
than December 1, 2025.

**WHEREAS**, the Homestead Group has requested an extension of the recording deadline  
for the conservation easement(s) from December 1, 2025 to April 1, 2026; and

**WHEREAS**, the Midway City Council and Midway City General Plan encourage an  
open and rural feel within Midway City; and

**WHEREAS**, the City Council desires to protect and preserve open space; and

**WHEREAS**, preserving Open Space Parcels 1-7 will encourage an open and rural feel  
and protect and preserve open space; and



**WHEREAS**, extending the conservation easement recording deadline will assist in preserving Open Space Parcels 1-7.

**NOW THEREFORE**, the City Council has determined that there is an important and compelling public interest in extending the deadline.

**BE IT RESOLVED**, by the City Council of Midway City, Wasatch County, State of Utah:

*The deadline to record the conservation easement for Open Space Parcels 1-7 shall be extended from December 1, 2025 to April 1, 2026.*

This resolution shall be effective immediately upon passage.

**PASSED AND ADOPTED** by the Midway City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

MIDWAY CITY

\_\_\_\_\_  
Celeste Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Brad Wilson, Recorder

(SEAL)



# Midway

## RESOLUTION

### 2024-21

#### A RESOLUTION APPROVING THE FINAL PLAN FOR THE HOMESTEAD RESORT PHASES 1 AND 2

**WHEREAS**, the City, acting pursuant to its administrative authority under Utah Code Ann. §10-9a-101, *et. seq.*, in compliance with the Midway City Land Use Ordinance, and in furtherance of its land use policies, goals, objectives, ordinances and regulations, has made certain determinations with respect to the proposed Homestead Resort – Phases 1 and 2, located at approximately 700 North Homestead Drive in Midway, Utah (hereinafter referred to as the “Project”);

**WHEREAS** in order to advance the policies, goals, and objectives of the City, and to promote the health, safety, and general welfare of the public, the City makes the following Findings of Fact, Conclusions of Law, and Conditions of Approval to approve the final plans for the proposed Homestead Resort – Phases 1 and 2:

#### FINDINGS OF FACT

1. THE HOMESTEAD GROUP, LLC (the “Developer”) owns certain real property located in the City, as described in Exhibit A (the “Property”) attached hereto and incorporated herein by this reference.
2. Developer warrants and represents that it has the legal authority to sign this Agreement and bind the Property as set forth herein.
3. The Project is located in the Resort Zone and is subject to a 2008 Master Plan Development Agreement, that has been amended on two (2) occasions (together, the “MPDA”).
4. The Applicant’s proposal is located on 71.97 acres and includes 68 new condominium units, five (5) new single-family dwellings, two (2) new cottages that will be operated as part of the resort bed base, seven (7) resort amenity buildings, open space, and all existing resort buildings and accompanying facilities.

5. There are two (2) phases in the proposed plan for the development. Both phases encompass a total of 71.97 acres and contain a total of 55.79 acres of open space. Phase 1 encompasses 35.44 acres and Phase 2 encompasses 20.35 acres.
6. A total of 55.79 acres of open space (77.5%) is currently proposed within the Project.
7. There is a FEMA floodplain that crosses the property.
8. The Property contains some wetlands and geologically sensitive lands that the Applicant proposes will not be disturbed through the development process.
9. The Crater is defined in the Municipal Code as a major geological feature in the sensitive lands ordinance and cannot be developed or disturbed, although the Crater has been developed in several ways over the past century.
10. The Applicant held a public participation meeting on March 7, 2024.
11. Under the MPDA, the Applicant may develop 453 rooms on site with a maximum building footprint of 367,750 square feet.
12. The Applicant has proposed that some of the Property will be subdivided into condominium units that will be part of the short-term rental pool.
13. The Applicant's proposal includes +/- 264 total rooms. At this time, the number of rooms that will be added to the resort will be approximately 139, which brings the total number to approximately 264 once construction is complete (this number is approximate because it is unknown how many rooms will be in the single-family dwellings).
14. The Applicant has proposed a maximum building footprint of 238,376 square feet.
15. The proposed development is designed with the setbacks from the 2006 code in which the MPDA is vested.
16. The proposed plan has an average building coverage of 3,312 square feet per acre which is 9% per acre.
17. The Applicant has received a determination from the Visual and Architectural Committee (VAC) that all structures in the Final Plan proposal follow the traditional architectural design of the Homestead and not the Swiss and Old European theme the City has adopted. Additionally, per the MPDA, "Building materials and colors that are compatible with the natural environment and the existing buildings in the Homestead are encouraged."
18. The Applicant has proposed that all roads in the development will be private roads.
19. The Applicant has proposed that there will be a mix of public and private trails throughout the development and that sensitive land areas located on the Property, and identified in the Final Plan will be left undisturbed.
20. The Applicant is initially seeking to construct 465 parking stalls, which is roughly 40 more stalls than is required. The Applicant has committed that, at a minimum, 510 stalls will be built onsite at final build out. The MPDA gives the City the ability to require up to 608 parking stalls if it is determined by the Planning Director and the City Engineer that there is a lack of parking.
21. Once Phases 1 and 2 are approved, they will take several years to construct. The City has received concerns, comments, and complaints about the construction and related debris from neighbors causing the City concern about the timing of certain landscaping requirements.
22. The Applicant has submitted a Landscaping Plan that the City has approved, attached hereto as Exhibit B.
23. The City has accepted the Applicant's photometric study submission. Based on this study, the Applicant has committed to install bollard lighting in the parking lots to minimize light trespass from the southern parking area to the residences in The Links.
24. The City and the Applicant have entered into a separate Memorandum of Understanding for the construction of a replica of an "historic" cabin.



## CONCLUSIONS OF LAW

1. The Project is allowed in the Resort Zone.
2. The proposed density is far less than the density allowed in the MPDA.
3. Pursuant to the MPDA, upon approval of a new application for preliminary and final plan, the Applicant remains allowed to increase the building area up to 367,750 square feet and the number of rooms up to a total of 453 rooms.
4. Structures cannot exceed 35-feet in height *unless* the building is a hotel or conference building and that building is located at least 500-feet east of the right-of-way of Homestead Drive. The height of any structure over 35-feet cannot exceed an elevation of 5680 feet, two (2) feet lower than the highest elevation of the Crater. All future elevation certificates will be based on natural grade and shall comply with the provisions of the MPDA.
5. As part of this application, the Applicant has received approval for one (1) proposed building to be a maximum of 40-feet in height, measured from natural grade, to be within 500-feet of Homestead Drive. This proposed wedding barn is setback approximately 150-feet from the right-of-way line from Homestead Drive. The VAC reviewed this issue and gave direction that the 40-foot height would be acceptable based on the following: the relatively large distance from Homestead Drive to the proposed structure, elevation drop from Homestead Drive to the location of the wedding barn, and that the location of the wedding barn would not greatly impact views of the Crater from Homestead Drive.
6. The Final Plan complies with a required 100-foot setback along Homestead Drive.
7. The Final Plan complies with required 30-foot setbacks on the north, south, and east boundaries.
8. The Final Plan complies with the 2006 code (in which the MPDA is vested), which requires that building coverage not exceed 12,000 square feet per acre or greater than 27.5% of an acre.
9. The Applicant's proposal to construct 465 parking stalls is roughly 40 more stalls than is required.
10. The MPDA gives the City the ability to require up to 608 parking stalls if it is determined by the Planning Director and the City Engineer that there is a lack of parking.
11. The MPDA gives the City the ability to require additional parking stalls to be constructed if it is determined by the Planning Director and the City Engineer that there is a lack of parking.
12. The City Code requires 55% open space within the entirety of the Property. The Project complies with City Code.

## CONDITIONS OF APPROVAL

1. Payment of Fees: Prior to plat recordation or building permit issuance, Applicant agrees to pay all legally imposed Midway City fees as a condition of developing the Project, including all outside consultant (engineering and attorney) fees reasonably incurred by the City in relation to the Project.
2. Simultaneous Recording of Plats: All plats for Phases 1 and 2 will be recorded simultaneously.
3. Water Rights and Water Service: The required water rights for each phase will be dedicated to the City before the recording of each plat. A total of 182.46 acre-feet shall be dedicated to the City for this proposal. The Water Advisory Board has recommended an estimated 87.19 acre-feet for the "new development" in Phase 1 and Phase 2. Of the 87.19 acre-feet required, 65.94 acre-feet shall be dedicated for Phase 2 and the remaining balance of 21.25 acre-feet shall be dedicated for Phase 1. An additional 95.27 acre-feet shall be dedicated to the City for the open space parcels in the Phase 1 plat.
4. Open Space: The City Code requires 55% open space across the entire Property. A total of 55.79 acres of open space (77.5%) is currently planned across both phases of the Project. The open space areas as shown on the proposed Final Plan shall be noted on the plats, except for the Crater,

the 100-foot setback area, and the area east of the Crater noted in the Master Plan, and shall not be developed.

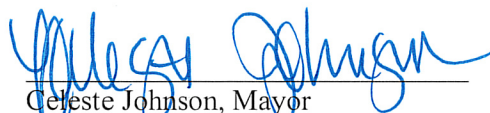
5. Density: The proposed new development within the Project includes 68 new condominiums, five (5) new single-family dwellings, two (2) new cottages that will be operated as part of the resort bed base, and seven (7) resort amenity buildings.
6. Building Area: The Applicant shall limit development within the Project to a maximum building footprint area of 238,376 square feet until such time as it applies for and receives preliminary and final plan approval for additional building footprint area consistent with the MPDA.
7. Access: The Project is approved with four (4) access points that shall be built to City standards: two (2) from Homestead Drive, one (1) from The Kantons (existing), and one (1) from The Links (existing). The Applicant shall improve or “bond for” the access from The Links prior to recordation of a plat amendment to develop the Convertible Land contained in Phase 2. There is a fifth access to Pine Canyon Road that will continue to be a maintenance road.
8. Sensitive Lands: If any jurisdictional wetlands are proposed to be disturbed, approval must first be obtained from the Army Corps of Engineers. The Applicant shall not development or modify the pot rock in designated Sensitive Land areas in any way. Sand and pavers can be placed on the pot rock around the Crater to create safe and walkable surfaces. Improvements in the floodplain require compliance with the City’s NFIP ordinance and may require Army Corps of Engineers approval.
9. Trails: The Applicant’s Final Plan contains one (1) public trail that will parallel Homestead Drive. This trail must be “bonded for” and finished by November 30, 2024 in compliance with all City construction standards.
10. Architectural Theme: All buildings will be reviewed by the Visual and Architectural Committee and staff for conformity with the traditional architectural design of the Homestead (and not the Swiss and Old European theme that the City has adopted) before building permits are issued.
11. Required Landscaping/Southern Parking Lot: Landscaping shall be installed along the southern and northern boundaries of the Homestead, in accordance with the Landscaping Plan attached hereto as Exhibit B, by June 21, 2025. The precast wall along the southern boundary of Phase 2 (the condominium plat) shall be installed as soon as possible. No vertical construction of the condominiums shall occur in Phase 2 until the southern wall is installed. The northern boundary fence of Phase 1 (the resort plat) shall be “bonded for” prior to plat recordation and installed by June 21, 2025.
12. Resort Lighting: All existing lighting on the property shall be brought into compliance with Midway City code by December 1, 2025.
13. Homestead Drive/State Route 222 Improvements: A UDOT permit shall be submitted to the City for the new access and other required improvements to SR 222 before any Homestead-related construction commences on Homestead Drive.
14. Sewer Connection: The Project shall connect to the existing Midway Sanitation District sewer lines located in the area.
15. Construction Traffic: All construction traffic for all Project improvements shall meet all reasonable requirements imposed by the Midway City Planning and Engineering Departments.
16. Duration of Final Approval: The duration of final plat approval shall be for one (1) year from the date of final approval of the development by the City Council. Should a final plat not be recorded with the County Recorder within this one-year period, the Applicant shall reapply for final plat approval, unless, on a showing of extenuating circumstances, the City Council extends the time limit for plat recording, with or without conditions.
  - a. Each extension will be for a one-year period only, after which time an annual review must be presented before the City Council; and/or
  - b. No more than three (3) one-year extensions will be allowed.



17. Assurances: Prior to recordation of a plat for Phase 1 or Phase 2, Applicant agrees to post an infrastructure improvement assurances for 100% of the engineer's estimated cost of required public improvements approved in this Final Plan. However, infrastructure required for that portion of Phase 2 located in the "Convertible Land" shall not be bonded for until Applicant records a plat amendment for Phase 2 to develop the "Convertible Land."
18. Warranty: Consistent with City standards, the Applicant will provide a one-year warranty for the construction of all dedicated public improvements to the standard approved herein and shall post an infrastructure warranty assurance in the amount of 10% of the lesser of the engineer's estimated cost of such improvements, or the Applicant's demonstrated cost of construction.
19. City's Right to Draw From Construction Assurance: If the Applicant is required to perform any work within the public right-of-way, and the work is not completed by the City's established deadlines, the City shall have the right to draw funds from the Applicant's performance and other assurances to complete the work.
20. Conservation Easement(s): A conservation easement shall be placed on Open Space Parcels 1-7, as designated on the proposed plats, which represent previously designated open space per the MPDA located outside of the resort core. The conservation easement shall be held by an accredited land trust. Conservation easements shall be recorded no later than December 1, 2025.
21. Parking: All required parking for each building and use shall be completed before the Certificate of Occupancy is issued for each building in both phases.
22. Occupancy Restrictions: Permanent occupancy is prohibited in the project. The CC&Rs for each portion of the project shall restrict an individual's occupancy of any Unit to no more than 90 days total per year. Midway City shall be a third-party beneficiary of all occupancy restrictions in project CC&Rs.

**PASSED AND ADOPTED** by the Midway City Council on the 20 day of Aug., ~~2025~~. 2024

**MIDWAY CITY**

  
Celeste Johnson, Mayor

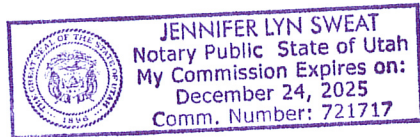
**ATTEST:**

  
Brad Wilson, City Recorder



STATE OF UTAH                     )  
  :SS  
COUNTY OF WASATCH         )

The foregoing instrument was acknowledged before me this 10 day of march, 2025, by Celeste Johnson, who executed the foregoing instrument in her capacity as the Mayor of Midway City, Utah, and by Brad Wilson, who executed the foregoing instrument in his capacity as Midway City Recorder.



  
NOTARY PUBLIC

**EXHIBIT A**

(Legal Description of the Property)



## BOUNDARY DESCRIPTION FOR THE HOMESTEAD RESORT

BEGINNING AT A POINT WHICH IS S00°44' 55" W 1574.23 AND EAST 1012.28 FEET FROM THE WEST ONE-QUARTER CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION BEING S00°44'55"W BETWEEN FOUND WASATCH COUNTY SURVEY MONUMENTS MARKING THE WEST ONE-QUARTER CORNER AND THE SOUTHWEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN) SAID POINT OF BEGINNING BEING ON THE SOUTH BOUNDARY OF THE REBECCA WINTERS BENNETT FAMILY TRUST PROPERTY AS REFERENCED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED AS ENTRY 546456 IN THE OFFICIAL RECORDS OF WASATCH COUNTY, UTAH;

RUNNING THENCE ALONG SAID BENNETT PROPERTY BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) N88°56'05"E 200.41 FEET, (2) N02°04'22"W 141.90 FEET TO THE SOUTH BOUNDARY OF THE FOX POTS SUBDIVISION AS REFERENCED IN THAT CERTAIN SUBDIVISION PLAT RECORDED AS ENTRY 445262 OF SAID OFFICIAL RECORDS; THENCE S88°59'49"E 761.90 FEET ALONG SAID SOUTH BOUNDARY AND ALONG THE SOUTH BOUNDARY OF THE KANTONS AT VILLAGE GREEN P.U.D. RECORDED AS ENTRY 417897 IN SAID OFFICIAL RECORDS; THENCE S00°48'00"W 17.93 FEET; THENCE ALONG THE MIDWAY VILLAGE P.U.D. A BOUNDARY AS REFERENCED IN THAT CERTAIN SUBDIVISION PLAT RECORDED AS ENTRY 286739 IN SAID OFFICIAL RECORDS, THE FOLLOWING TWO (2) COURSES: (1) S89°12'00"E 725.99 FEET, (2) S00°23'46"W 432.03 FEET TO THE DALE MUIR PROPERTY AS REFERENCED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED AS ENTRY 554073 IN SAID OFFICIAL RECORDS; THENCE ALONG THE DALE MUIR PROPERTY WEST 58.36 FEET TO THE CENTERLINE OF SNAKE CREEK AS DESCRIBED IN THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED AS ENTRY 322243 IN SAID OFFICIAL RECORDS; THENCE CONTINUING ALONG SAID MUIR PROPERTY AND SAID SNAKE CREEK CENTERLINE THE FOLLOWING THIRTEEN (13) COURSES: (1) S20°04'10"W 24.23 FEET, (2) S03°22'41"E 117.40 FEET, (3) S23°59'06"E 66.40 FEET, (4) S23°58'41"E 51.44 FEET, (5) S50°36'38"E 13.27 FEET, (6) S10°18'45"E 83.89 FEET, (7) S16°59'34"E 46.71 FEET, (8) S27°26'13"E 32.03 FEET, (9) S71°08'10"E 15.91 FEET, (10) S32°29'25"E 63.20 FEET, (11) S40°50'46"E 62.96 FEET, (12) S11°19'10"E 179.07 FEET, (13) S18°13'56"W 34.35 FEET TO THE NORTH BOUNDARY OF THE SWISS CREEK P.U.D. A SECOND AMENDED RECORDED AS ENTRY 247837 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID NORTH BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) WEST 197.37 FEET, (2) N00°53'42"E 7.25 FEET, (3) WEST 131.99 FEET; THENCE NORTH 230.04 FEET; THENCE N88°00'06"W 134.69 FEET TO THE LINKS AT THE HOMESTEAD P.U.D. PLAT B BOUNDARY RECORDED AS ENTRY 324083 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID LINKS P.U.D. BOUNDARY THE FOLLOWING FOUR (4) COURSES: (1) N00°01'36"W 528.67 FEET, (2) S89°58'24"W 197.77 FEET, (3) S00°01'36"E 212.68 FEET, (4) S09°18'54"W 714.45 FEET; THENCE N89°46'27"W 201.95 FEET; THENCE S07°52'02"W 46.72 FEET; THENCE N81°22'32"W 30.26 FEET; THENCE S83°02'32"W 53.86 FEET; THENCE WEST 22.88 FEET; THENCE N55°13'25"W 12.34 FEET; THENCE WEST 102.28 FEET; THENCE NORTH 72.00 FEET; THENCE WEST 59.01 FEET; THENCE NORTH 81.22 FEET; THENCE N17°44'29"W 86.61 FEET; THENCE N55°36'16"W 147.71 FEET; THENCE S33°12'19"W 88.98 FEET; THENCE N57°44'32"W 121.30 FEET; THENCE N19°41'16"W 31.98 FEET; THENCE N46°41'20"W 48.33 FEET; THENCE S43°18'40"W 17.81 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 191.00 FEET, AND FROM WHICH POINT A RADIAL LINE BEARS N49°34'21"W; THENCE 93.33 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°59'45", WITH A CHORD BEARING AND DISTANCE OF S54°25'31"W 92.40 FEET; THENCE WEST 139.76 FEET; THENCE NORTH 935.43 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 41.19 ACRES

ALSO INCLUDING OPEN SPACE LOT A:

BEGINNING AT A POINT WHICH IS NORTH 00°44' 55" EAST 585.00 FEET AND WEST 1591.42 FEET FROM THE WEST ONE-QUARTER CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION BEING SOUTH 00°44'55" WEST BETWEEN FOUND WASATCH COUNTY SURVEY MONUMENTS MARKING THE WEST ONE-QUARTER CORNER AND THE SOUTHWEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN.) SAID POINT OF BEGINNING BEING ON THE NORTH RIGHT-OF WAY OF LIME CANYON ROAD AND ON THE SOUTH BOUNDARY OF TURNBERRY WOOD P.U.D. PHASE 1 PLAT A RECORDED AS ENTRY 282427 IN THE OFFICIAL RECORDS OF WASATCH COUNTY, UTAH;

RUNNING THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING FOUR (4) COURSES: (1) N21°13'16"E 35.06 FEET, (2) N31°36'09"E 129.89 FEET, (3) N65°35'50"E 58.27 FEET, (4) S84°03'16"E 209.13 FEET ALONG THE SOUTH BOUNDARY OF TURNBERRY WOODS P.U.D. PHASE 2 AMENDED RECORDED AS ENTRY 321299 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING FIVE (5) COURSES: (1) N86°14'25"E 201.84 FEET, (2) N80°46'59"E 131.48 FEET, (3) N88°09'12"E 326.48 FEET, (4) S08°27'41"E 72.06 FEET, (5) N81°32'19"E 224.26 ALONG THE SOUTH BOUNDARY OF THE POINT AT TURNBERRY WOODS P.U.D. PHASE 3 AMENDED RECORDED AS ENTRY 321300 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) N65°23'28"E 162.20 FEET, (2) N22°13'45"E 122.53 FEET, (3) N83°57'16"E 17.29 FEET TO THE SOUTH BOUNDARY OF THE MIDHAVEN LLC PROPERTY AS REFERENCED IN THAT CERTAIN RECORD OF SURVEY FILING NUMBER 2346 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID SOUTH BOUNDARY EAST 173.26 FEET TO THE WESTERLY BOUNDARY OF THE BLUE BOAR INN PROPERTY AS REFERENCED IN THAT CERTAIN RECORD OF SURVEY FILING NUMBER 878 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) S21°52'28"E 31.96 FEET, (2) S10°18'00"E 100.00 FEET TO THE WESTERLY BOUNDARY OF COTTAGES ON THE GREEN P.U.D. PLAT B RECORDED AS ENTRY 183913 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING FOUR (4) COURSES: (1) S02°49'00"E 100.00 FEET, (2) S13°14'00"E 100.00 FEET, (3) S04°26'00"E 100.00 FEET, (4) S03°05'00"W 200.00 FEET TO WESTERLY BOUNDARY OF GRINDLEWALD P.U.D. PLAT C RECORDED AS ENTRY 283743 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) S18°45'00"W 100.00 FEET, (2) S22°50'00"W 100.00 FEET, (3) S05°44'00"W 50.73 FEET TO THE NORTH BOUNDARY OF THE TURNBERRY P.U.D. PLAT A RECORDED AS ENTRY 259423 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID NORTH BOUNDARY THE FOLLOWING TWENTY-FOUR (24) COURSES: (1) N24°27'39"W 65.74 FEET, (2) N44°59'12"E 36.90 FEET, (3) N22°09'38"E 27.81 FEET, (4) N06°11'53"W 45.71 FEET, (5) N35°33'59"W 44.32 FEET, (6) N49°02'51"W 68.62 FEET, (7) S09°17'47"W 35.44 FEET, (8) S00°16'59"W 148.97 FEET, (9) S01°49'53"W 70.01 FEET, (10) S07°33'32"E 62.16 FEET, (11) S03°24'08"E 60.53 FEET, (12) WEST 223.27 FEET, (13) N09°37'54"W 265.00 FEET, (14) N07°03'27"E 84.68 FEET, (15) N15°40'41"W 73.43 FEET TO A POINT OF CURVATURE, (16) THENCE ALONG THE ARC OF A 21.50 FOOT RADIUS CURVE TO THE LEFT 23.62 FEET (CENTRAL ANGLE OF 62°56'43" AND A CHORD BEARING N47°09'02"W 22.45 FEET), (17) N78°37'31"W 152.04 FEET, (18) N76°19'08"W 141.18 FEET, (19) S85°53'44"W 87.67 FEET, (20) N86°01'34"W 162.75 FEET, (21) N89°24'58"W 152.54 FEET, (22) N15°29'53"W 52.95 FEET, (23) N88°02'26"W 106.39 FEET, (24) S31°09'00"W 115.73 FEET TO THE NORTH RIGHT-OF-WAY OF LIME CANYON ROAD AS REFERENCED IN THAT CERTAIN RECORD OF SURVEY FILING NUMBER 1002 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: (1) N58°51'00"W 269.56 FEET TO A POINT OF CURVATURE, (2) THENCE ALONG THE ARC OF A NON-TANGENT 1175.92 FOOT RADIUS CURVE TO THE LEFT 148.25 FEET (CENTRAL ANGLE OF 07°13'24" AND A CHORD BEARING N62°27'42"W 148.15 FEET) TO THE POINT OF BEGINNING.

CONTAINING: 16.58 ACRES



## BOUNDARY DESCRIPTION FOR THE HOMESTEAD HOTEL CONDOMINIUMS

BEGINNING AT A POINT WHICH IS NORTH 156.85 FEET AND EAST 1026.56 FEET FROM THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION BEING SOUTH 01°59'08" EAST BETWEEN FOUND WASATCH COUNTY SURVEY MONUMENTS FOR THE NORTHWEST CORNER AND THE WEST ONE-QUARTER CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN)

RUNNING THENCE EAST 139.76 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 191.00 FOOT RADIUS CURVE TO THE LEFT 93.33 FEET (CENTRAL ANGLE OF 27°59'45" AND A CHORD BEARING N54°25'31"E 92.40 FEET); THENCE N43°18'40"E 17.81 FEET; THENCE S46°41'20"E 48.33 FEET; THENCE S19°41'16"E 31.98 FEET; THENCE S57°44'32"E 121.30 FEET; THENCE N33°12'19"E 88.98 FEET; THENCE S55°36'16"E 147.71 FEET; THENCE S17°44'29"E 86.62 FEET; THENCE SOUTH 81.22 FEET; THENCE EAST 59.01 FEET; THENCE SOUTH 72.00 FEET; THENCE EAST 102.28; THENCE S55°13'25"E 12.34 FEET; THENCE EAST 22.88 FEET; THENCE N83°02'32"E 53.86 FEET; THENCE S81°22'32"E 30.26 FEET; THENCE N07°52'02"E 46.72 FEET; THENCE S89°46'27"E 201.95 FEET TO THE BOUNDARY OF THE LINKS AT THE HOMESTEAD P.U.D. PLAT B, RECORDED AS ENTRY 324083 IN THE OFFICIAL RECORDS OF WASATCH COUNTY, UTAH; THENCE ALONG SAID LINKS P.U.D. B BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) S09°18'54"W 180.80 FEET, (2) S87°37'31"W 129.02 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF THE LINKS AT THE HOMESTEAD PUD PLAT A, RECORDED AS ENTRY 303972 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID LINKS P.U.D. A BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) WEST 561.02 FEET, (2) N00°48'00"E 78.38 FEET, (3) WEST 340.58 FEET; THENCE NORTH 370.96 FEET TO THE POINT OF BEGINNING.

CONTAINING: 6.96 ACRES

ALSO INCLUDING THE HOMESTEAD HOTEL CONDOMINIUMS LOT 2

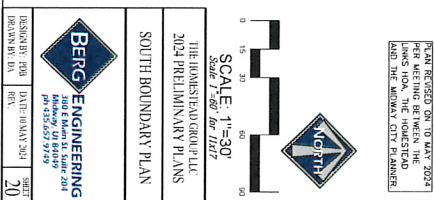
BEGINNING AT A POINT WHICH IS NORTH 109.30 FEET AND EAST 2398.95 FEET FROM THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN: (BASIS OF BEARINGS FOR THIS DESCRIPTION BEING S01°59'08"E BETWEEN FOUND WASATCH COUNTY SURVEY MONUMENTS FOR THE NORTHWEST CORNER AND WEST ONE-QUARTER CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.)

RUNNING THENCE N00°01'36"W 171.01 FEET ALONG THE EAST BOUNDARY OF THE LINKS AT THE HOMESTEAD P.U.D. PLAT B RECORDED AS ENTRY 324083 IN THE OFFICIAL RECORDS OF WASATCH COUNTY, UTAH; THENCE S88°00'06"E 134.73 FEET; THENCE SOUTH 457.50 FEET ALONG THE WESTERLY BOUNDARY OF THE SWISS CREEK P.U.D. PLAT A SECOND AMENDED RECORDED AS ENTRY 247837 IN SAID OFFICIAL RECORDS; THENCE ALONG SAID NORTHERLY AND WESTERLY BOUNDARY OF SAID SWISS CREEK P.U.D. AND ALONG THE WESTERLY BOUNDARY OF THE MOUNTAIN SPRINGS P.U.D. AMENDED RECORDED AS ENTRY 166476 IN SAID OFFICIAL RECORDS THE FOLLOWING TWO (2) COURSES: (1) N88°47'07"W 151.54 FEET, (2) S09°00'00"W 396.69 FEET TO SAID LINKS AT THE HOMESTEAD P.U.D. BOUNDARY; THENCE ALONG SAID LINKS BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) S86°57'00"W 143.98 FEET, (2) N09°00'00"E 408.50 FEET, (3) N29°13'27"E 325.39 FEET TO THE POINT OF BEGINNING.

CONTAINING: 3.24 ACRES

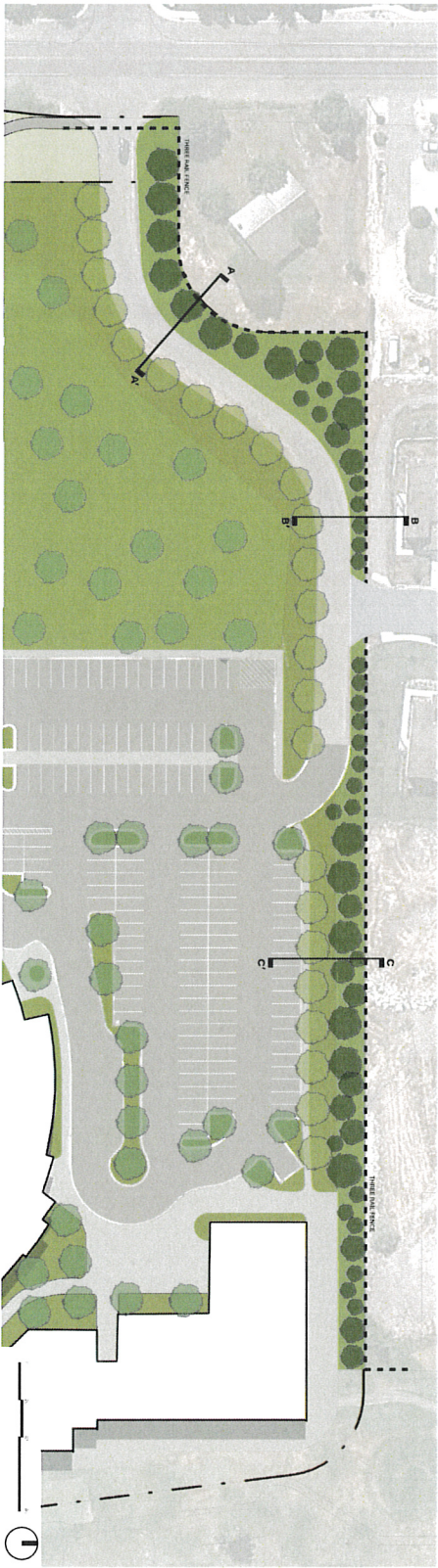
**EXHIBIT B**

(Landscaping Plan)

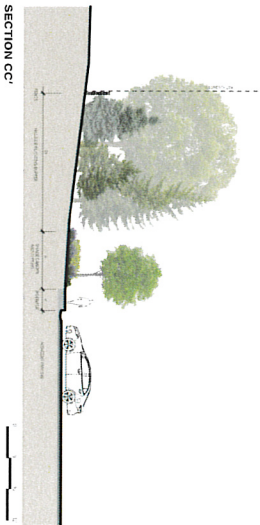
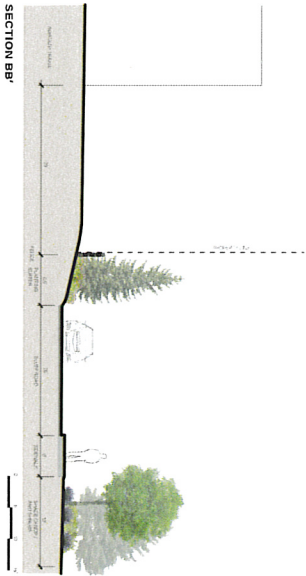
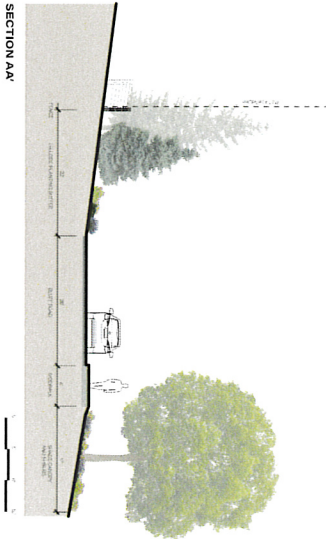




NORTH AREA PLAN



THREE RAIL FENCE CHARACTER IMAGERY



# Memo



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Date: December 2, 2025  
To: Midway City Council  
From: Katie Villani  
Re: Appointment of Nancy O'Toole as an alternate member of the Open Space Advisory Committee

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There is currently one vacancy on the Open Space Advisory Committee for an alternate position. The City has advertised for this position for 14 days per code. Mayor Johnson is recommending that City Council appoint Nancy O'Toole to fill this vacancy. Nancy O'Toole served on the Planning Commission in the past and as a grant writer for the City of Midway. Per her application, qualifications include environmental engineer, planner and grant writer.

Below is a list of the entire membership of the Open Space Committee, including the recommendation:

Name	Terms	Appointed	Term Ends
Courtland Nelson (Chairman)	3	10/21/2025	10/21/2029
Natalie Streeter (Vice-Chair)	3	10/21/2025	10/11/2029
Woody Woodruff	3	10/21/2025	10/11/2029
Steve Stevens	2	9/20/2022	9/20/2026
Jared Neal	1	4/5/2022	4/5/2026
Glen Lent	1	10/3/2023	10/3/2027
Stefani Sanatar	1	3/18/2025	3/18/2029
Debbi Farrell (Alternate)	1	Appt 6/17/2025	
Nancy O'Toole (Proposed Alternate)	1		