

Mapleton City Council Staff Report

Meeting Date: May 6, 2014

Applicant: Wendell A. Gibby, MCBRS LLC.

Location: Approximately 2000 E Maple St. (Parcel #'s 26:069:0005, 0028, 0033 & 0034)

Prepared by: Sean Conroy, Community Development Director

Public Hearing Item: No

Zone: RA-1, CE-1

REQUEST

Consideration of a Resolution approving the Preliminary Plats for the Freedom Vista Subdivision Plats "A-D" and approving the Final Plat of Plat "A" located generally at 2000 E Maple Street in the RA-1 and CE-1 zones.

BACKGROUND AND PROJECT DESCRIPTION

On May 15, 2007 Mapleton City and the applicant signed a Memorandum of Understanding, hereafter referred to as the Settlement Agreement. There have been several amendments to the Settlement Agreement including a final settlement stipulation from August 2011 (see attachment "2").

Part of the Settlement Agreement required the City to bring forward an ordinance to rezone approximately 60 acres of the applicant's property to something other than Critical Environmental (CE-1), but comparable to the Residential Agricultural (RA-1) zone. The City complied with this requirement by rezoning the property to the Planned Development (PD-2) zone. On November 2, 2010 the citizens of Mapleton voted to overturn the PD-2 zone, returning the property to the CE-1 zone. On January 18, 2011 the City rezoned approximately 69 acres to RA-1, which is the current zoning today.

The applicant is proposing a subdivision project that consists of 58 lots in four separate plats covering a total of approximately 118 acres (see attachment "1"). The applicant is requesting preliminary approval of plats "A-D" and final approval of Plat "A". Below is a brief summary of each plat.

Plat "A": Plat "A" consists of approximately 23 acres divided into 16 lots varying in size from .54 acres to 2.2 acres. However, due to site constraints the actual building areas vary in size from .14 acres to .57 acres. One access road (Krissa St.) connecting with Maple Street is proposed. Another road (Troy St.) stubs at both the southeast corner and the northeast corner of the plat for future access to the other plats. A trail easement is proposed that runs northeast near the rear of lots 11 and 12 and then east along the rear of lot 13.

Plat "B": Plat "B" consists of approximately 19 acres divided into 16 lots varying in size from .58 acres to 3.49 acres. However, due to the site constraints the actual building areas vary in size from .17 acres to .49 acres. A second access road (Andrew Ave.) connecting with Dog Wood Drive is proposed. Andrew Avenue would connect with the Troy Street stub from Plat "A" and create a stub that would connect with Plat "D". A trail easement is proposed near the Dog Wood Drive access point that would then connect with Andrew Avenue and eventually connect with the City-owned property to the south.

Plat "C": Plat "C" consists of 66 acres divided into 14 lots varying in size from 1.91 acres to 2.25 acres. However, due to site constraints the actual building areas vary in size from .54 acres to 1.08 acres. Conrad Street is proposed that would connect with the stub street from Plat "A", and Calvin Street is proposed that would create a stub for Plat "D". A turnaround is proposed on City-owned property at the southwest corner of the plat. This would require the City to grant an easement to the applicant. There is an existing power line easement that runs through Plat "C" that would need to be relocated prior to the recording of Plat "C".

Plat “D”: Plat “D” consists of 9.65 acres divided into 12 lots varying in size from .52 acres to 1.27 acres. However, due to site constraints the actual building areas vary in size from .26 acres to .65 acres. An extension of Calvin Street is proposed that would link with the stubs from plats “B” and “C”.

This project requires review by the Planning Commission and final approval by the City Council. On April 25, 2013 the Planning Commission recommended approval of the application with special conditions (see attachment “12”).

EVALUATION

Total Density: Stipulation #1 of the Settlement Agreement states that the total density for the project would be 47 units. However, this was prior to the City agreeing to rezone the property to RA-1. The 2011 settlement stipulation indicates that the Gibby parties shall have the ability to develop the property in accordance with the RA-1 standards, which would include density. The RA-1 zone potentially allows for greater density than 47 units on this property. Staff is supportive of allowing more than 47 units based on the densities permitted in the RA-1 zone.

RA-1 Zone: Mapleton City Code (MCC) Chapter 18.32.050 indicates that lots in the RA-1 zone must be at least one acre in size with a minimum width of 125 feet. Goal #9 of the Land Use Element of the General Plan encourages the clustered concept of city planning and development. MCC Chapter 18.32.055 allows for the clustering of lots for projects of 50 acres or more as long as the total density does not exceed what is typically allowed in the zone. The minimum lot size for clustered developments is 21,000 square feet or .48 acres. The applicant is proposing a clustered development as encouraged in the General Plan that meets the minimum lot size and density limitations of the MCC.

Buildable Area: MCC Chapter 18.08.055 defines the buildable area of a lot as follows:

“Buildable area” means a lot or portion thereof possessing all of the following physical characteristics:

- A. The area contains no territory having a slope of thirty percent (30%) or greater.*
- B. The area contains no territory which is located in any identified floodplain or within any recognized inundation zone, mudflow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall.*
- C. The engineering properties of the soil provide adequate structural support for the intended use.*
- D. The area does not possess any other recognized natural condition which renders it unsafe for building purposes.*
- E. Engineered to mitigate the hazards.*

All of the proposed lots have a smaller (in many cases significantly smaller) buildable area than their lot size. The applicant has shown on the plat the buildable areas of each lot that takes into account the hazards outlined above as well as easements across each lot. All of the property is either surrounded by, or located within a debris flow, rock fall and landslide area. The applicant has provided debris flow fences and basins to address this issue.

Stormwater: The proposed plans for storm water runoff includes sending some stormwater from the development to the City’s irrigation pond rather than retaining the water on site as required. MCC Chapter 21.04.040(D) states that *“runoff rates from one lot to another may not exceed preexisting conditions or in such a manner that may unreasonably and unnecessarily cause more harm than formerly.”* It is also unclear whether the proposed retention basins are sufficient to maintain the storm water on site, as required by City and state code. A special condition has been added to address these issues.

City Council Review: On May 14, 2013 the City Council continued this application with a request for changes (see attachment “11”). The requested changes are outlined below followed by a staff response on whether the applicant has or has not addressed the requested changes.

- 1) *The applicant shall indicate on the plans the location of the water line easement that will be granted to the City.*

Response: The applicant has shown a water line easement running north and south along Calvin and Conrad Street and then running between lots 13 and 17 to the Roundy property to the east. Staff is supportive of the proposed alignment.

- 2) *The applicant shall revise the plans to show a stub street to the Roundy property.*

Response: The applicant has indicated that he will not agree to provide a stub street to the Roundy property. The City’s Master Transportation Plan and the subdivision ordinance both encourage providing stub streets to adjacent parcels. Page 6 of the Mapleton City Master Transportation Plan states:

“When the possibility of future adjacent development exists, new development should include stub streets at logical locations that will allow adjacent properties to connect to the stub and continue the street as development occurs.”

MCC Chapter 17.12.020 further states:

“In order to facilitate the development of an adequate and convenient circulation system within the city and to provide access for the logical development of adjacent vacant properties, the city may, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the subdivision.”

Staff is recommending that a stub street be provided between lots 13 and 17 in the same location as the proposed waterline easement for the following reasons:

- The request is consistent with the Transportation Master Plan and the MCC.
- The adjacent property has expressed an interest in having a stub street, which would allow for a secondary access to that property if/when it develops (see attachment “8”).
- To protect the general health, safety and welfare of those living in the proposed development by providing a third point of ingress and egress. As currently proposed, the two points of access (Maple St. & Dogwood Dr.) are only approximately 1/3 of a mile apart. If an emergency occurred, such as a fire on the escarpment, both access points could become unusable, in which case the third point of access would be necessary.
- Three traffic engineers have outlined the benefits of providing a stub street (see attachments “3” and “5”).

To limit the impact on lots 13 and 17 as currently configured, and to facilitate the continuation of the stub street through the adjacent property if/when it is developed, staff is recommending the use of the hillside local road cross section as adopted in the City's standards drawings and specifications. The hillside cross section has a 45-foot right-of-way dedication as opposed to the 56 foot right-of-way dedication that is being used throughout the rest of the development (see attachment "5").

It is important to note that it is not uncommon for the City to require stub streets as part of subdivision approvals. Attachment "6" includes examples of subdivisions that have recently been approved by the City Council that have included stub streets. It is also important to note that the applicant at one time had proposed a stub street to the Roundy property, and had also advocated for a road to connect with Maple Canyon Road for many of the same reasons outlined by staff (see attachment "7").

- 3) *The applicant shall revise the trail easement to run from the north to the south of the property across the west escarpment (on the applicant's property) as required in the settlement agreement.*

Response: The settlement agreement states the following:

"Upon approval of the plat described herein, the Gibby Parties agree to provide an easement for a trail from the north and south property lines of the Gibby Parties' property across the west escarpment of the property in substantial compliance with plats previously submitted by the Gibby Parties during the legislation session in 2007 to Mapleton, consistent with City's trail easement on the north across the adjoining Roundy property and connecting on the south to either the Forest Service or the City property. The Gibby Parties shall choose the location of the trail easement through the Gibby Parties' property."

As currently proposed, the easement would begin near the northeast corner of the site and run west along the rear of lot 13. It then travels southwest near the rear of lots 11 and 12 and connects with Krissa Street. The applicant has already graded a portion of the trail easement along lots 11 and 12 without obtaining a grading permit (see attachment "9"). The trail would then leave the applicant's property, connect with the existing trail that encircles the City's pressurized irrigation pond and then connect with Dogwood Drive. From Dogwood Drive the easement runs south along the property line of lot 38 and then connects with Andrew Avenue. The trail then follows Andrew Avenue up the hill and connects with City owned property to the south.

While the applicant has made some changes to the trail alignment since the previous hearing, the trail is not fully contained on the applicant's property as required by the settlement agreement. Staff has added a special condition requiring that the trail easement be shown entirely on the applicant's property and that no additional excavation/grading be done on the trail easement.

- 4) *The applicant shall provide a remediation/restoration plan for the areas that have already been disturbed by grading/excavation in the CE-1 Zone.*

Response: The applicant had a restoration plan prepared in 2004 that outlines recommendations on restoring areas of disturbance in the CE-1 zone (see attachment "10"). Staff has added a special condition that the applicant follow the reseeding and revegetation recommendations contained in the plan.

- 5) *The street design (steep grades combined with numerous curves) is a concern to the Council. Staff shall consult with a third party engineer to review the proposed street design to determine if changes should be made.*

Response: The City contracted independently with both Sunrise Engineering and Larsen Engineering to review the proposed plans and provide recommendations to improve the safety of the project. Both firms provided written recommendations (see attachment “3”). The applicant provided a written response to the engineers’ reports (see attachment “4”). Staff then met with the applicant and the applicant’s engineer to review the recommendations. The applicant has made revisions to the plans to address many of the recommendations provided by the contract engineering firms. These include:

- Reducing the slope of the streets in many locations. The previous drawings included slopes in excess of 12%. The revised drawings now include slopes no greater than 11.5%.
- The turning radius of many of the sharp curves has increased. This will allow vehicles to more safely maneuver the curves.
- The travel ways along the streets will be stripped to encourage vehicles to remain closer to the center of the street. This will allow for a clear zone as recommended by the consultant engineers.
- Jersey barriers have been modified to address recommendations of the engineers.

Staff is supportive of the proposed changes to the street design.

STAFF RECCOMENDATION

Adopt a Resolution approving Preliminary Plats “A-D” and Final Plat “A” of the Freedom Vista Subdivision with the attached special conditions.

SPECIAL CONDITIONS

Stipulation #5 of the Settlement Agreement states the following:

“The development of the Gibby Parties’ property must comply with the written objective standards already adopted by the City, and other than changes contemplated in paragraph 1, no conditions outside of the written objective development standards already adopted by the City will be imposed on the Gibby Parties’ development.”

The following special conditions are included to ensure compliance with the Settlement Agreement, with the objective standards of the City as adopted at the time of the Settlement Agreement, and with applicable state code.

1. Upon final approval by the City Council, the applicant shall have three years to record Plat “A” with the Utah County Recorder unless otherwise agreed to by the City Council. Final plat review of plats “B-D” shall require Planning Commission review and City Council approval. Additional special conditions may be imposed during the final review of these plats.

Justification: MCC Chapter 17.04.080 (adopted 12/4/2002) establishes the time frame for plat recording and 17.04.050 through 080 (adopted 12/4/2002) outline the procedure for preliminary and final plat approvals.

2. As part of Plat “A” the applicant shall provide a stub street meeting City standards between lots 13 and 17 to the Roundy property to the north. It is recommended that the applicant utilize the 45-foot hillside local road section as adopted in the Mapleton City Addendum to APWA Standard Drawings and Specifications in substantial compliance with the exhibit provided by RB&G Engineering dated April 29, 2014 (see attachment “5”).

Justification: MCC Chapter 17.12.020 (adopted 3/20/2002) states that the city may, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the subdivision.

3. All roadways shall be inspected by a third party geo-tech engineer prior to acceptance by Mapleton City. This will require a subsurface investigation to assure proper clearing and grubbing and compaction were completed prior to fill placement.

Justification: MCC Chapter 17.16.010.B (adopted on 3/20/2002) requires that a plat be recorded prior to the commencement of construction of required improvements. The applicant has done extensive grading without the approval of construction drawings or without a recorded plat. Condition #4 will ensure that construction work that has occurred prior to plat recording has been properly performed.

4. Prior to the recording of Plat “A”, the applicant shall provide an easement for a trail from the north and south property lines of the Gibby Parties’ property across the west escarpment of the property in substantial compliance with plats previously submitted by the Gibby Parties during the legislation session in 2007 to Mapleton, consistent with City’s trail easement on the north across the adjoining Roundy property and connecting on the south to either the Forest Service or the City property. The Gibby Parties shall choose the location of the trail easement through the Gibby Parties’ property. The applicant shall not perform any additional grading along the trail easement.

Justification: Stipulation #3 of the Settlement Agreement.

5. Prior to recording of Plat “A”, the Gibby Parties shall grant an easement, at no cost to the City, for an 18” water main that is to be placed in a public right-of-way in a location approved by the City Engineer.

Justification: Stipulation #4 of the Settlement Agreement.

6. The debris fence basin drawings shall be stamped by the structural and geo-tech engineer. The City shall consult with the Utah Geologic Survey to ensure that the geo tech recommendations are adequate.

Justification: MCC Chapter 17.16.090 (adopted 3/20/2002) requires that environmental hazards be mitigated.

7. A revised storm drainage study and SWPPP shall be submitted prior to recoding of Plat “A”. The drainage study shall comply with national discharge elimination system permit (NPDES/UPDES) and applicable regulations 40 CFR section 122.26 for storm water discharges, Utah State Department of Environmental Quality standards R317, as per Mapleton City Code 21.04 Storm Water Provisions and Land Disturbance permits. The storm water basins shall be designed for a 100 year storm and retained on site and will also include a plan for landscaping and maintenance. Developer will not alter or restrict natural channel and waterways without proper federal, state and city permits.

Justification: Utah State Department of Environmental Quality standard R317.

8. An amendment to the Maple Cove Plat B subdivision shall be recorded prior to the use of its property as part of this project.

Justification: MCC Chapter 17.04.090 (adopted 12/4/2002) requires a plat amendment for changes to previously approved plats.

9. After final plat approval by the City Council and prior to plat recording, the applicant shall either complete the required improvements or post a performance guarantee in accordance with MCC Chapter 17.16.010.

Justification: Utah Municipal Code Section 10-9a-604.5 allows a developer to either bond for the improvements prior to plat recording, or complete the improvements prior to plat recording.

10. No construction shall begin until final construction documents have been approved by the City Engineer, and the applicant has received a letter from the City authorizing construction activities.

Justification: Final construction drawings are needed to ensure that the applicant is in compliance with MCC Chapter 17.16 (adopted 3/20/202), which outlines the required subdivision improvements.

11. The applicant shall comply with the CE-1 Restoration Plan from December 2004 (see attachment “11”).

Justification: Mapleton City Code Chapter 18.30.080.F (adopted 2/5/2003) requires the revegetation of disturbed areas in the CE-1 zone.

ATTACHMENTS

1. Project plans and exhibits.
2. Settlement Agreement and amendments.
3. Consultant engineering reports.
4. Applicant’s response to engineering reports.
5. RB&G stub street analysis.
6. Examples of other stub streets.
7. Project plan from 2005 and correspondence with the Forest Service from 2008.
8. Letter from Roundy family.
9. Trail grading photos.
10. CE-1 restoration plan.
11. City Council minutes dated 5/14/13.
12. Planning Commission minutes dated 4/25/13.

Attachment "1"
Project Plans and Exhibits

Property Location

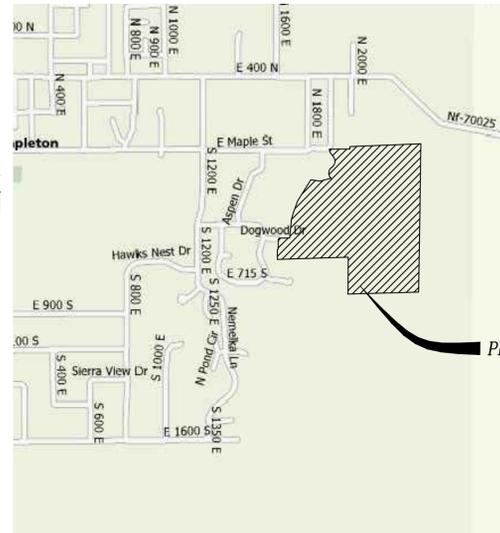


FREEDOM VISTA SUBDIVISION CONSTRUCTION DRAWINGS

A SUBSTANTIAL PORTION OF THE NORTHWEST QUARTER OF SECTION 13,
TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN
CONTAINS 117.59 ACRES
MAPLETON CITY, UTAH COUNTY, STATE OF UTAH

SITE PARCELS: 260690002, 260690004, 260690005, 260690028, 260690033, 260690034, 461790012

FOR
MCBRS, LLC



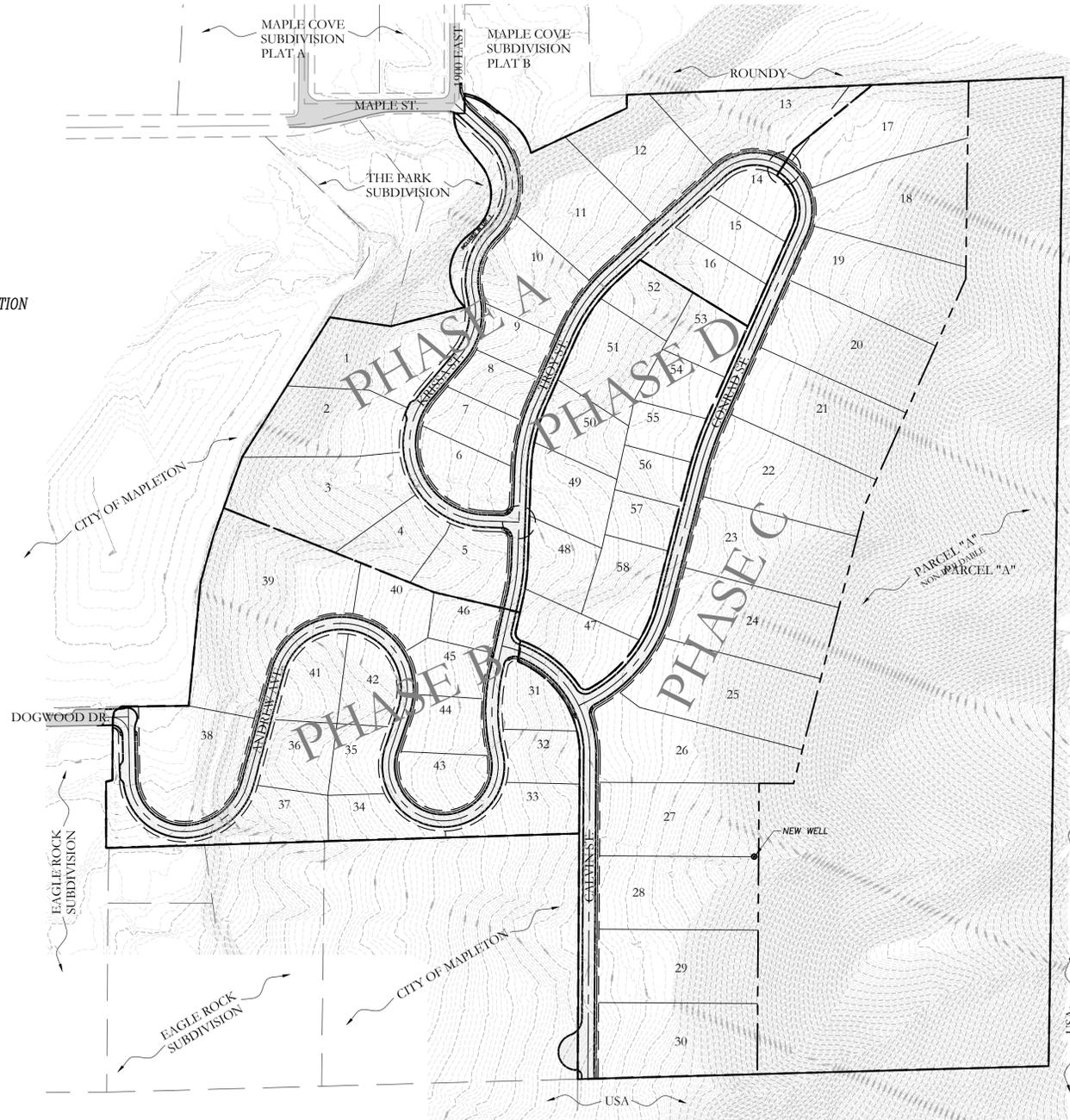
VICINITY MAP

NOT TO SCALE

PROJECT DATA

TOTAL AREA: 117.59 ACRES (33.88 NON-BUILDABLE)
TOTAL LOTS: 58 BUILDABLE, 1 NON-BUILDABLE
TOTAL STREET LENGTH: 8,621 LF
ROADWAY AREA: 10.99 ACRES
BUILDABLE LOT AREA: 72.72 ACRES
AVERAGE LOT SIZE: 1.25 ACRES (BUILDABLE LOTS)

DEVELOPER
MCBRS DEVELOPERS
280 WEST RIVER PARK DRIVE
PROVO, UTAH 84604



SHEET INDEX

G1	COVER SHEET
G2	GENERAL NOTES
DE1-DE4	DRAINAGE & EROSION PLANS
GR1-GR4	GRADING PLANS
PP1-PP10	ROAD & STORM PLAN & PROFILE
PP11-PP20	SEWER PLAN & PROFILE
W1-W5	WATER PLANS
UA1	UPPER ACCESS & POWER POLES
T1	TRAIL LAYOUT
D1-D10	DETAIL SHEETS



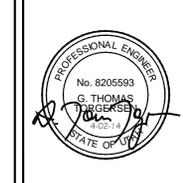
APPROVALS

CITY ENGINEER, CITY OF MAPLETON, UTAH SIGNATURE DOES NOT GRANT APPROVAL TO COMMENCE CONSTRUCTION	DATE
DIRECTOR, PUBLIC WORKS DEPARTMENT CITY OF MAPLETON, UTAH	DATE
PLANNING COMMISSION CITY OF MAPLETON, UTAH	DATE
CITY COUNCIL CITY OF MAPLETON, UTAH	DATE
MAPLETON IRRIGATION DISTRICT	DATE
ROCKY MOUNTAIN POWER	DATE
QUESTAR GAS	DATE
COMCAST (CABLE TELEVISION)	DATE
CENTURYLINK (TELEPHONE)	DATE

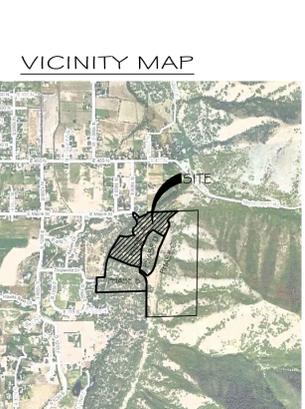
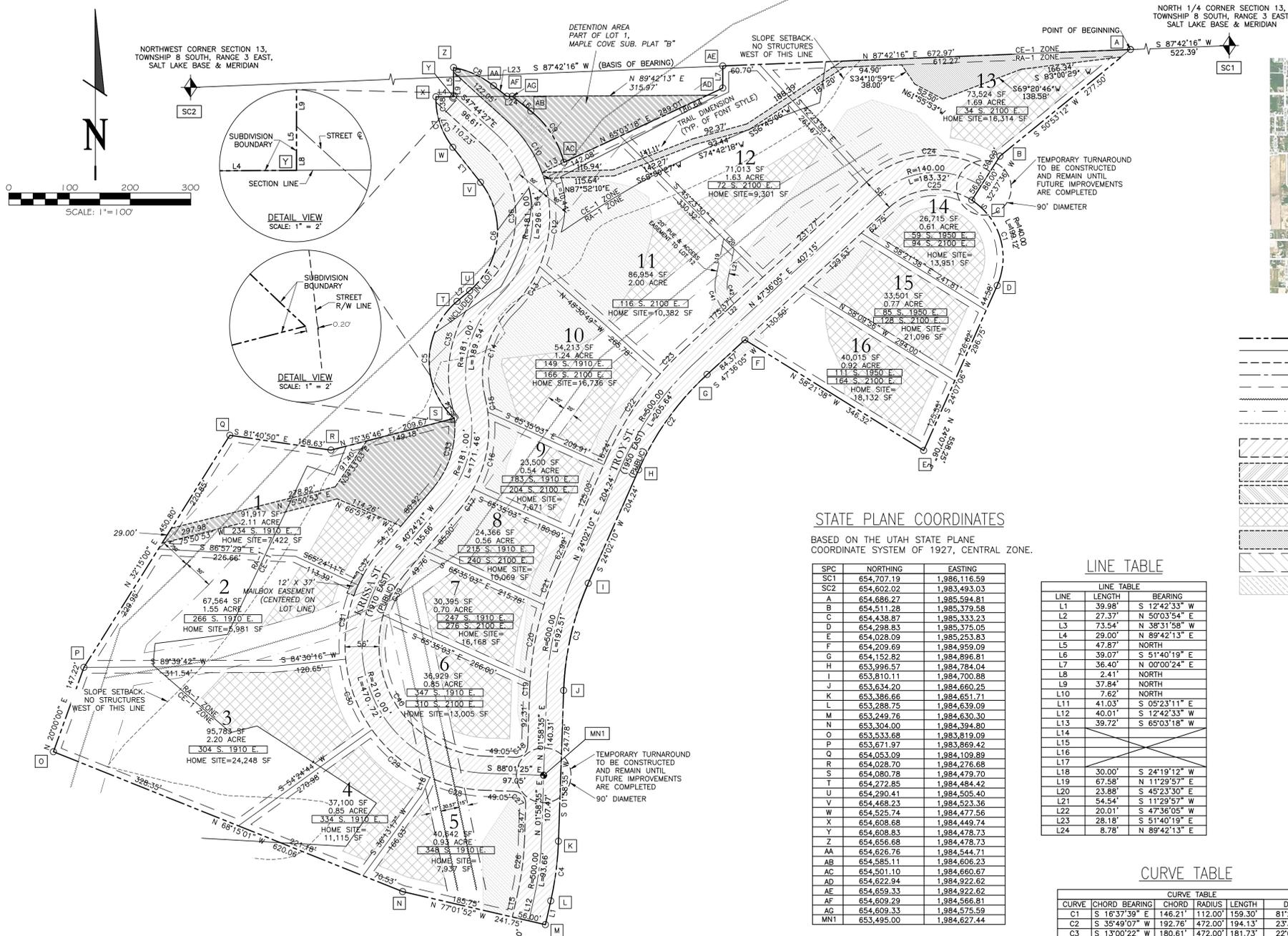
NO	DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
OFFICE (435) 893-0081
180 N. 100 E. SUITE E
RICHFIELD, UTAH 84701
FAX (435) 896-8797

COVER SHEET
FOR
FREEDOM VISTA, PLAT A
MCBRS DEVELOPERS
MAPLETON, UTAH



PROJECT NO:	1005WG
DATE:	04/02/2014
SHEET NO.:	G1
DRAWN BY:	GTT
DESIGNED BY:	GTT
CHECKED BY:	



LEGEND

- SUBDIVISION BOUNDARY
- LOT LINE
- RIGHT-OF-WAY LINE
- ROAD CENTERLINE
- 10' PUBLIC UTILITY EASEMENT EXCEPT AS NOTED
- FAULT LINE
- FAULT SETBACK FOR HABITABLE STRUCTURES
- SLOPE SETBACK FOR ALL STRUCTURES
- ROADWAY DEDICATED TO CITY (PUBLIC)
- MAILBOX EASEMENT
- DETENTION POND AND DRAINAGE EASEMENT
- HOME SITE (HABITABLE STRUCTURES)
- TRAIL EASEMENT
- P.U.E. & ACCESS EASEMENT
- PERMANENT SLOPE EASEMENT
- EXISTING SECTION MONUMENT AS NOTED
- STREET MONUMENT TO BE SET
- SUBDIVISION BOUNDARY MONUMENT TO BE SET

STATE PLANE COORDINATES

BASED ON THE UTAH STATE PLANE COORDINATE SYSTEM OF 1927, CENTRAL ZONE.

SPC	NORTHING	EASTING
SC1	654,707.19	1,986,116.59
SC2	654,602.02	1,983,493.03
A	654,686.27	1,985,594.81
B	654,511.28	1,985,379.58
C	654,438.87	1,985,333.23
D	654,298.83	1,985,375.05
E	654,028.09	1,985,253.83
F	654,209.69	1,984,959.09
G	654,152.82	1,984,896.81
H	653,896.27	1,984,784.04
I	653,810.11	1,984,700.88
J	653,634.20	1,984,660.25
K	653,386.66	1,984,651.71
L	653,288.75	1,984,639.09
M	653,249.76	1,984,630.30
N	653,304.00	1,984,394.80
O	653,233.68	1,983,819.09
P	653,671.92	1,983,869.42
Q	654,053.09	1,984,109.89
R	654,028.70	1,984,276.68
S	654,080.78	1,984,479.70
T	654,272.85	1,984,484.42
U	654,290.41	1,984,505.40
V	654,468.23	1,984,523.36
W	654,525.74	1,984,477.56
X	654,608.68	1,984,449.74
Y	654,608.63	1,984,478.73
Z	654,656.68	1,984,478.73
AA	654,626.76	1,984,544.71
AB	654,585.11	1,984,606.23
AC	654,501.10	1,984,660.87
AD	654,622.94	1,984,922.62
AE	654,659.33	1,984,922.62
AF	654,609.29	1,984,566.81
AG	654,609.33	1,984,575.59
MN1	653,495.00	1,984,627.44

LINE TABLE

LINE	LENGTH	BEARING
L1	39.98'	S 12°42'33" W
L2	27.37'	N 10°03'54" E
L3	73.54'	N 38°31'58" W
L4	29.00'	N 89°42'13" E
L5	47.87'	NORTH
L6	39.07'	S 51°40'19" E
L7	36.40'	N 00°00'24" E
L8	2.41'	NORTH
L9	37.84'	NORTH
L10	7.62'	NORTH
L11	41.03'	S 05°23'11" E
L12	40.01'	S 12°42'33" W
L13	39.72'	S 65°03'18" W
L14		
L15		
L16		
L17		
L18	30.00'	S 24°19'12" W
L19	67.58'	N 11°29'57" E
L20	23.88'	S 45°23'30" E
L21	54.54'	S 11°29'57" W
L22	20.01'	S 47°36'05" W
L23	28.18'	S 51°40'19" E
L24	8.78'	N 89°42'13" E

CURVE TABLE

CURVE	CHORD BEARING	CHORD	RADIUS	LENGTH	DELTA
C1	S 16°37'39" E	146.21'	112.00'	159.30'	81°29'31"
C2	S 35°49'07" W	192.76'	472.00'	194.13'	23°33'54"
C3	S 13°00'22" W	180.61'	472.00'	181.73'	22°03'35"
C4	S 07°20'34" W	98.76'	528.00'	98.91'	10°43'58"
C5	N 01°24'25" E	192.20'	128.00'	217.41'	97°18'58"
C6	N 05°45'58" E	178.79'	128.00'	197.93'	88°35'52"
C7	N 18°32'33" W	87.51'	128.00'	89.31'	39°58'45"
C8	S 65°36'13" E	72.48'	150.52'	73.20'	27°51'50"
C9	S 32°56'32" E	100.14'	155.93'	101.95'	37°27'35"
C10	N 33°56'41" W	99.68'	209.00'	100.65'	27°35'31"
C11					
C12	N 01°31'57" E	154.43'	209.00'	156.18'	43°21'46"
C13	N 34°40'19" E	83.03'	209.00'	83.59'	22°54'57"
C14	N 16°07'47" E	153.00'	153.00'	160.22'	60°00'00"
C15	N 10°34'54" W	23.98'	209.00'	23.99'	6°34'37"
C16	N 10°38'23" E	128.70'	209.00'	130.83'	35°51'56"
C17	N 34°29'21" E	43.09'	209.00'	43.17'	11°50'01"
C18	N 46°58'35" E	28.28'	20.00'	31.42'	90°00'00"
C19	S 02°37'16" W	11.88'	528.00'	11.88'	117°22'
C20	S 10°16'39" W	128.90'	528.00'	129.23'	140°12'33"
C21	S 20°39'45" W	62.14'	528.00'	62.18'	6°44'50"
C22	S 32°45'41" W	160.19'	528.00'	160.81'	17°27'01"
C23	S 44°32'38" W	56.32'	528.00'	56.35'	6°06'54"
C24	S 85°06'50" W	204.60'	168.00'	219.99'	75°01'31"
C25	S 85°06'50" W	136.40'	112.00'	146.66'	75°01'31"
C26	N 07°20'34" W	88.29'	472.00'	88.42'	10°43'58"
C27	N 30°11'25" W	28.48'	20.00'	31.42'	90°00'00"
C28	N 76°51'07" W	92.23'	238.00'	92.81'	22°20'37"
C29	N 50°38'02" W	123.57'	238.00'	125.00'	30°05'32"
C30	N 20°32'30" W	123.57'	238.00'	125.00'	30°05'32"
C31	N 09°33'03" E	123.57'	238.00'	125.00'	30°05'32"
C32	N 32°30'05" E	65.46'	238.00'	65.67'	18°48'32"
C33	S 17°10'45" W	120.98'	153.00'	124.05'	46°27'12"
C34	S 09°57'32" E	128.87'	153.00'	20.89'	7°49'22"
C35	S 16°07'47" W	209.00'	209.00'	218.86'	60°00'00"
C36	S 00°48'20" E	223.56'	153.00'	250.67'	93°52'15"
C37	N 20°33'24" W	79.00'	128.00'	80.32'	35°57'03"
C38	S 00°34'02" E	9.00'	128.00'	9.00'	4°01'42"
C39	S 28°08'28" W	77.33'	182.00'	77.92'	24°31'47"
C40	S 38°04'26" W	188.29'	182.00'	330.04'	103°53'59"
C41	S 16°19'55" E	56.02'	60.00'	58.29'	55°39'45"
C42	N 16°46'25" W	37.89'	40.00'	39.48'	56°32'43"

NOTES:

- ALL LOTS SUBJECT TO A 10' PUBLIC UTILITY EASEMENT ON ALL LOT LINES.
- LOTS SUBJECT TO A PERMANENT SLOPE EASEMENT AS SHOWN. SLOPES ARE GENERALLY 2:1 IN THESE EASEMENTS. DRIVEWAY ACCESS IS NOT ALLOWED WITHIN THE SLOPE EASEMENT, EXCEPT THAT ONE DRIVEWAY ACCESS OF 20' MAXIMUM WIDTH IS PERMITTED FOR LOTS 7, 8, AND 12. XERISCAPE OR DRIP IRRIGATION RECOMMENDED.
- GEOLOGICAL HAZARDS MAY BE PRESENT. SEE EARTHTEC REPORT DATED NOVEMBER 23, 2005 ON FILE WITH THE CITY OF MAPLETON. FOR EACH LOT, A GEOLOGICAL HAZARD LETTER WILL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT. ALSO SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
- HOME SITES SHOWN HEREON ARE ENVELOPES FOR HABITABLE STRUCTURES. OTHER STRUCTURES MAY BE BUILT ON LOTS IN ACCORDANCE WITH MAPLETON CITY CODE. SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
- CONSTRUCTION TRUCKS ENTERING DEVELOPMENT AT KRISSA STREET SHALL ENTER VIA 1900 EAST.
- SEWER GRINDER PUMP REQUIRED FOR LOTS 1, 2, 3, 4, 5, 11, AND 12.
- LOTS WITH DOUBLE FRONTAGE ALLOWED ONLY ONE ACCESS.
- LOTS WITH DETENTION BASINS WILL BE SEEDDED WITH NATURAL VEGETATION UPON CONSTRUCTION AND SHALL BE MAINTAINED BY LOT OWNER.

SURVEYOR'S CERTIFICATE

I, G. THOMAS TORGERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LICENSED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 8205593 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED BELOW HAS BEEN SURVEYED IN ACCORDANCE WITH SECTION 17-23-17, THE MEASUREMENTS HAVE BEEN VERIFIED, AND MONUMENTS HAVE BEEN OR WILL BE PLACED AS SHOWN.

DATE _____ G. THOMAS TORGERSEN, L.S. #8205593 (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT POINT THAT IS LOCATED S 87°42'16" W 522.39 FEET ALONG THE SECTION LINE FROM THE NORTH QUARTER CORNER SECTION 13 TOWNSHIP 8 SOUTH RANGE 3 EAST SALT LAKE BASE & MERIDIAN; RUNNING THENCE S 50°53'12" W 277.50 FEET; THENCE S 32°37'36" W 86.00 FEET TO A NON-TANGENT POINT ON A 112.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY 159.30 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 16°37'39" E 146.21 FEET) TO THE POINT OF TANGENCY; THENCE S 24°07'06" W 296.75 FEET; THENCE N 58°21'38" W 346.32 FEET; THENCE S 47°36'05" W 84.37 FEET TO THE POINT OF CURVATURE ON A 472.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY 194.13 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 35°49'07" W 192.76 FEET) TO THE POINT OF TANGENCY; THENCE S 24°02'10" W 204.24 FEET TO THE POINT OF CURVATURE ON A 472.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 181.73 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 13°00'22" W 180.61 FEET) TO THE POINT OF TANGENCY; THENCE N 01°58'35" W 247.78 FEET TO THE POINT OF CURVATURE ON A 528.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY 98.91 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 07°20'34" W 98.76 FEET) TO THE POINT OF TANGENCY; THENCE S 12°42'33" W 39.98 FEET; THENCE N 77°01'52" W 241.75 FEET; THENCE N 68°15'01" W 620.06 FEET TO THE EASTERLY BOUNDARY OF MAPLETON CITY PARCEL 26-089-0041; THENCE N 20°00'00" E 147.22 FEET AND N 32°15'00" E 450.80 FEET ALONG SAID BOUNDARY TO THE SOUTHWEST CORNER OF THE PARK SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) S 81°40'50" E 168.63 FEET, (2) N 75°36'46" E 209.67 FEET TO A NON-TANGENT POINT ON A 128.00 FOOT RADIUS CURVE TO THE RIGHT, (3) NORTHERLY 217.41 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 01°24'25" E 192.20 FEET) TO THE POINT OF TANGENCY, (4) N 50°03'54" E 27.37 FEET TO THE POINT OF CURVATURE ON A 128.00 FOOT RADIUS CURVE TO THE LEFT, (5) NORTHERLY 197.93 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 05°45'58" E 178.79 FEET) TO THE POINT OF TANGENCY, (6) N 38°31'58" W 73.54 FEET TO THE POINT OF CURVATURE ON A 128.00 FOOT RADIUS CURVE TO THE RIGHT, AND (7) NORTHERLY 89.31 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 18°32'33" W 87.51 FEET) TO A NON-TANGENT POINT, SAID POINT BEING THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE N 89°42'13" E 29.00 FEET; THENCE NORTH 47.87 FEET TO A NON-TANGENT POINT ON A 150.52 FOOT RADIUS CURVE TO THE RIGHT, SAID POINT BEING THE SOUTHWEST CORNER OF MAPLE COVE SUBDIVISION, PLAT B; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) SOUTHEASTERLY 73.20 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 65°36'13" E 72.48 FEET) TO A NON-TANGENT POINT, (2) S 51°40'19" E 28.18 FEET, (3) N 89°42'13" E 8.78 FEET, (4) S 51°40'19" E 39.07 FEET TO THE POINT OF CURVATURE ON A 155.93 FOOT RADIUS CURVE TO THE RIGHT, (5) SOUTHEASTERLY 101.95 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 32°56'32" E 100.14 FEET) TO A NON-TANGENT POINT, (6) N 65°03'18" E 289.01 FEET, AND (7) N 00°00'24" E 36.40 FEET TO A POINT ON THE SECTION LINE; THENCE N 87°42'16" E 672.97 FEET ALONG SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 23.03 ACRES.
BASIS OF BEARINGS IS S 87°42'16" W ALONG THE SECTION LINE FROM THE NORTH 1/4 CORNER TO THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS, OF THAT TRACT OF LAND DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL STREETS, EASEMENTS, AND OTHER PUBLIC AREAS AS INDICATED HEREON.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____ A.D. 20____

OWNER _____ OWNER _____
OWNER _____ OWNER _____
OWNER _____ OWNER _____

ACKNOWLEDGMENT

STATE OF UTAH S.S.
COUNTY OF UTAH S.S.
ON THE _____ DAY OF _____ A.D. 20____
PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY THE CITY OF MAPLETON

THE CITY COUNCIL OF MAPLETON CITY, UTAH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS AND EASEMENTS FOR THE PERPETUAL USE OF THE PUBLIC.

DAY OF _____ A.D. 20____
BY RESOLUTION No. _____
APPROVALS:
CITY ENGINEER (SEE SEAL BELOW) _____ MAYOR _____

PLANNING COMMISSION APPROVAL

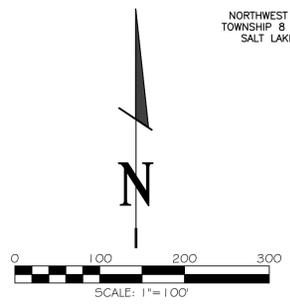
APPROVED THIS _____ DAY OF _____ A.D. 20____
BY THE MAPLETON CITY PLANNING COMMISSION.
DIRECTOR - PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

FREEDOM VISTA SUBDIVISION, PLAT A

SHEET 1 OF 1
MAPLETON CITY, UTAH COUNTY, UTAH
LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, T8S, R3E, S1B&M
SCALE: 1"=100'

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL
AUTHORIZED SIGNATURE _____ DATE _____

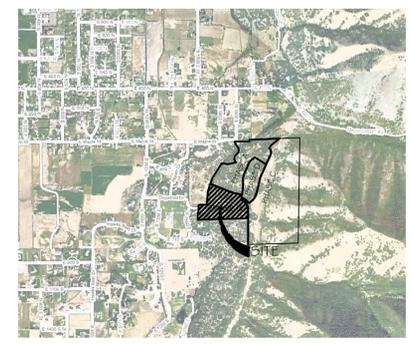
PREPARED BY:
TORGERSEN ENGINEERING
180 N. 100 E. SUITE E OFFICE (435) 893-0081
RICHFIELD, UTAH 84701 FAX (435) 896-8797
Date: 04/01/2014 Project No. 1005WG Drawn by: GTT Checked by: RKT



NORTHWEST CORNER SECTION 13,
TOWNSHIP 8 SOUTH, RANGE 3 EAST,
SALT LAKE BASE & MERIDIAN

NORTH 1/4 CORNER SECTION 13,
TOWNSHIP 8 SOUTH, RANGE 3 EAST,
SALT LAKE BASE & MERIDIAN

VICINITY KEY



SURVEYOR'S CERTIFICATE

I, G. THOMAS TORGERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LICENSED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 8205593 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED BELOW HAS BEEN SURVEYED IN ACCORDANCE WITH SECTION 17-23-17, THE MEASUREMENTS HAVE BEEN VERIFIED, AND MONUMENTS HAVE BEEN OR WILL BE PLACED AS SHOWN.

DATE _____ G. THOMAS TORGERSEN L.S. #8205593 (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT THAT IS LOCATED S 87°42'16" W 1488.17 FEET ALONG THE SECTION LINE AND SOUTH 1398.20 FEET FROM THE NORTH QUARTER CORNER SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN; RUNNING THENCE S 12°42'33" W 55.12 FEET TO THE POINT OF CURVATURE ON A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY 28.06 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 28°54'38" E 26.57 FEET) TO A NON-TANGENT POINT; THENCE S 0°07'30" W 57.61 FEET TO A NON-TANGENT POINT ON A 272.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 324.20 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 33°47'19" E 305.35 FEET) TO THE POINT OF TANGENCY, SAID POINT BEING ON THE 1/16 SECTION LINE; THENCE S 00°21'27" W 215.27 FEET ALONG SAID 1/16 SECTION LINE TO THE NORTHEAST CORNER OF MAPLETON CITY PARCEL 26-069-0032; THENCE S 88°14'11" W 1287.29 FEET ALONG THE NORTH BOUNDARY OF SAID PARCEL AND THE NORTH BOUNDARY OF EAGLE ROCK SUBDIVISION, PLAT C, TO THE EASTERLY BOUNDARY OF EAGLE ROCK SUBDIVISION, PLAT D; THENCE ALONG SAID BOUNDARY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) N 02°45'40" E 0.52 FEET, (2) S 88°57'01" W 8.53 FEET, (3) N 00°02'49" W 180.82 FEET, (4) N 76°43'37" E 18.07 FEET, (5) N 00°29'10" E 166.20 FEET, (6) N 10°02'20" E 21.08 FEET, AND (7) N 56°26'22" E 23.43 FEET TO THE SOUTH BOUNDARY OF MAPLETON CITY PARCEL 26-069-0041; THENCE N 89°17'16" E 184.40 FEET ALONG SAID BOUNDARY; THENCE N 05°30'00" E 337.44 FEET, N 15°40'00" E 135.99 FEET, AND N 20°00'00" E 77.18 FEET ALONG THE EAST BOUNDARY OF SAID PARCEL; THENCE S 68°15'01" E 620.06 FEET, THENCE S 77°01'52" E 241.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.92 ACRES.

BASIS OF BEARINGS IS S 87°42'16" W ALONG THE SECTION LINE FROM THE NORTH 1/4 CORNER TO THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS, OF THAT TRACT OF LAND DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL STREETS, EASEMENTS, AND OTHER PUBLIC AREAS AS INDICATED HEREON.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS
THIS _____ DAY OF _____ A.D. 20____

OWNER _____ OWNER _____
OWNER _____ OWNER _____
OWNER _____ OWNER _____

ACKNOWLEDGMENT

STATE OF UTAH COUNTY OF UTAH S.S.
ON THE _____ DAY OF _____ A.D. 20____
PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY THE CITY OF MAPLETON

THE CITY COUNCIL OF MAPLETON CITY, UTAH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS AND EASEMENTS FOR THE PERPETUAL USE OF THE PUBLIC

_____ DAY OF _____ A.D. 20____

BY RESOLUTION No. _____
APPROVALS:
CITY ENGINEER (SEE SEAL BELOW) _____ MAYOR _____

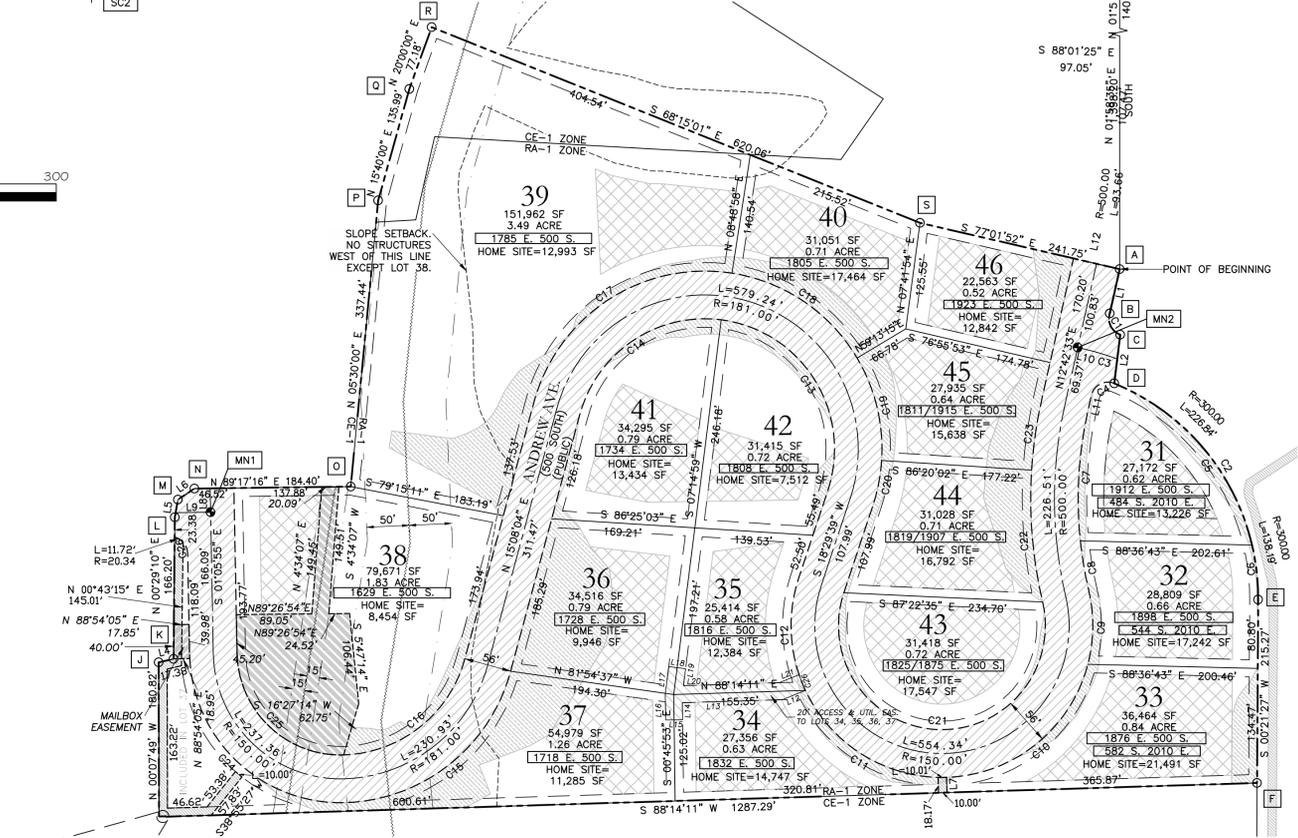
PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D. 20____
BY THE MAPLETON CITY PLANNING COMMISSION.
DIRECTOR - PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

FREEDOM VISTA SUBDIVISION, PLAT B

SHEET 1 OF 1
MAPLETON CITY, UTAH COUNTY, UTAH
LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, T8S, R3E, SLB&M
SCALE: 1"=100'

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



LEGEND

- SUBDIVISION BOUNDARY
- LOT LINE
- RIGHT-OF-WAY LINE
- ROAD CENTERLINE
- 10' PUBLIC UTILITY EASEMENT EXCEPT AS NOTED
- FAULT LINE
- SLOPE SETBACK FOR HABITABLE STRUCTURES
- SLOPE SETBACK FOR ALL STRUCTURES

ROADWAY DEDICATED TO CITY (PUBLIC)

MAILBOX EASEMENT

DETENTION POND AND DRAINAGE EASEMENT

HOME SITE (HABITABLE STRUCTURES)

TRAIL EASEMENT

P.U.E. & ACCESS EASEMENT

PERMANENT SLOPE EASEMENT

EXISTING SECTION MONUMENT AS NOTED
STREET MONUMENT TO BE SET
SUBDIVISION BOUNDARY MONUMENT TO BE SET

LINE TABLE

LINE	LENGTH	BEARING
L1	55.12'	S 12°42'33" W
L2	57.61'	S 07°07'30" W
L3	0.52'	N 02°45'40" E
L4	18.07'	N 76°43'37" E
L5	21.08'	N 10°02'20" E
L6	23.43'	N 56°26'22" E
L7	17.89'	S 01°45'49" E
L8	27.87'	N 01°05'55" W
L9	41.32'	N 88°54'05" E
L10	7.03'	S 77°17'27" E
L11	18.02'	N 12°42'33" E
L12	29.10'	S 68°08'17" W
L13	118.20'	S 88°14'11" W
L14	20.00'	S 00°45'53" E
L15	20.00'	S 89°14'07" W
L16	30.53'	N 00°45'53" W
L17	32.41'	N 07°14'59" E
L18	20.00'	S 82°45'01" E
L19	20.00'	S 07°14'59" W
L20	112.77'	N 88°14'11" E
L21	25.56'	N 68°08'17" E

CURVE TABLE

CURVE	CHORD BEARING	CHORD	RADIUS	LENGTH	DELTA
C1	S 28°54'38" E	26.57'	20.00'	29.06'	83°14'21"
C2	S 33°47'19" E	305.35'	272.00'	324.20'	68°17'32"
C3	S 73°19'26" E	41.51'	300.00'	41.54'	07°56'02"
C4	N 62°23'14" E	30.50'	20.00'	34.68'	99°21'22"
C5	N 40°35'26" W	249.88'	272.00'	259.62'	54°41'18"
C6	S 06°26'40" E	64.43'	272.00'	64.58'	13°36'14"
C7	N 03°12'27" E	153.39'	472.00'	154.07'	18°42'11"
C8	N 09°57'14" W	59.71'	472.00'	59.75'	71°51'12"
C9	N 00°44'00" E	86.01'	178.00'	86.87'	27°57'40"
C10	N 51°28'30" E	213.06'	178.00'	228.41'	73°31'21"
C11	S 58°29'52" E	195.27'	178.00'	206.69'	66°31'54"
C12	S 03°22'08" E	132.57'	178.00'	135.84'	43°43'34"
C13	S 32°07'41" E	236.53'	153.00'	270.36'	101°14'40"
C14	N 56°11'51" E	200.99'	153.00'	219.28'	82°06'55"
C15	N 51°41'07" E	248.93'	209.00'	266.66'	73°06'07"
C16	S 51°41'07" W	182.23'	153.00'	195.21'	73°06'07"
C17	S 56°58'31" W	278.83'	209.00'	305.25'	83°40'54"
C18	N 55°58'53" W	177.99'	209.00'	183.86'	50°24'17"
C19	N 13°33'23" W	123.76'	209.00'	125.65'	34°26'43"
C20	N 11°04'49" E	53.94'	209.00'	54.09'	14°49'41"
C21	N 87°22'35" W	234.70'	122.00'	450.86'	211°44'29"
C22	S 04°47'26" E	155.30'	528.00'	155.86'	16°54'48"
C23	S 08°11'16" W	83.25'	528.00'	83.33'	9°02'34"
C24	S 46°25'52" E	253.19'	178.00'	281.67'	90°39'54"
C25	N 46°25'52" W	173.53'	122.00'	193.05'	90°39'54"
C26	S 21°51'43" E	20.00'	162.79'	20.01'	7°02'38"

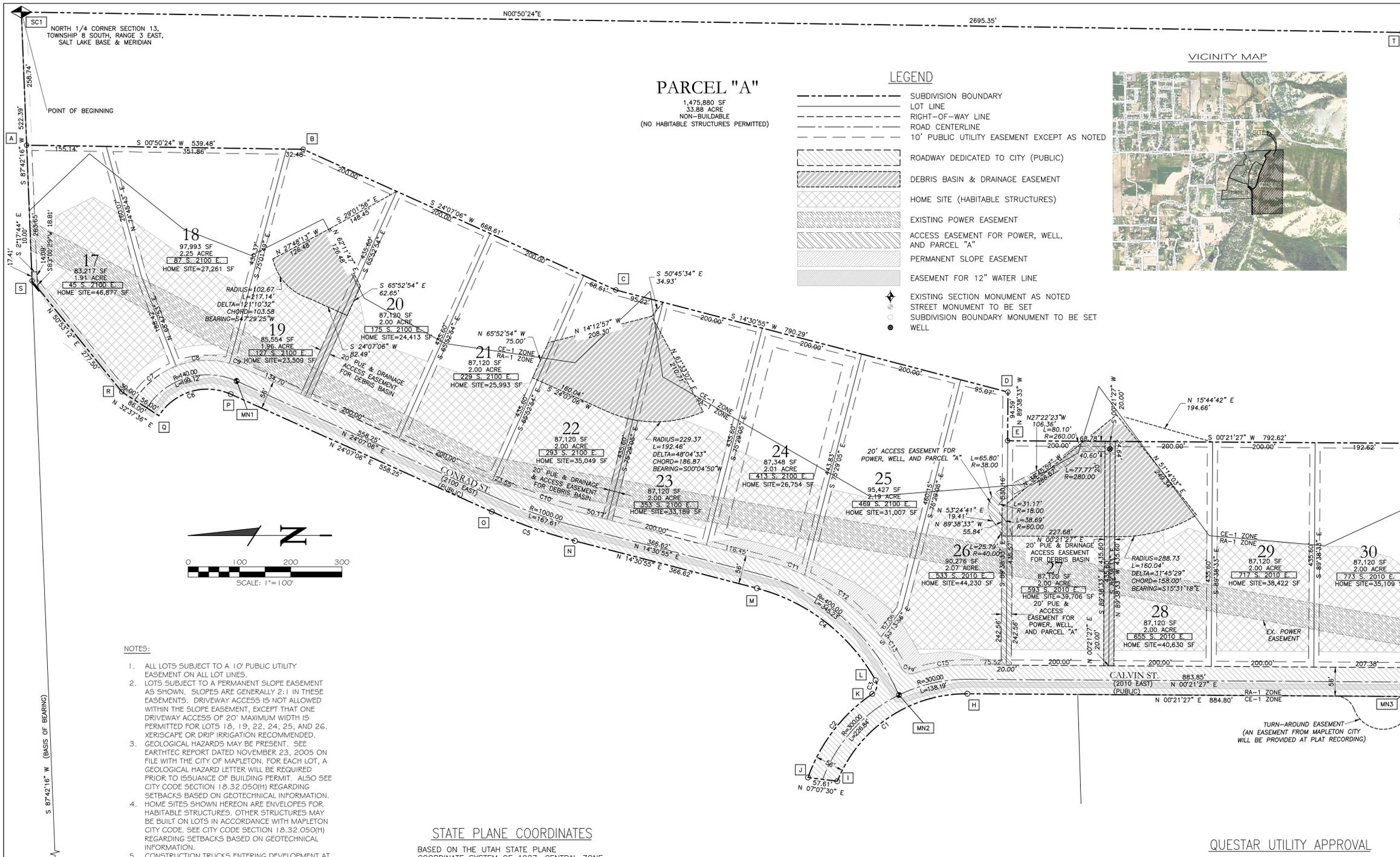
STATE PLANE COORDINATES

BASED ON THE UTAH STATE PLANE COORDINATE SYSTEM OF 1927, CENTRAL ZONE.

SPC	NORTHING	EASTING
SC1	654,707.19	1,986,116.59
SC2	654,602.02	1,983,493.03
A	653,249.76	1,984,630.30
B	653,197.74	1,984,618.57
C	653,172.76	1,984,631.02
D	653,115.62	1,984,623.87
E	652,861.93	1,984,793.63
F	652,646.75	1,984,792.28
G	652,607.14	1,983,506.07
H	652,607.66	1,983,506.10
I	652,607.50	1,983,497.57
J	652,798.26	1,984,631.02
K	652,792.40	1,983,514.74
L	652,958.54	1,983,516.15
M	652,979.29	1,983,519.82
N	652,992.24	1,983,539.34
O	652,994.53	1,983,723.66
P	653,330.29	1,983,755.99
Q	653,461.18	1,983,792.70
R	653,533.68	1,983,819.09
S	653,304.00	1,984,394.80
MN1	652,964.62	1,983,558.38
MN2	653,157.72	1,984,580.85

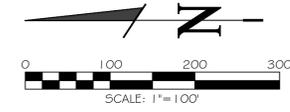
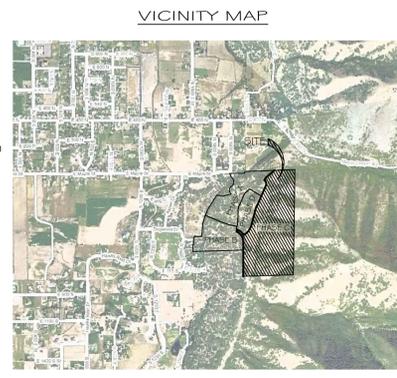
- NOTES:**
- ALL LOTS SUBJECT TO A 10' PUBLIC UTILITY EASEMENT ON ALL LOT LINES.
 - LOTS SUBJECT TO A PERMANENT SLOPE EASEMENT AS SHOWN. SLOPES ARE GENERALLY 2:1 IN THESE EASEMENTS. DRIVEWAY ACCESS IS NOT ALLOWED WITHIN THE SLOPE EASEMENT, EXCEPT THAT ONE DRIVEWAY ACCESS OF 20' MAXIMUM WIDTH IS PERMITTED FOR LOTS 31, 39, 40, 44, 45, AND 46. XERISCAPE OR DRIP IRRIGATION RECOMMENDED.
 - LOTS 34, 35, 36, AND 37 SUBJECT TO A SHARED ACCESS AND UTILITY EASEMENT. SAID EASEMENT REQUIRED TO BE USED FOR ACCESS TO LOTS 34, 36 AND 37, AND OPTIONALLY USED FOR ACCESS TO LOT 35.
 - GEOLOGICAL HAZARDS MAY BE PRESENT. SEE EARTHTEC REPORT DATED NOVEMBER 23, 2005 ON FILE WITH THE CITY OF MAPLETON. FOR EACH LOT, A GEOLOGICAL HAZARD LETTER WILL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT. ALSO SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
 - HOME SITES SHOWN HEREON ARE ENVELOPES FOR HABITABLE STRUCTURES. OTHER STRUCTURES MAY BE BUILT ON LOTS IN ACCORDANCE WITH MAPLETON CITY CODE. SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
 - CONSTRUCTION TRUCKS ENTERING DEVELOPMENT AT KRISKA STREET SHALL ENTER VIA 1900 EAST.
 - SEWER GRINDER PUMP REQUIRED FOR LOTS 34, 35, AND 46.
 - LOTS WITH DOUBLE FRONTAGE ALLOWED ONE ACCESS ONLY.
 - LOTS WITH DETENTION BASINS WILL BE SEED WITH NATURAL VEGETATION UPON CONSTRUCTION AND SHALL BE MAINTAINED BY LOT OWNER.

PREPARED BY
TORGERSEN ENGINEERING
180 N. 100 E. SUITE E OFFICE (435) 893-0081
RICHFIELD, UTAH 84701 FAX (435) 896-8797



PARCEL "A"
 1,475,880 SF
 33.88 ACRE
 NON-BUILDABLE
 (NO HABITABLE STRUCTURES PERMITTED)

- LEGEND**
- SUBDIVISION BOUNDARY
 - LOT LINE
 - RIGHT-OF-WAY LINE
 - ROAD CENTERLINE
 - 10' PUBLIC UTILITY EASEMENT EXCEPT AS NOTED
 - [Hatched Box] ROADWAY DEDICATED TO CITY (PUBLIC)
 - [Cross-hatched Box] DEBRIS BASIN & DRAINAGE EASEMENT
 - [Diagonal Lines] HOME SITE (HABITABLE STRUCTURES)
 - [Horizontal Lines] EXISTING POWER EASEMENT
 - [Vertical Lines] ACCESS EASEMENT FOR POWER, WELL, AND PARCEL "A"
 - [Stippled Box] PERMANENT SLOPE EASEMENT
 - [Dashed Box] EASEMENT FOR 12" WATER LINE
 - ◆ EXISTING SECTION MONUMENT AS NOTED
 - STREET MONUMENT TO BE SET
 - SUBDIVISION BOUNDARY MONUMENT TO BE SET
 - WELL



- NOTES:**
- ALL LOTS SUBJECT TO A 10' PUBLIC UTILITY EASEMENT ON ALL LOT LINES.
 - LOTS SUBJECT TO A PERMANENT SLOPE EASEMENT AS SHOWN. SLOPES ARE GENERALLY 2:1 IN THESE EASEMENTS. DRIVEWAY ACCESS IS NOT ALLOWED WITHIN THE SLOPE EASEMENT, EXCEPT THAT ONE DRIVEWAY ACCESS OF 20' MAXIMUM WIDTH IS PERMITTED FOR LOTS 18, 19, 22, 24, 25, AND 26. XERISCAPE OR DRIP IRRIGATION RECOMMENDED.
 - GEOLOGICAL HAZARDS MAY BE PRESENT. SEE EARTHTEC REPORT DATED NOVEMBER 23, 2005 ON FILE WITH THE CITY OF MAPLETON. FOR EACH LOT, A GEOLOGICAL HAZARD LETTER WILL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT. ALSO SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION. HOME SITES SHOWN HEREON ARE ENVELOPES FOR HABITABLE STRUCTURES. OTHER STRUCTURES MAY BE BUILT ON LOTS IN ACCORDANCE WITH MAPLETON CITY CODE. SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
 - CONSTRUCTION TRUCKS ENTERING DEVELOPMENT AT KRISKA STREET SHALL ENTER VIA 1900 EAST.

STATE PLANE COORDINATES

BASED ON THE UTAH STATE PLANE COORDINATE SYSTEM OF 1927, CENTRAL ZONE.

SPC	NORTHING	EASTING
SC1	654,707.19	1,986,116.59
SC2	654,602.02	1,983,493.03
A	654,696.83	1,985,858.15
B	654,157.60	1,985,850.24
C	653,547.58	1,985,577.13
D	652,782.79	1,985,379.13
E	652,783.38	1,985,284.57
F	651,991.06	1,985,279.63
G	651,977.47	1,984,788.11
H	652,861.93	1,984,793.63
I	653,115.62	1,984,623.87
J	653,172.76	1,984,631.02
K	653,047.23	1,984,793.39
L	653,040.97	1,984,819.71
M	653,272.36	1,984,998.25
N	653,627.14	1,985,090.11
O	653,789.44	1,985,146.96
P	654,298.83	1,985,375.05
Q	654,438.87	1,985,333.23
R	654,511.28	1,985,379.58
S	654,686.27	1,985,594.81
T	652,013.11	1,986,077.09
MN1	654,287.39	1,985,400.59
MN2	652,995.26	1,984,791.19
MN3	651,978.25	1,984,816.10

CURVE TABLE

CURVE	CHORD BEARING	CHORD	RADIUS	LENGTH	DELTA
C1	N 33°47'19" W	305.35'	272.00'	324.20'	54°41'18"
C2	S 52°17'28" E	205.32'	328.00'	208.82'	36°28'40"
C3	S 76°37'45" E	27.06'	20.00'	29.72'	85°09'14"
C4	N 37°39'16" E	292.37'	372.00'	300.47'	46°16'43"
C5	N 19°19'01" E	172.10'	1028.00'	172.30'	09°36'12"
C6	N 16°37'39" W	146.21'	112.00'	159.30'	81°29'31"
C7	N 39°17'15" W	104.31'	168.00'	106.06'	36°10'18"
C8	N 03°06'58" W	104.31'	168.00'	106.06'	36°10'18"
C9	N 19°32'39" E	26.80'	168.00'	26.83'	09°08'55"
C10	N 19°19'01" E	162.72'	972.00'	162.91'	09°36'12"
C11	N 20°08'38" E	83.96'	428.00'	84.09'	11°15'26"
C12	N 38°41'32" E	191.39'	428.00'	193.02'	25°50'24"
C13	S 56°32'04" W	73.45'	428.00'	73.54'	09°50'40"
C14	N 21°38'22" E	25.61'	20.00'	27.80'	79°38'04"
C15	N 08°54'36" W	105.65'	328.00'	106.11'	18°32'07"

SURVEYOR'S CERTIFICATE

I, G. THOMAS TORGERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LICENSED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 8205593 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED BELOW HAS BEEN SURVEYED IN ACCORDANCE WITH SECTIONS 17-23-17, THE MEASUREMENTS HAVE BEEN VERIFIED, AND MONUMENTS HAVE BEEN OR WILL BE PLACED AS SHOWN.

DATE _____ G. THOMAS TORGERSEN, L.S. #8205593 (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT THE NORTH QUARTER CORNER SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN; RUNNING THENCE SOUTH 00°50'24" WEST 2695.35 FEET ALONG THE QUARTER SECTION LINE; THENCE SOUTH 88°24'59" WEST 1289.84 FEET ALONG THE QUARTER SECTION LINE; THENCE NORTH 00°21'27" EAST 884.80 FEET ALONG THE SIXTEENTH SECTION LINE TO A POINT OF TANGENCY ON A 272.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 324.20 FEET (CHORD BEARS NORTH 33°47'19" WEST 305.35 FEET); THENCE NORTH 07°07'30" EAST 57.61 FEET TO A POINT OF TANGENCY ON A 328.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 208.83 FEET (CHORD BEARS SOUTH 52°17'28" EAST 205.32 FEET) TO A POINT OF TANGENCY OF A 20.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG THE ARC SAID CURVE 29.72 FEET (CHORD BEARS SOUTH 76°37'45" EAST 27.06 FEET) TO A POINT OF TANGENCY OF A 372.00 FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE ALONG THE ARC SAID CURVE 300.47 FEET (CHORD BEARS NORTH 37°39'16" EAST 292.37 FEET); THENCE NORTH 14°30'55" EAST 366.62 FEET TO A POINT OF TANGENCY OF A 1028.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 172.30 FEET (CHORD BEARS NORTH 19°19'01" EAST 172.10 FEET); THENCE NORTH 24°07'06" EAST 558.25 FEET TO A POINT OF TANGENCY OF A 112.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 159.30 FEET (CHORD BEARS NORTH 16°37'39" WEST 146.21 FEET); THENCE NORTH 32°37'36" EAST 86.00 FEET; THENCE NORTH 50°53'12" EAST 277.50 FEET; THENCE NORTH 87°42'16" EAST 522.39 FEET ALONG THE NORTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 65.98 ACRES

BASIS OF BEARINGS IS S 87°42'16" W FROM THE NORTH 1/4 CORNER TO THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS, OF THAT TRACT OF LAND DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL STREETS, EASEMENTS, AND OTHER PUBLIC AREAS AS INDICATED HEREON.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS
 THIS _____ DAY OF _____ A.D. 20____

OWNER _____ OWNER _____
 OWNER _____ OWNER _____
 OWNER _____ OWNER _____

ACKNOWLEDGMENT

STATE OF UTAH S.S.
 COUNTY OF UTAH _____
 ON THE _____ DAY OF _____ A.D. 20____
 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY THE CITY OF MAPLETON

THE CITY COUNCIL OF MAPLETON CITY, UTAH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS AND EASEMENTS FOR THE PERPETUAL USE OF THE PUBLIC

DAY OF _____ A.D. 20____

BY RESOLUTION No. _____
 APPROVALS:
 CITY ENGINEER (SEE SEAL BELOW) _____ MAYOR _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____
 BY THE MAPLETON CITY PLANNING COMMISSION.

DIRECTOR - PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

FREEDOM VISTA SUBDIVISION, PLAT C

SHEET 1 OF 1
 MAPLETON CITY, UTAH COUNTY, UTAH
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, T8S, R3E, SLB&M
 SCALE: 1"=100'

QUESTAR UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY QUESTAR GAS COMPANY.

AUTHORIZED SIGNATURE _____ DATE _____

COMCAST UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY COMCAST.

AUTHORIZED SIGNATURE _____ DATE _____

CENTURYLINK UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY CENTURYLINK, INC.

AUTHORIZED SIGNATURE _____ DATE _____

MAPLETON IRRIGATION APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY MAPLETON IRRIGATION COMPANY.

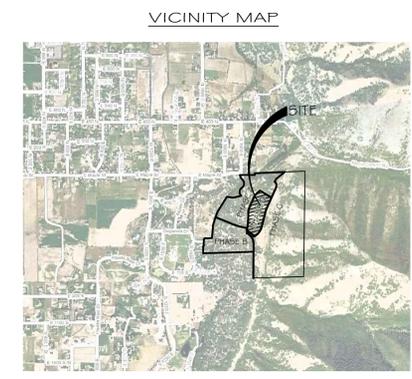
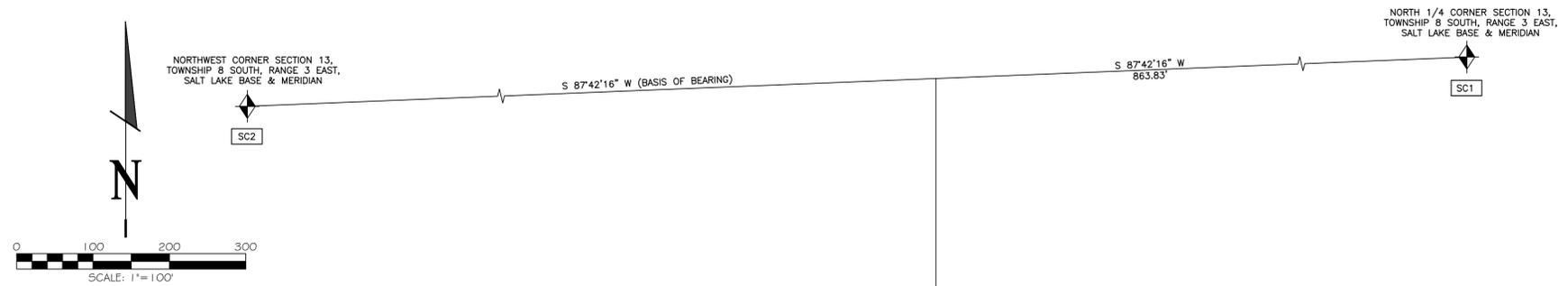
AUTHORIZED SIGNATURE _____ DATE _____

ROCKY MOUNTAIN POWER APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP.

AUTHORIZED SIGNATURE _____ DATE _____

PREPARED BY
TORGERSEN ENGINEERING
 180 N. 100 E. SUITE E OFFICE (435) 893-0081
 RICHFIELD, UTAH 84701 FAX (435) 896-8797
 Date: 04/01/2014 Project No. 1005WG Drawn by: GIT Checked by: RKT



SURVEYOR'S CERTIFICATE

I, G. THOMAS TORGERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LICENSED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 8205593 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED BELOW HAS BEEN SURVEYED IN ACCORDANCE WITH SECTION 17-23-17, THE MEASUREMENTS HAVE BEEN VERIFIED, AND MONUMENTS HAVE BEEN OR WILL BE PLACED AS SHOWN.

DATE _____ G. THOMAS TORGERSEN L.S. #8205593 (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT THAT IS LOCATED S 87°42'16" W 863.83 FEET ALONG THE SECTION LINE AND SOUTH 644.66 FEET FROM THE NORTH QUARTER CORNER, SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN; RUNNING THENCE S 24°07'06" W 261.51 FEET TO THE POINT OF CURVATURE ON A 1028.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 172.30 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 19°19'01" W 172.10 FEET) TO THE POINT OF TANGENCY; THENCE S 14°30'55" W 366.62 FEET TO THE POINT OF CURVATURE ON A 372.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 300.47 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 37°39'16" W 292.37 FEET) TO THE POINT OF COMPOUND CURVATURE ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 29.71 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 76°39'03" W 27.05 FEET) TO THE POINT OF REVERSE CURVATURE ON A 328.80 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 208.82 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 52°17'24" W 205.33 FEET) TO THE POINT OF REVERSE CURVATURE ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY 29.06 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 28°54'38" W 26.57 FEET) TO THE POINT OF TANGENCY; THENCE N 12°42'33" E 95.10 FEET TO THE POINT OF CURVATURE ON A 528.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHERLY 98.91 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 07°20'34" E 98.76 FEET) TO THE POINT OF TANGENCY; THENCE N 01°58'53" E 247.78 FEET TO THE POINT OF CURVATURE ON A 472.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHERLY 181.73 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 13°00'22" E 180.61 FEET) TO THE POINT OF TANGENCY; THENCE N 24°02'10" E 204.24 FEET TO THE POINT OF CURVATURE ON A 472.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY 194.13 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 35°49'07" E 192.76 FEET) TO THE POINT OF TANGENCY; THENCE N 47°36'05" E 84.37 FEET; THENCE S 58°21'38" E 346.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.65 ACRES.

BASIS OF BEARINGS IS S 87°42'16" W ALONG THE SECTION LINE FROM THE NORTH 1/4 CORNER TO THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS, OF THAT TRACT OF LAND DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL STREETS, EASEMENTS, AND OTHER PUBLIC AREAS AS INDICATED HEREON.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS
THIS _____ DAY OF _____, A.D. 20____

OWNER _____ OWNER _____
OWNER _____ OWNER _____
OWNER _____ OWNER _____

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF UTAH S.S.
ON THE _____ DAY OF _____, A.D. 20____
PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY THE CITY OF MAPLETON

THE CITY COUNCIL OF MAPLETON CITY, UTAH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS AND EASEMENTS FOR THE PERPETUAL USE OF THE PUBLIC

_____ DAY OF _____, A.D. 20____

BY RESOLUTION No. _____

APPROVALS:
CITY ENGINEER (SEE SEAL BELOW) _____ MAYOR _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____
BY THE MAPLETON CITY PLANNING COMMISSION.

DIRECTOR - PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

**FREEDOM VISTA
SUBDIVISION, PLAT D**

SHEET 1 OF 1
MAPLETON CITY, UTAH COUNTY, UTAH
LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, T8S, R3E, SLB&M
SCALE: 1"=100'

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



CURVE TABLE

CURVE	CHORD BEARING	CHORD	RADIUS	LENGTH	DELTA
C1	S 19°19'01" W	172.10'	1028.00'	172.30'	09°36'12"
C2	S 37°39'16" W	292.37'	372.00'	300.47'	46°16'43"
C3	N 76°39'03" W	27.05'	20.00'	29.71'	85°06'39"
C4	N 52°17'24" W	205.33'	328.80'	208.82'	36°23'20"
C5	N 28°54'38" W	26.57'	20.00'	29.06'	83°14'21"
C6	N 07°20'34" E	98.76'	528.00'	98.91'	10°43'58"
C7	N 13°00'22" E	180.61'	472.00'	181.73'	22°03'35"
C8	N 35°49'07" E	192.76'	472.00'	194.13'	23°33'54"
C9	S 16°19'08" W	20.01'	1028.00'	20.01'	01°06'55"

LINE TABLE

LINE	LENGTH	BEARING
L1	187.65'	N 75°29'05" W
L2	20.01'	N 12°25'45" E
L3	189.00'	S 75°29'05" E

STATE PLANE COORDINATES

BASED ON THE UTAH STATE PLANE COORDINATE SYSTEM OF 1927, CENTRAL ZONE.

SPC	NORTHING	EASTING
SC1	654,707.19	1,986,116.59
SC2	654,602.02	1,983,493.03
A	654,028.09	1,985,253.83
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C	653,627.14	1,985,090.11
D	653,272.36	1,984,998.25
E	653,040.97	1,984,819.71
F	653,047.23	1,984,793.39
G	653,172.76	1,984,631.02
H	653,197.74	1,984,618.57
I	653,288.75	1,984,639.09
J	653,386.66	1,984,651.71
K	653,634.20	1,984,660.25
L	653,810.11	1,984,700.88
M	653,996.57	1,984,784.04
N	654,152.82	1,984,896.81
O	654,209.69	1,984,959.09

QUESTAR UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY QUESTAR GAS COMPANY.

AUTHORIZED SIGNATURE _____ DATE _____

COMCAST UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY COMCAST.

AUTHORIZED SIGNATURE _____ DATE _____

CENTURYLINK UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY CENTURYLINK, INC.

AUTHORIZED SIGNATURE _____ DATE _____

ROCKY MOUNTAIN POWER APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP.

AUTHORIZED SIGNATURE _____ DATE _____

MAPLETON IRRIGATION APPROVAL

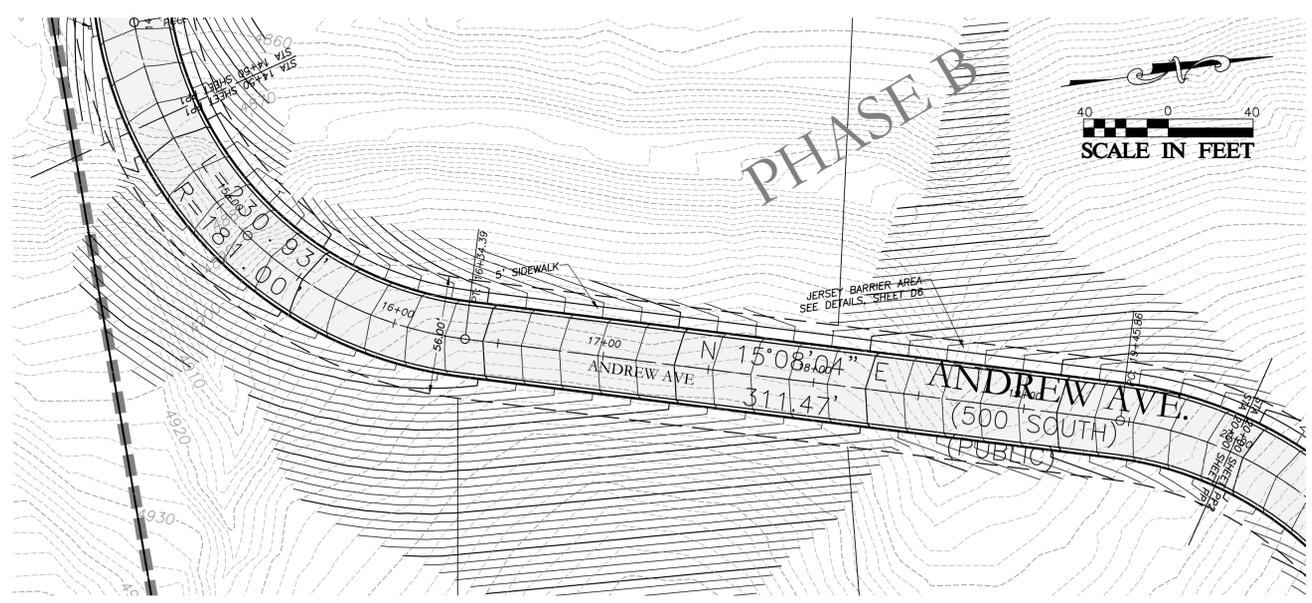
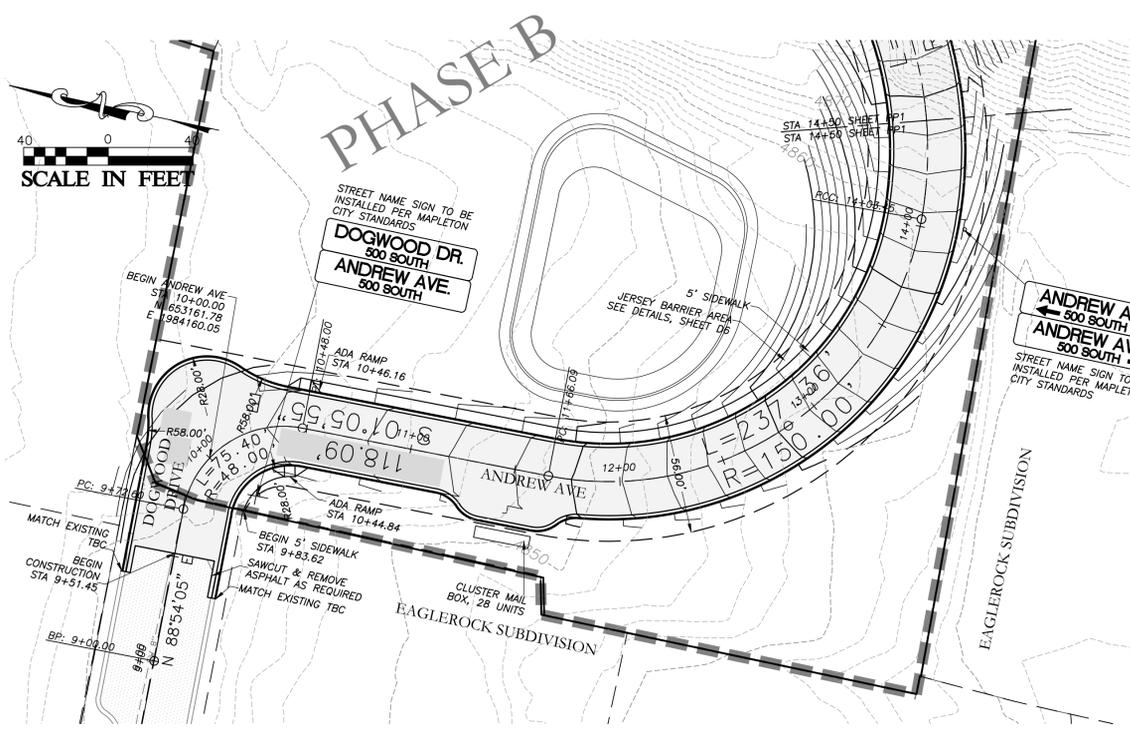
THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY MAPLETON IRRIGATION COMPANY.

AUTHORIZED SIGNATURE _____ DATE _____

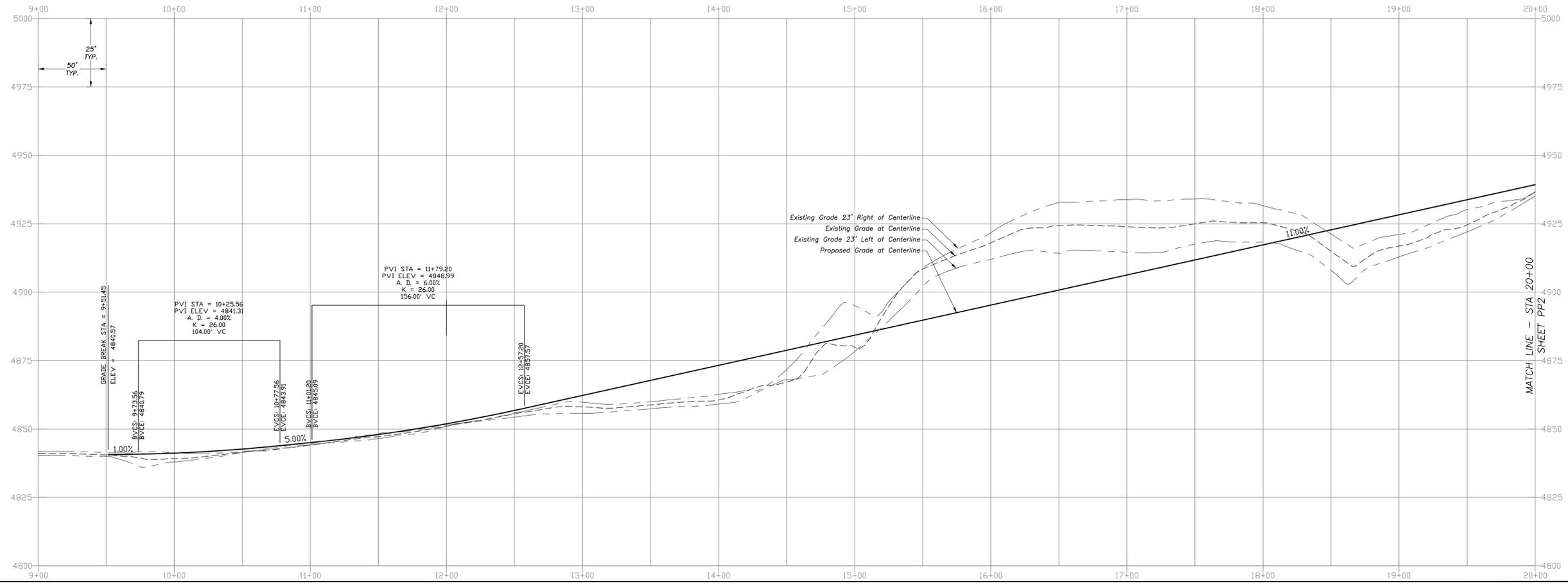
- NOTES:**
- ALL LOTS SUBJECT TO A 10' PUBLIC UTILITY EASEMENT ON ALL LOT LINES.
 - LOTS SUBJECT TO A PERMANENT SLOPE EASEMENT AS SHOWN. SLOPES ARE GENERALLY 2:1 IN THESE EASEMENTS. DRIVEWAY ACCESS IS NOT ALLOWED WITHIN THE SLOPE EASEMENT, EXCEPT THAT ONE DRIVEWAY ACCESS OF 20' MAXIMUM WIDTH IS PERMITTED FOR LOTS 47, 49, AND 50. XERISCAPE OR DRIP IRRIGATION RECOMMENDED.
 - GEOLOGICAL HAZARDS MAY BE PRESENT. SEE EARTHTEC REPORT DATED NOVEMBER 23, 2005 ON FILE WITH THE CITY OF MAPLETON. FOR EACH LOT, A GEOLOGICAL HAZARD LETTER WILL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT. ALSO SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
 - HOME SITES SHOWN HEREON ARE ENVELOPES FOR HABITABLE STRUCTURES. OTHER STRUCTURES MAY BE BUILT ON LOTS IN ACCORDANCE WITH MAPLETON CITY CODE. SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
 - CONSTRUCTION TRUCKS ENTERING DEVELOPMENT AT KRISSA STREET SHALL ENTER VIA 1900 EAST.
 - LOTS WITH DOUBLE FRONTAGE ALLOWED ONE ACCESS ONLY.

PREPARED BY:
TORGERSEN ENGINEERING
180 N. 100 E. SUITE E OFFICE (435) 893-0081
RICHFIELD, UTAH 84701 FAX (435) 896-8797

Date: 04/01/2014 Project No. 1005WG Drawn by: GTT Checked by: RKT



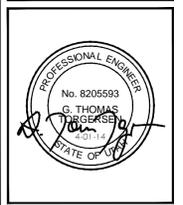
- NOTES:
 1. INSTALL TEMPORARY TURNAROUND AT END OF EACH PHASE.
 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.



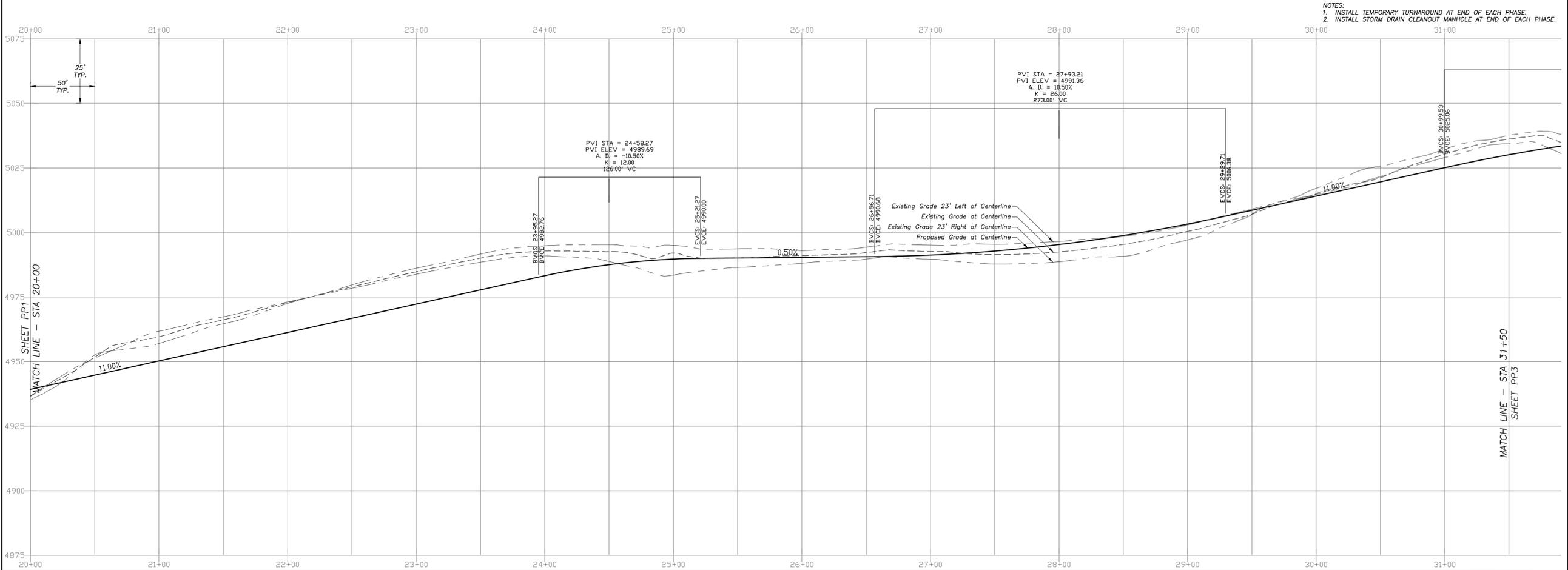
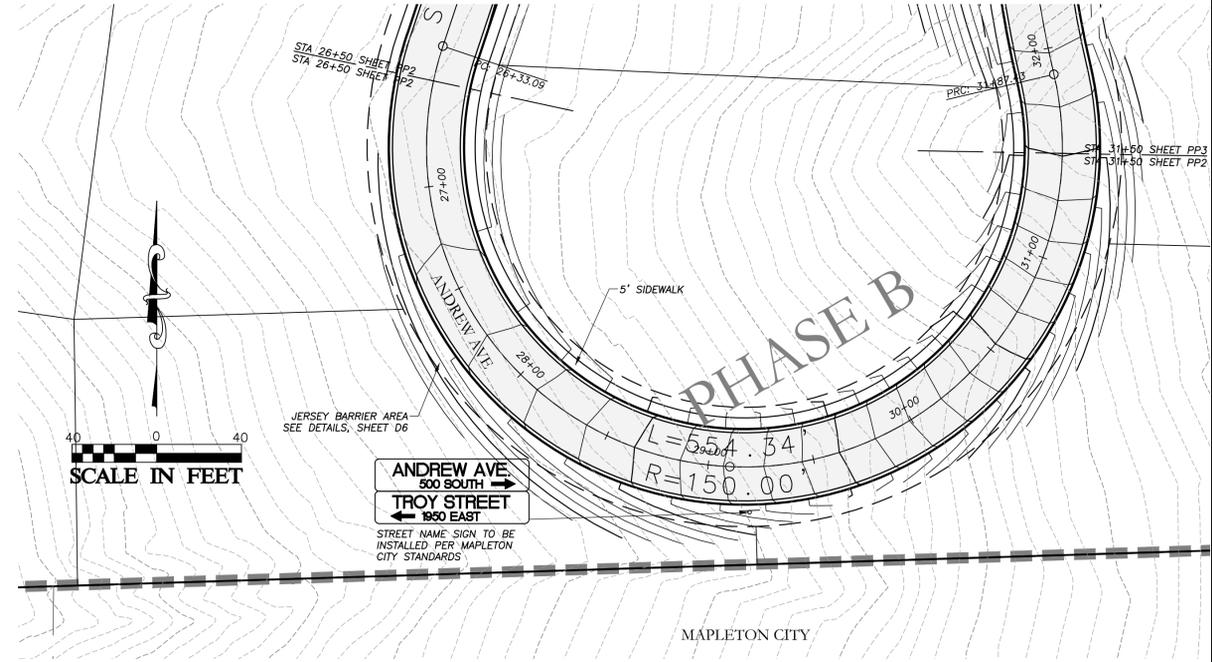
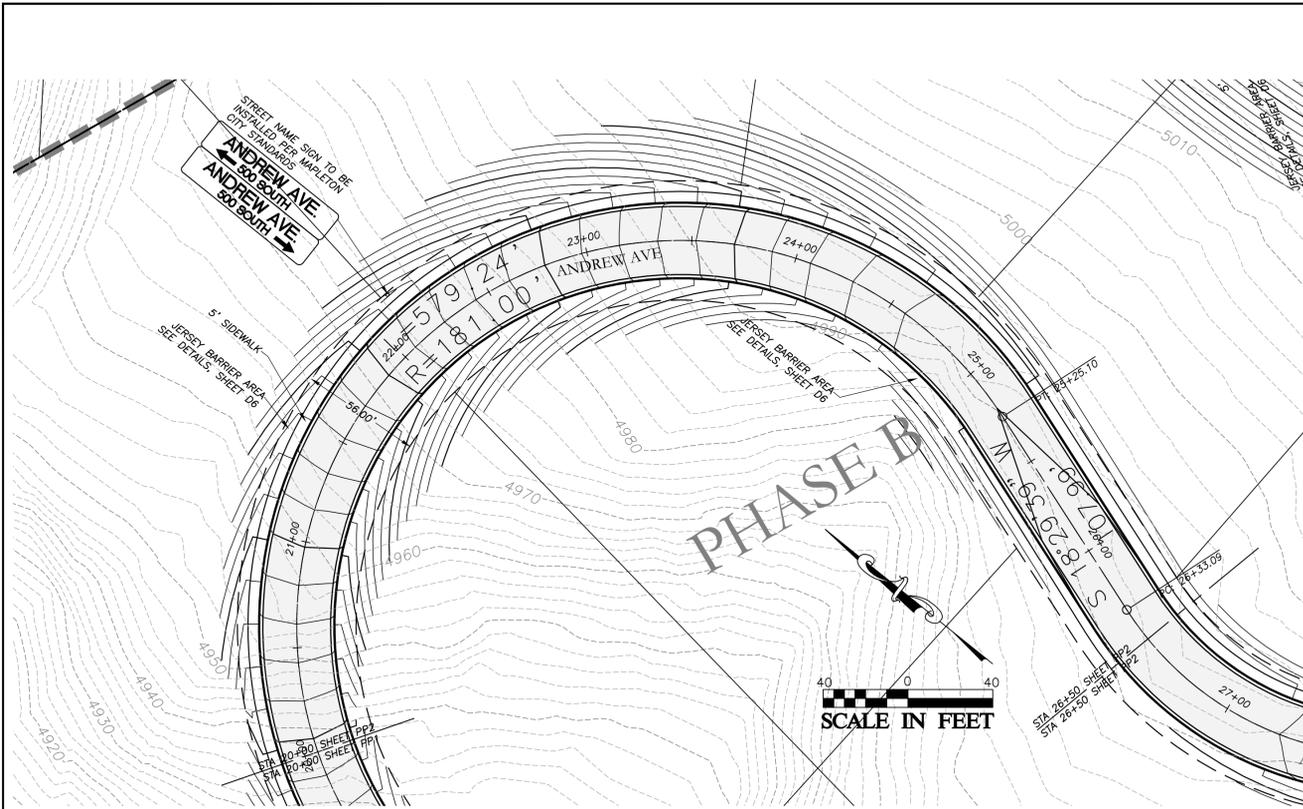
NO.	REVISIONS DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 180 N. 100 E. SUITE E
 RICHFIELD, UTAH 84701
 FAX (435) 896-8797

PLAN AND PROFILE
 ANDREW AVE 10+00 TO 20+00
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO:	1005WG	DRAWN BY:	GTT
DATE:	04/01/2014	DESIGNED BY:	GTT
SHEET NO.:	PP1	CHECKED BY:	

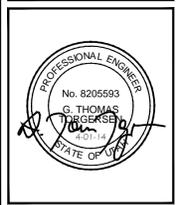


NOTES:
 1. INSTALL TEMPORARY TURNAROUND AT END OF EACH PHASE.
 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.

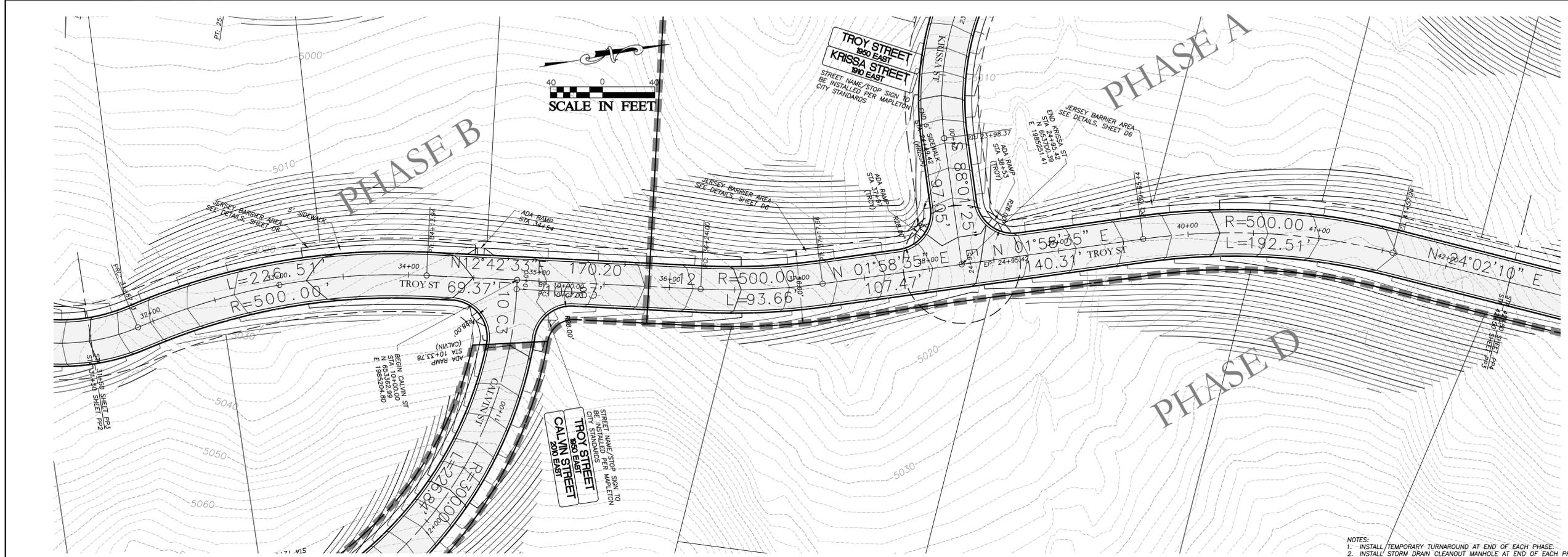
NO.	REVISIONS	DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 180 N. 100 E. SUITE E
 RICHFIELD, UTAH 84701
 OFFICE (435) 893-0081
 FAX (435) 896-8797

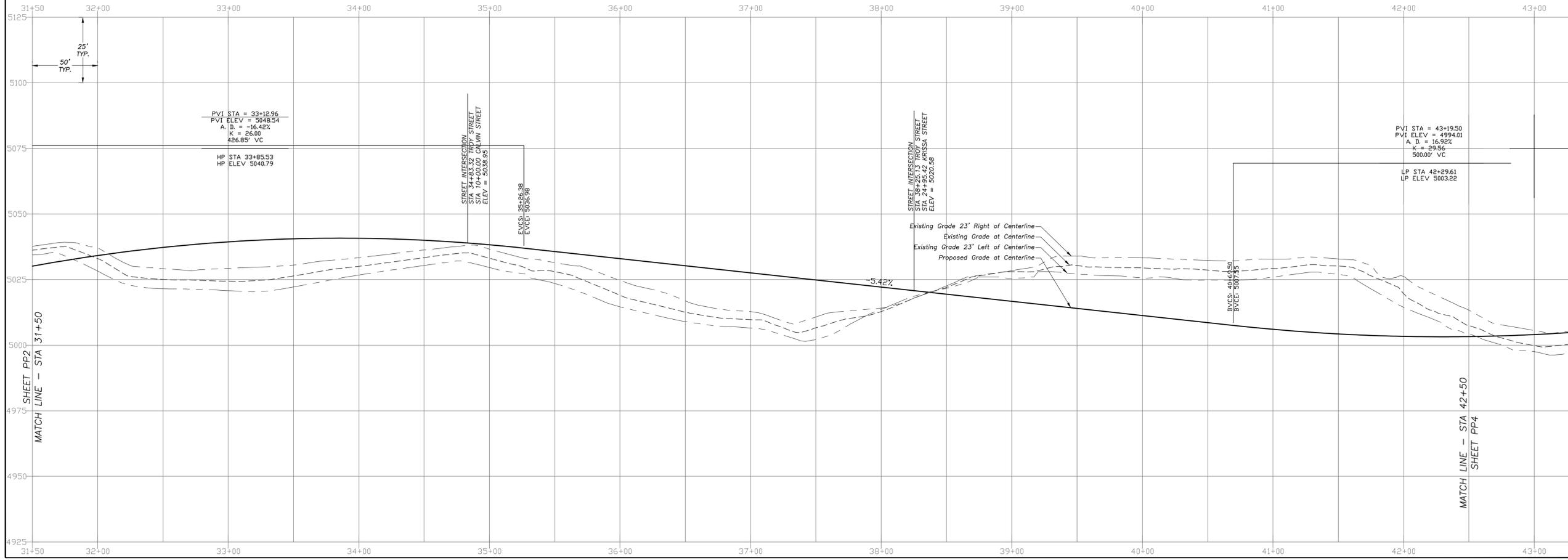
PLAN & PROFILE - ANDREW
 & TROY ST. 20+00 TO 31+50
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO:	1005WG	DRAWN BY:	GTT
DATE:	04/01/2014	DESIGNED BY:	GTT
SHEET NO.:	PP2	CHECKED BY:	



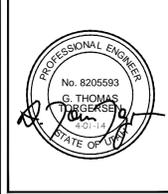
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 1. INSTALL TEMPORARY TURNAROUND AT END OF EACH PHASE.
 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.



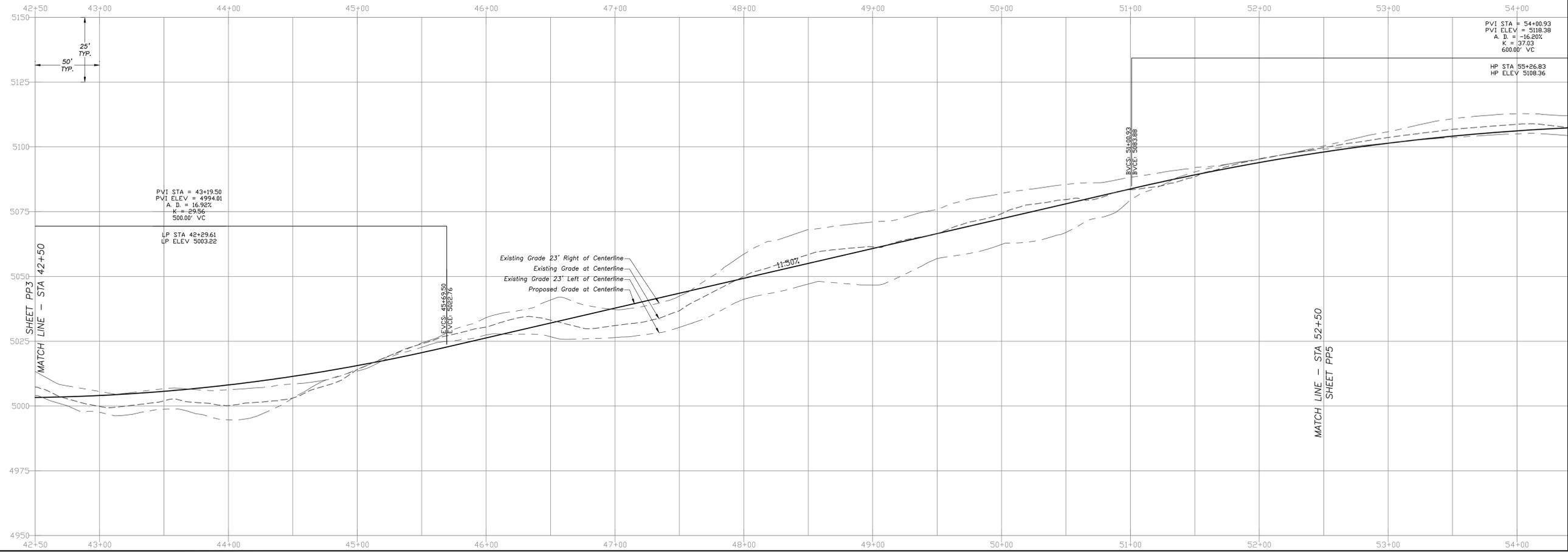
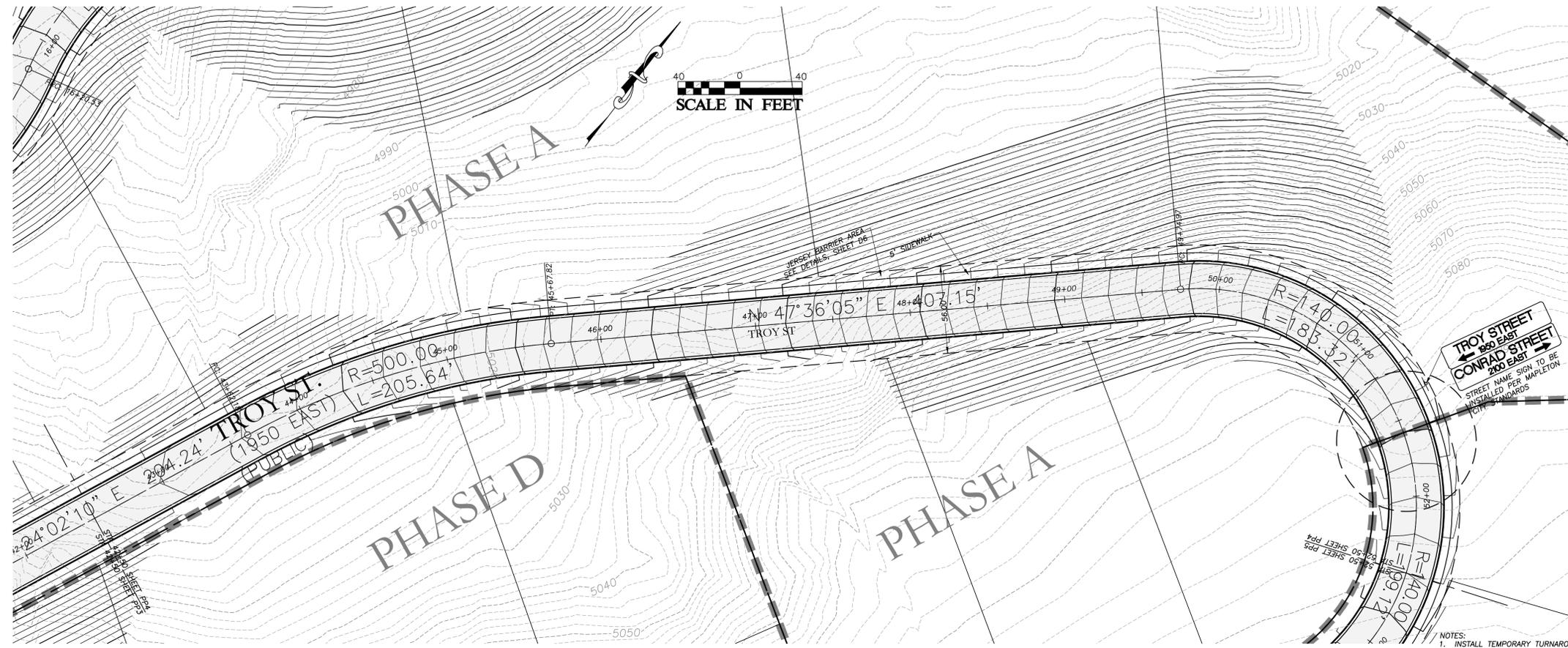
NO.	REVISIONS DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 180 N. 100 E. SUITE E
 RICHFIELD, UTAH 84701
 OFFICE (435) 893-0081
 FAX (435) 896-8797

PLAN AND PROFILE
 TROY STREET 31+50 TO 42+50
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO:	1005WG	DRAWN BY:	GTT
DATE:	04/01/2014	DESIGNED BY:	GTT
SHEET NO.:	PP3	CHECKED BY:	



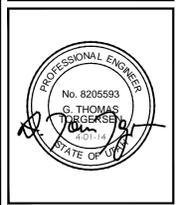
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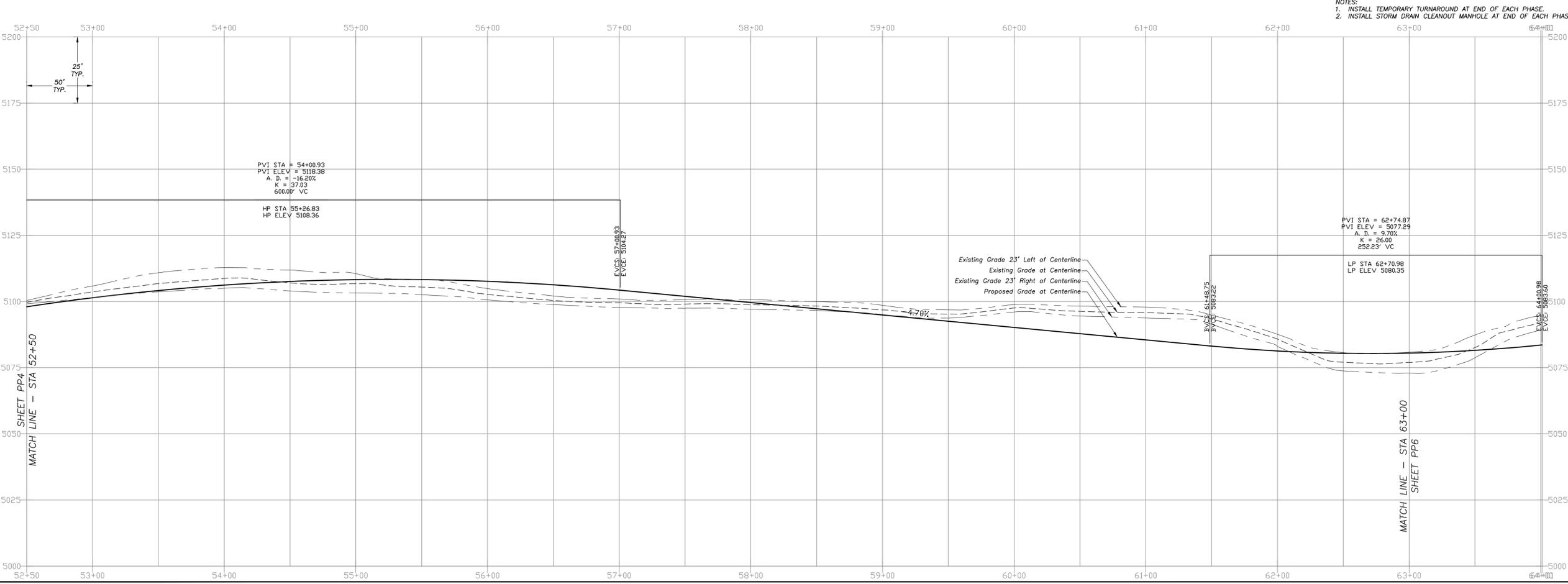
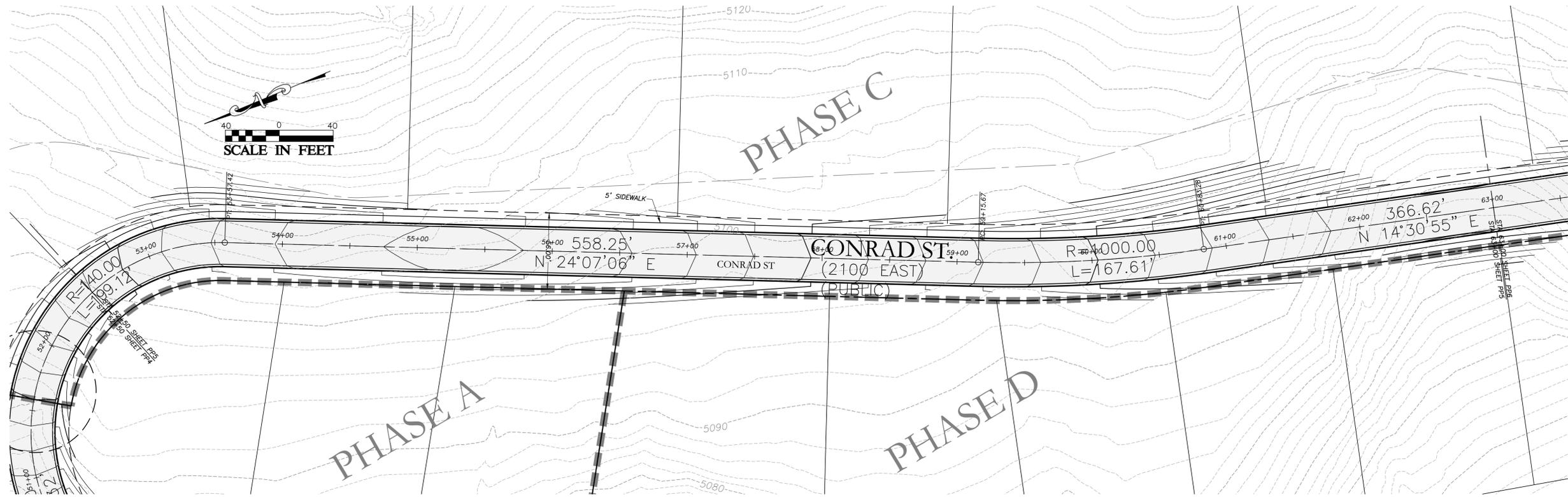
TORGENSEN ENGINEERING

180 N. 100 E. SUITE E
RICHFIELD, UTAH 84701
OFFICE (435) 893-0081
FAX (435) 896-8797

PLAN AND PROFILE-CONRAD AND TROY 42+50 TO 52+50 FOR MCBRS DEVELOPERS 280 WEST RIVER PARK DRIVE PROVO, UTAH 84604



PROJECT NO:	1005WG	DRAWN BY:	GTT
DATE:	04/01/2014	DESIGNED BY:	GTT
SHEET NO.:	PP4	CHECKED BY:	



NOTES:
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 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.

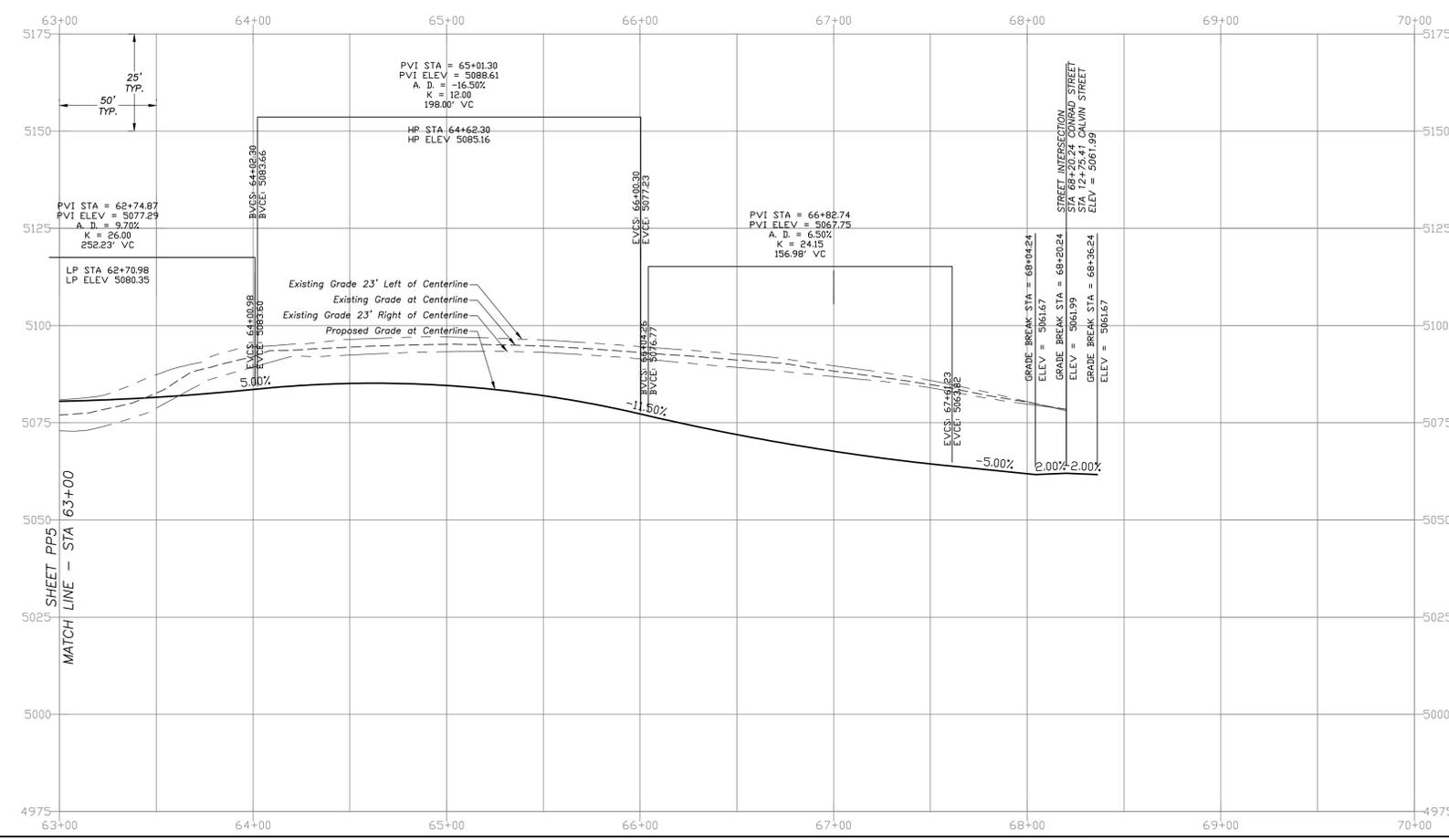
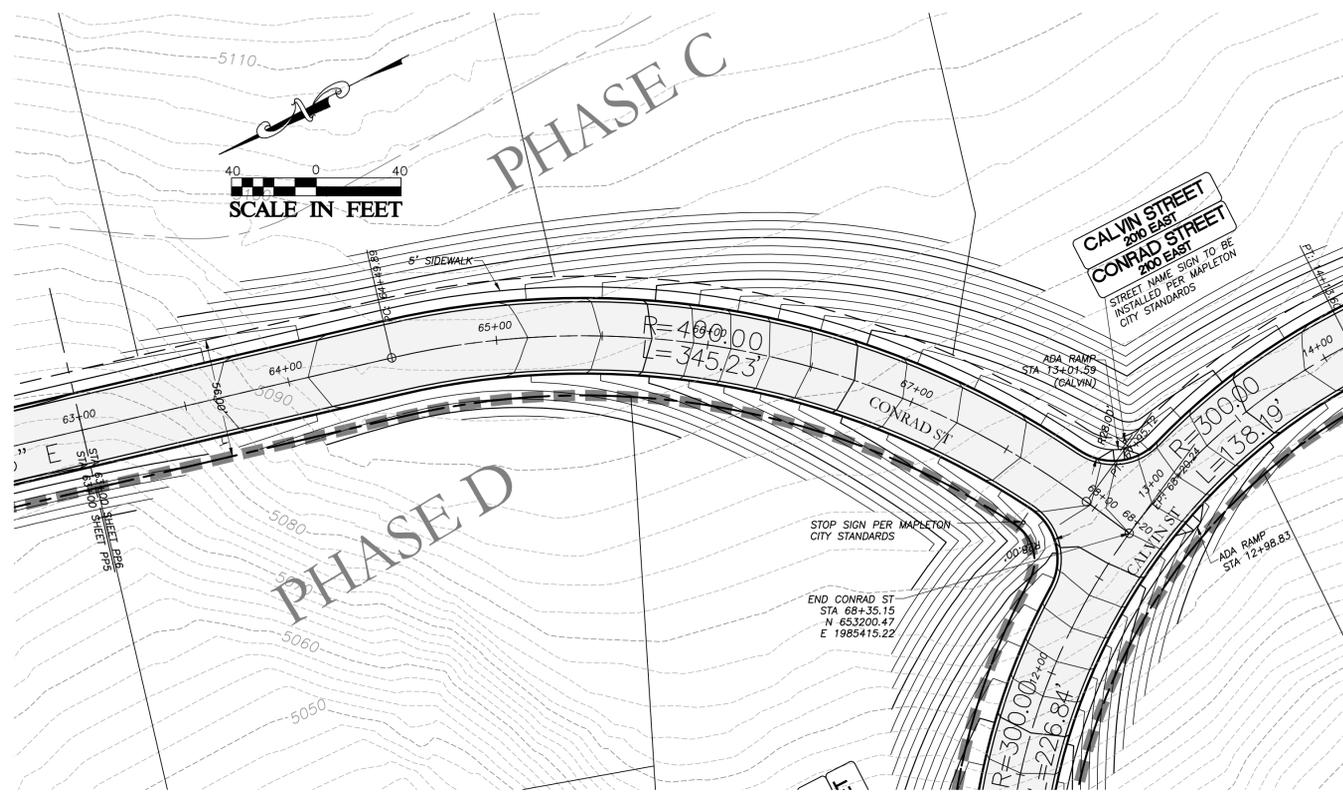
NO.	REVISIONS DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 OFFICE (435) 893-0081
 RICHFIELD, UTAH 84701
 FAX (435) 896-8797

PLAN AND PROFILE
 CONRAD STREET 52+50 TO 63+00
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO: 1005WG	DRAWN BY: GTT
DATE: 04/01/2014	DESIGNED BY: GTT
SHEET NO.: PP5	CHECKED BY:

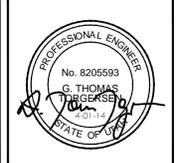


- NOTES:
 1. INSTALL TEMPORARY TURNAROUND AT END OF EACH PHASE.
 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.

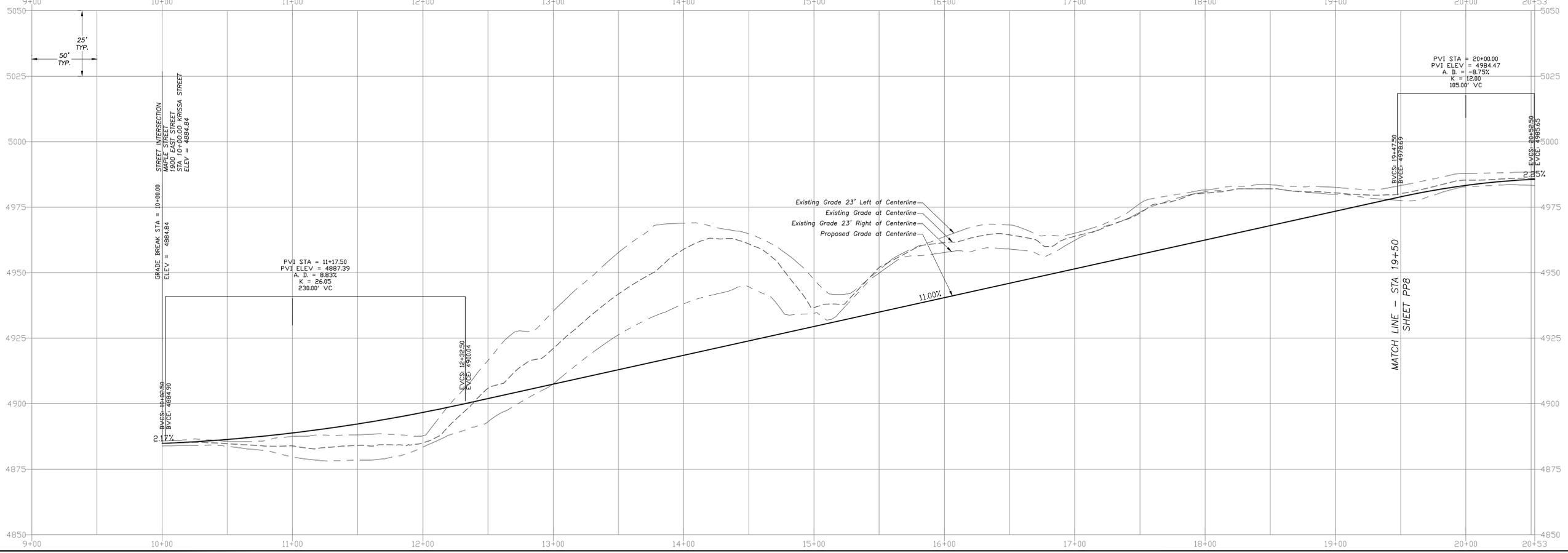
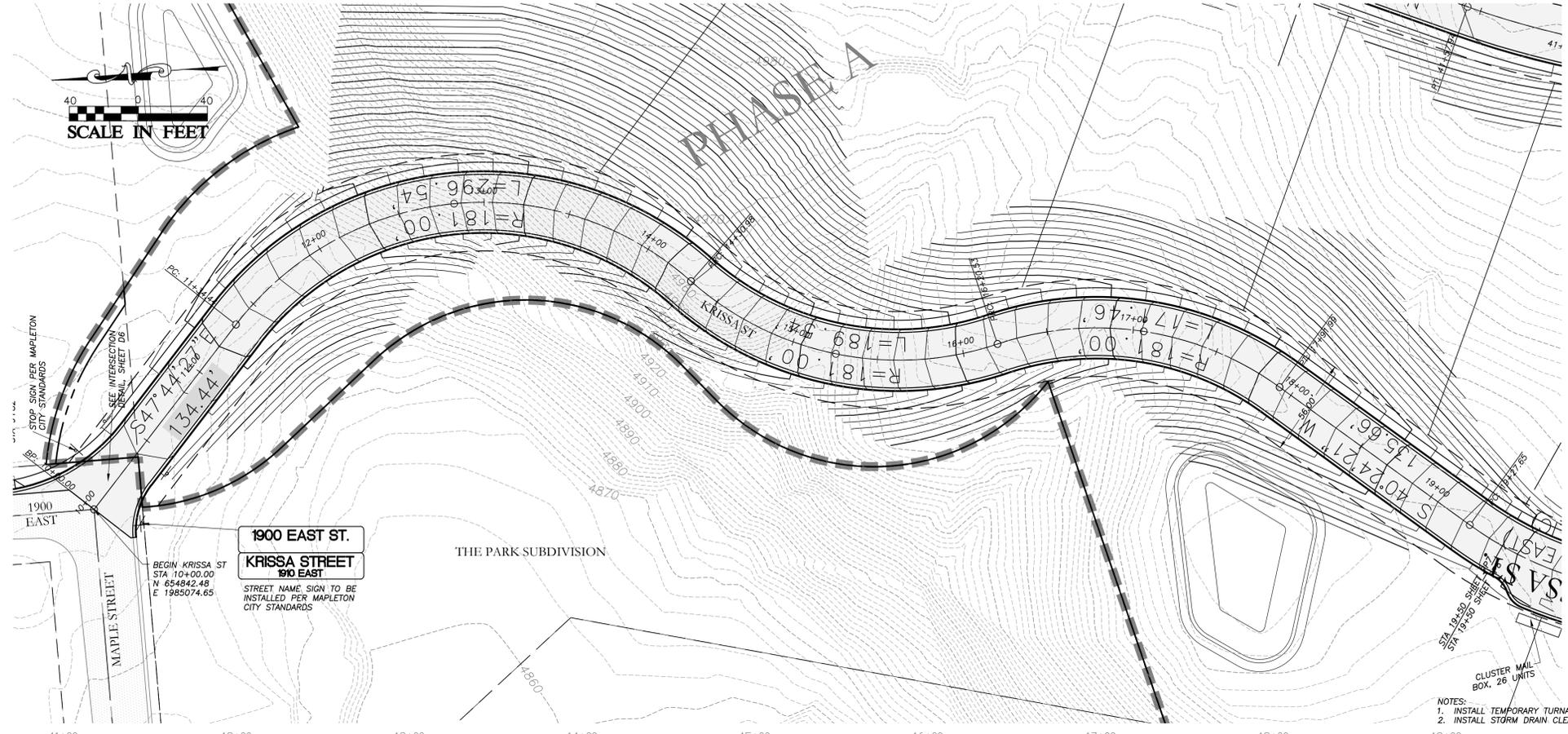
NO.	REVISIONS DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 OFFICE (435) 893-0081
 180 N. 100 E. SUITE E
 RICHFIELD, UTAH 84701
 FAX (435) 896-8797

PLAN AND PROFILE
 CONRAD STREET 63+00 TO 68+20
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO: 1005WG	DRAWN BY: GTT
DATE: 04/01/2014	DESIGNED BY: GTT
SHEET NO: PP6	CHECKED BY:

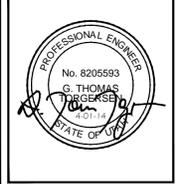


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 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.

NO.	REVISIONS DESCRIPTION	DATE	BY

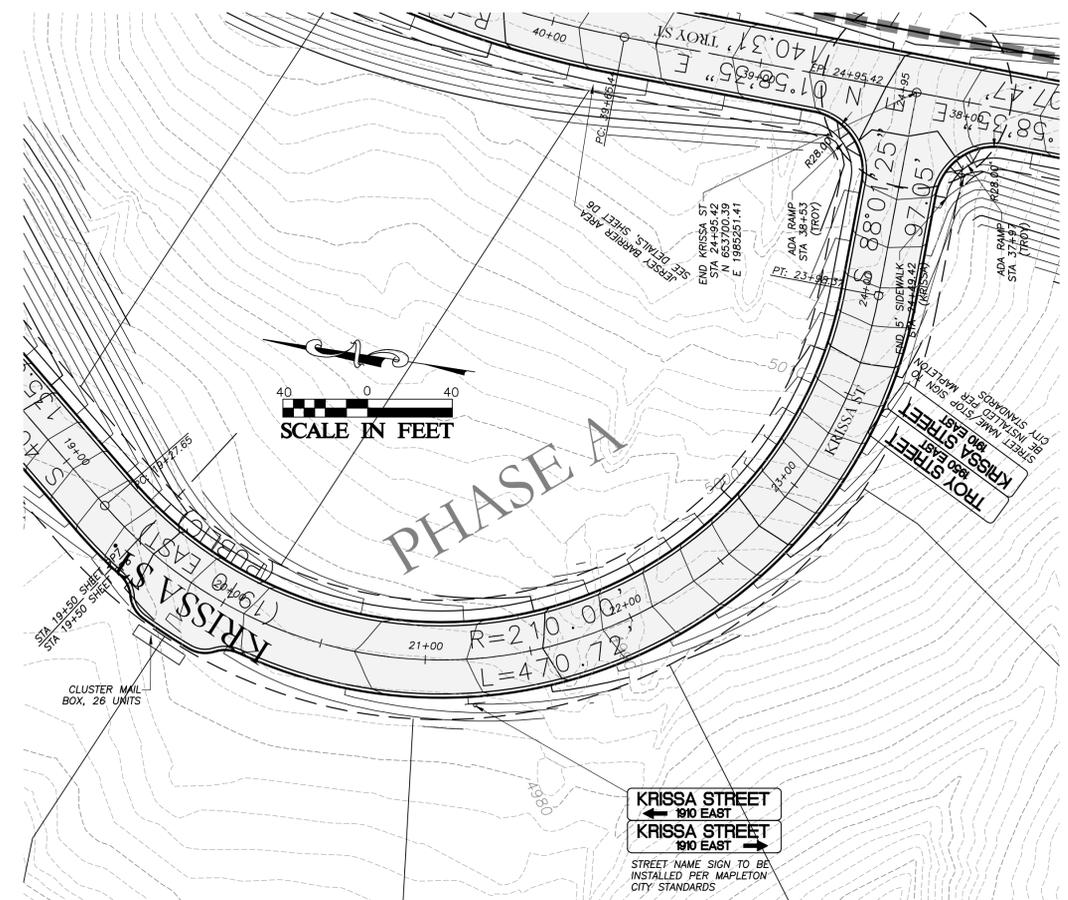
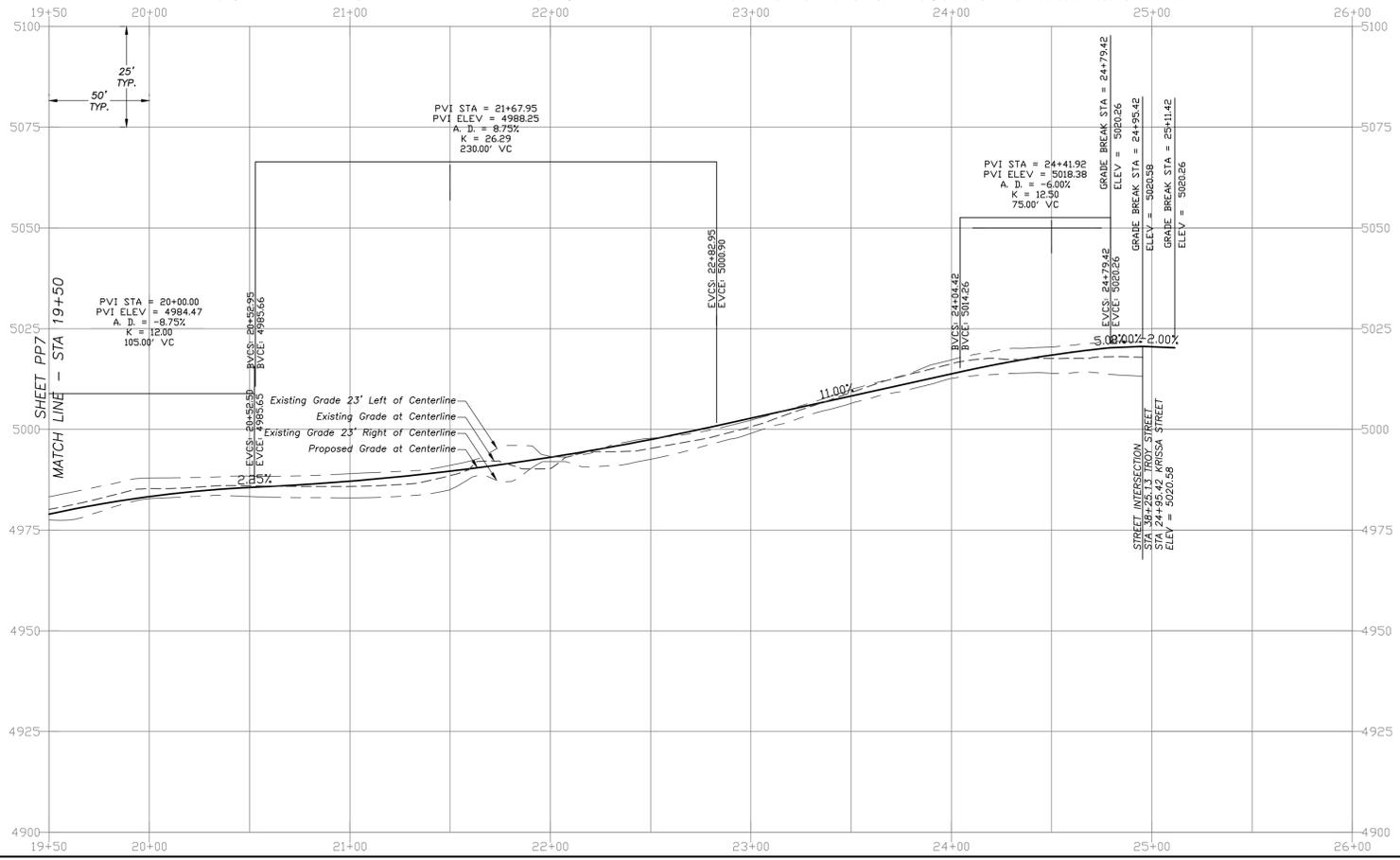
PREPARED BY:
TORGENSEN ENGINEERING
 OFFICE (435) 893-0081
 180 N. 100 E. SUITE E
 RICHFIELD, UTAH 84701
 FAX (435) 896-8797

PLAN AND PROFILE
 KRISSA STREET 10+00 TO 19+50
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO:	1005WG	DRAWN BY:	GTT
DATE:	04/01/2014	DESIGNED BY:	GTT
SHEET NO.:	PP7	CHECKED BY:	

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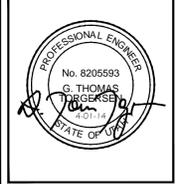


- NOTES:
 1. INSTALL TEMPORARY TURNAROUND AT END OF EACH PHASE.
 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.

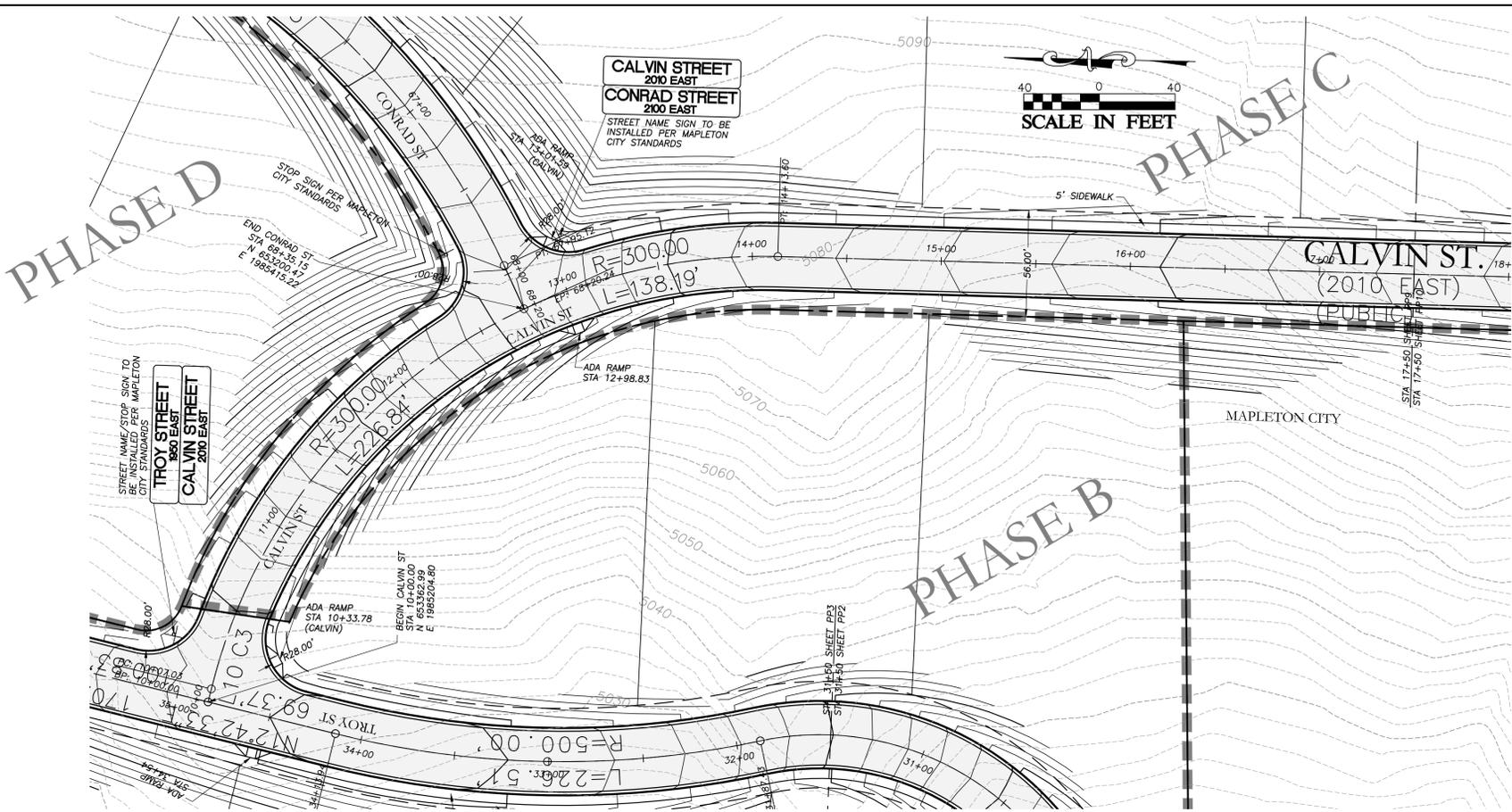
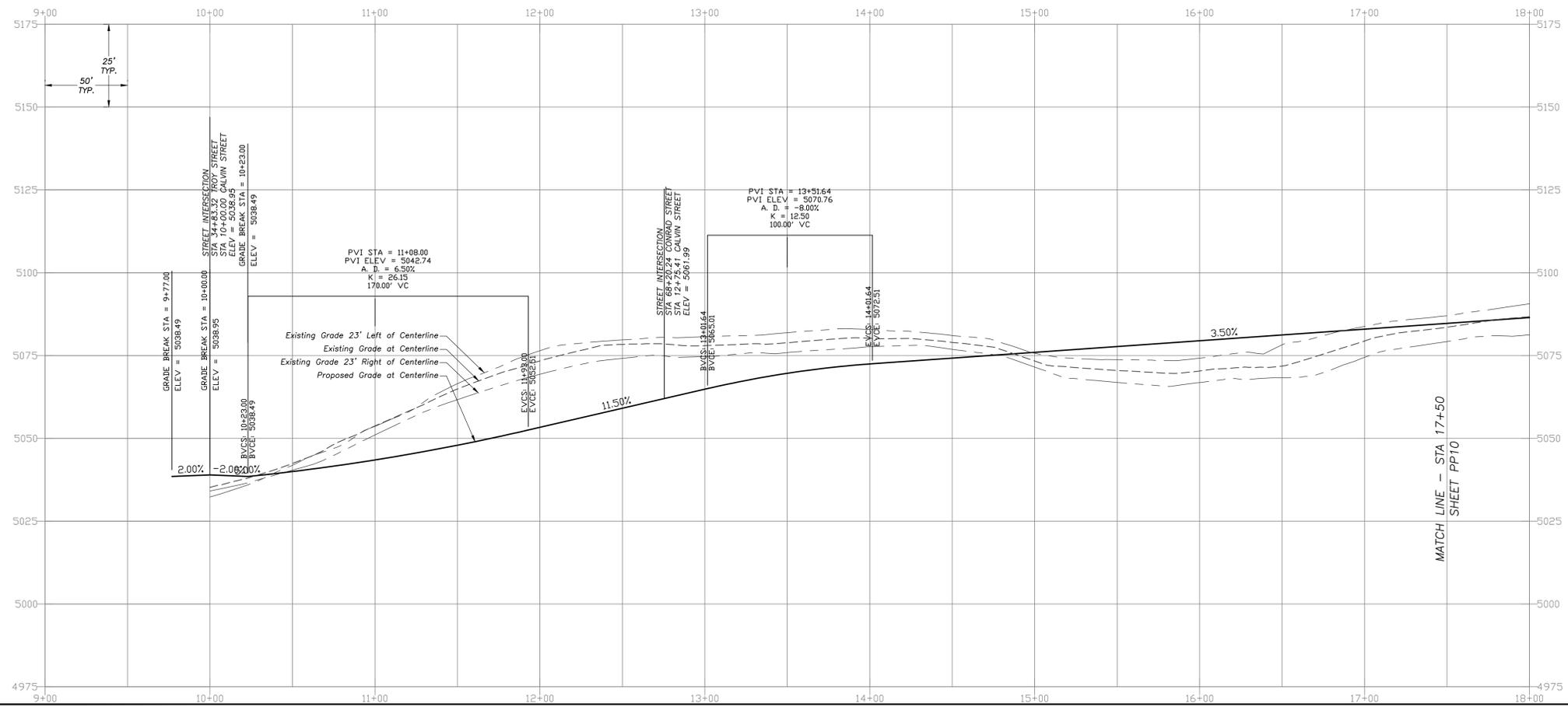
NO	DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 OFFICE (435) 893-0081
 160 N. 100 E. SUITE E
 RICHFIELD, UTAH 84701
 FAX (435) 896-8797

PLAN AND PROFILE
 KRISSA STREET 19+50 TO 24+95
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO: 1005WG	DRAWN BY: GTT
DATE: 04/01/2014	DESIGNED BY: GTT
SHEET NO.: PP8	CHECKED BY:

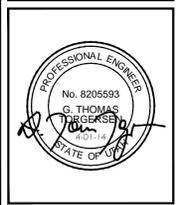


NOTES:
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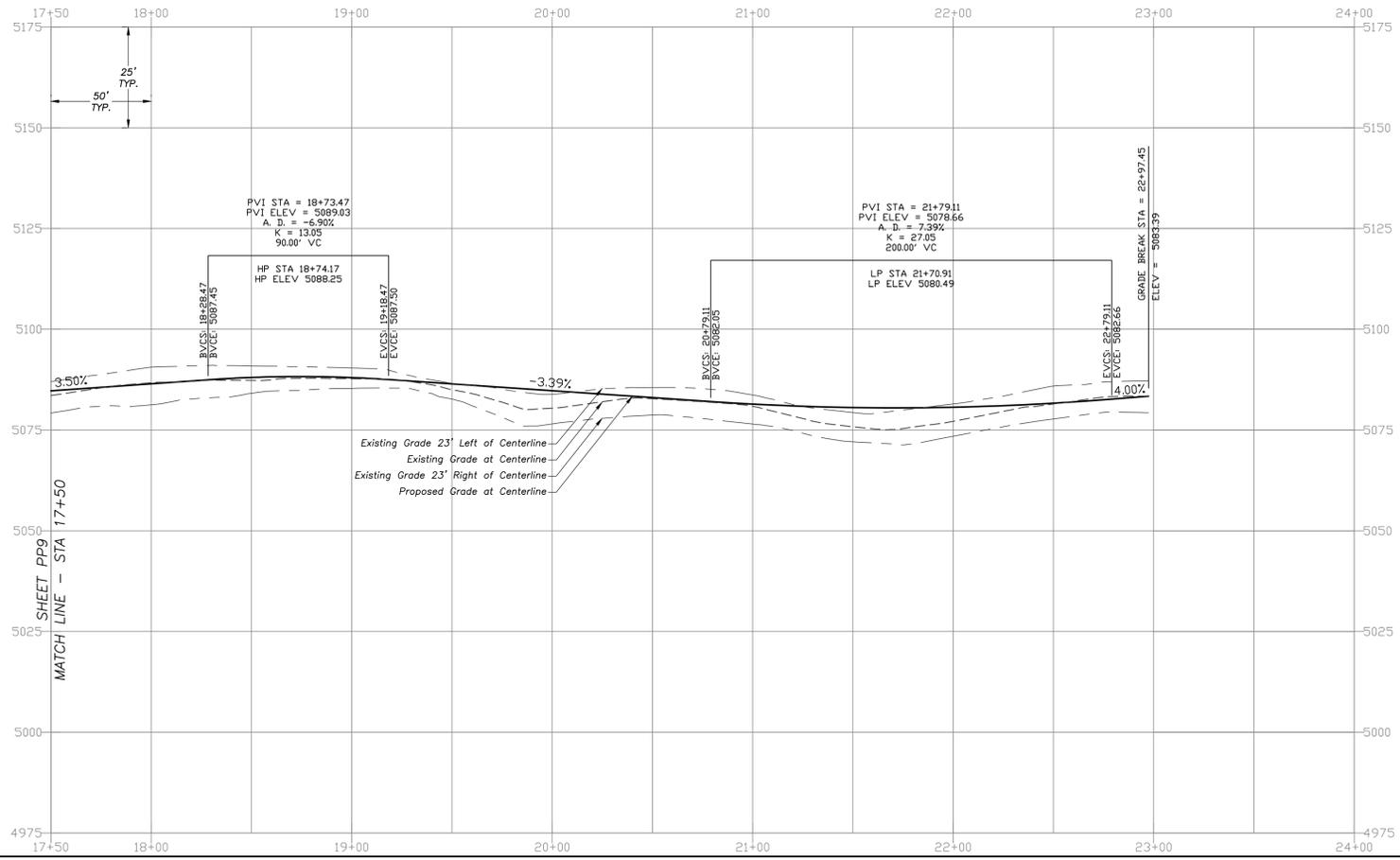
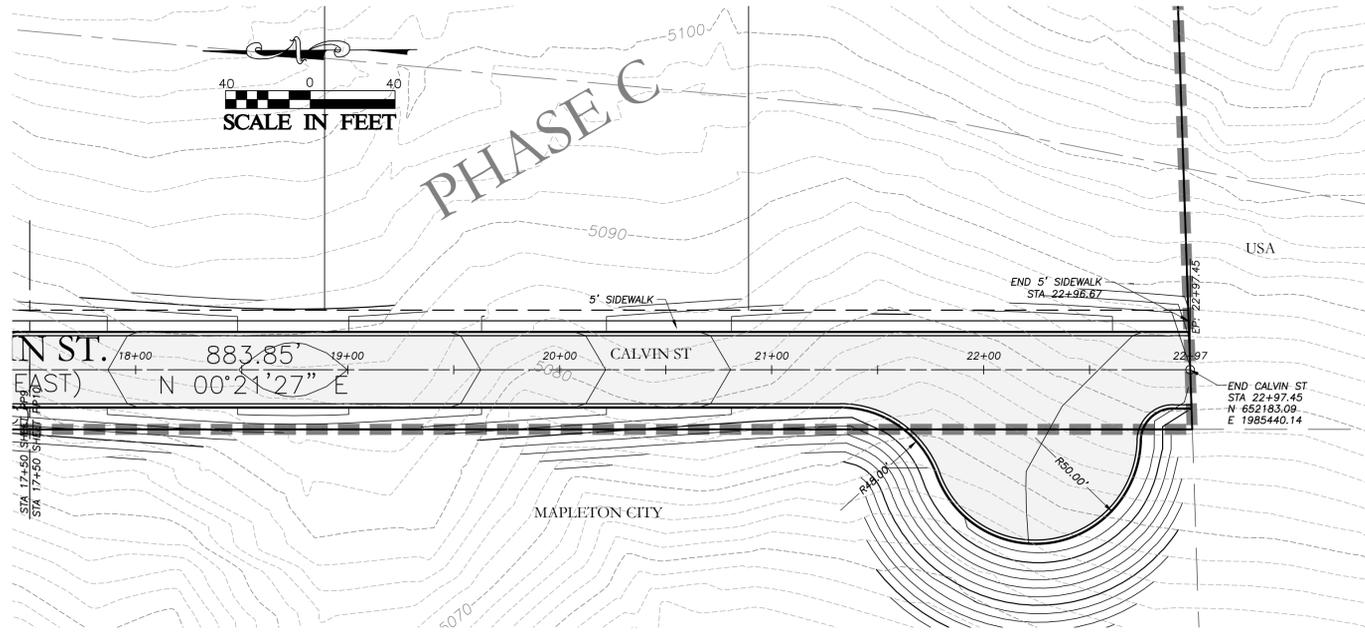
NO.	REVISIONS	DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 OFFICE (435) 893-0081
 RICHFIELD, UTAH 84701
 FAX (435) 896-8797

PLAN AND PROFILE
 CALVIN STREET 10+00 TO 17+50
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO:	1005WG	DRAWN BY:	GTT
DATE:	04/01/2014	DESIGNED BY:	GTT
SHEET NO.:	PP9	CHECKED BY:	

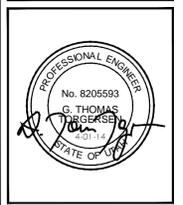


- NOTES:
 1. INSTALL TEMPORARY TURNAROUND AT END OF EACH PHASE.
 2. INSTALL STORM DRAIN CLEANOUT MANHOLE AT END OF EACH PHASE.

NO.	REVISIONS DESCRIPTION	DATE	BY

PREPARED BY:
TORGENSEN ENGINEERING
 OFFICE (435) 893-0081
 RICHFIELD, UTAH 84701
 FAX (435) 896-8797

PLAN AND PROFILE
 CALVIN STREET 17+50 TO 22+97
 FOR
 MCBRS DEVELOPERS
 280 WEST RIVER PARK DRIVE
 PROVO, UTAH 84604



PROJECT NO:	1005WG
DATE:	04/01/2014
SHEET NO.:	pp10
DRAWN BY:	GTT
DESIGNED BY:	GTT
CHECKED BY:	

Attachment "2"

Settlement Agreement & Amendments

MEMORANDUM OF UNDERSTANDING TO SETTLE PENDING LITIGATION AND ALL CLAIMS KNOWN AND UNKNOWN

This Memorandum of Understanding to Settle Pending Litigation and All Claims Known and Unknown (the "Agreement") is entered into by and between Mapleton City, Utah ("Mapleton" or the "City"), a municipal corporation and body politic, and Wendell A. Gibby and Trudy Gibby individually and as co-trustees of the UVRA, Inc., WAG Pension Trust; Wendell A. Gibby Trustee Utah Valley Radiology (sic) Assoc., Inc., Money Purchase Pension Plan for Wendell A. Gibby and MCBRS, LLC (collectively, the "Gibby Parties") (the Mapleton and Gibby Parties are collectively referred to herein as the "Settling Parties") as of this 15th day of May, 2007.

WHEREAS, the Settling Parties are opposing parties in several lawsuits consisting of the following: (1) Case No. 05010068 Utah 4th Dist. Ct. pending before Judge Pullan (historical right of way and eminent domain); (2) Case No. 2:05-cv-632 DB U.S. Dist. Ct. Dist. of Utah pending before Judge Benson (civil rights); (3) Case No. 070100482 Utah 4th Dist. pending before Judge Pullan (rezone challenge); (4) Case No. 060402859 Utah 4th Dist. pending before Judge Howard (Dogwood Dr.); and

WHEREAS, 2007 legislative bill known as House Bill 334 proposed before the Utah State Legislative that would impact some of the above litigated matters; and was deferred by reason of the oral understanding preceding this Agreement; and

WHEREAS, the Gibby Parties have applied for a subdivision approval within Mapleton; and

WHEREAS, the Settling Parties have reached an agreement in principle to resolve all of the disputes claimed in the above lawsuits, and which would settle all claims between the parties, known and unknown; and

WHEREAS, the agreement in principle will require Mapleton to exercise its police power for purposes such as rezoning certain lands in the City; and

WHEREAS, the police powers of the City cannot be circumvented by agreement, and therefore, the parties desire to allow Mapleton sufficient time to exercise its police powers with respect to the land use laws contained within the Utah Code and the City Code; and

NOW THEREFORE, for good and valuable consideration, including the resolution of pending litigation, the Settling Parties hereby agree and covenant as follows:

1. The Gibby Parties will expeditiously, meaning no later than June 1, 2007, but in all events by July 1, 2007, submit all materials necessary to comply with Utah State law and all current applicable City Ordinances, Mapleton will bring forward an ordinance to rezone the 60+/- acres of the Gibby Parties' land to other than in an environmentally restricted zone to a zone comparable to an RA-1 zone development restrictions which are on an area with a slope less than 30%, which is included in the 124+/- acres of land owned or controlled by the Gibby Parties within the CE-1 zone

to allow for a total density on the Gibby Parties' land of 47 separate residential units with clustering of the homes within the 60 +/- acres and a plat to incorporate such development.

2. Mapleton will forthwith approve the Gibby Parties' application to move the power lines farther to the east, as per the previously filed application. A permit will be brought forward for the relocation of the power line that traverses the property at the developer's expense.
3. Upon approval of the plat described herein, the Gibby Parties agree to provide an easement for a trail from the north and south property lines of the Gibby Parties' property across the west escarpment of the property in substantial compliance with plats previously submitted by the Gibby Parties during the legislation session in 2007 to Mapleton, consistent with City's trail easement on the north across the adjoining Roundy property and connecting on the south to either the Forest Service or the City property. The Gibby Parties shall choose the location of the trail easement through the Gibby Parties' property.
4. Upon approval of the rezoning and plat approval described herein, the Gibby Parties will grant an easement, at no cost to the City, for its water main that is to be placed in a public right-of-way in a location to be determined by Mr. Gibby and approved by the City Engineer. The location of the proposed easement will be communicated to the City within the next 30 days except for where the water main is in a public street, the water main easement across the Gibby Parties' property shall be restricted to City employees for maintenance or repair of the water main. The City will provide a satisfactory mitigation plan and be responsible for any pipeline rupture or damage to private property. The City will bear the costs of the water main. It is agreed that culinary water needs of the Gibby Parties' property will be supplied from the water main that will be placed in the public right-of-way described above.
5. The development of the Gibby Parties' property must comply with the written objective standards already adopted by the City, and other than changes contemplated in paragraph 1, no conditions outside of the written objective development standards already adopted by the City will be imposed on the Gibby Parties' development.
6. Mapleton agrees to cooperate with a future land exchange, if any, between the Gibby Parties and the U.S. Forest Service which owns land immediately to the south of the Gibby Parties' subject property.
7. The Gibby Parties agree to use their best efforts to assist Mapleton City to complete the actions described in paragraphs 1 and 2 above before September 1, 2007. Any delay up to one month by the Gibby Parties in making submissions shall grant the

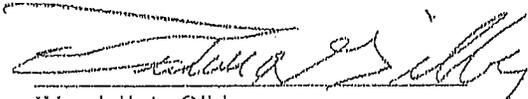
City a corresponding extension of time to complete the actions described in paragraphs 1 and 2 up to one month.

8. The City will work in good faith with the developer of the Gibby Parties' property to ensure that adequate public facilities are available.
9. The City and the developer of the Gibby Parties' property shall work in good faith to achieve an attractive and functional development.
10. The City agrees that Dogwood Drive needs to be widened to the Gibby Parties' property to achieve safe traffic flow to accommodate the development of the Gibby Parties' property no to exceed 56' to the same width as the developers' design for the Gibby Parties' development. The City will widen the street at the City's expense.
11. Upon completion prior to September 1, 2007 of the rezoning described in paragraph 1, and the permit issued for the moving of the power poles described in paragraph 2, the Settling Parties hereto agree as follows:
 - A. The Gibby Parties agree to settle and dismiss with prejudice the above litigations and all claims known and unknown against Mapleton and all individuals named in the above litigation and bear their own costs and attorney's fees.
 - B. Mapleton agrees to settle and dismiss with prejudice the above entitled litigation and all claims known and unknown against the Gibby Parties and bear their own costs and attorney's fees.
12. The Gibby Parties will take all measures to assist Mapleton to efficiently process any development requests and will submit all development requests with ample time; meaning no later than June 1, 2007, but in all events by July 1, 2007, to allow the City to complete approvals contemplated by paragraphs 1 and 2.
13. The Gibby Parties agree to work in good faith to heal rifts within the community.
14. Mapleton agrees to work in good faith to heal rifts within the community.
15. Mapleton agrees to expedite development requests from the Gibby Parties meaning no later than June 1, 2007, but in all events by July 1, 2007 to complete the applications contemplated herein prior to September 1, 2007.
16. Upon receiving the rights of way for the trail and water main described herein, Mapleton agrees to publicly declare that the Gibby Parties' property is private property, and the public is not allowed to trespass, vandalize, or cross said property.

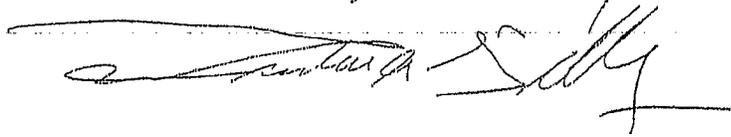
except where the City shall obtain rights of way, and that violations of the Gibby Parties' property rights will be prosecuted by the City.

17. The Settling Parties agree to fully cooperate and to execute any and all supplementary documents and to take all additional actions that may be reasonably necessary to give ~~this Agreement full force and effect. The Settling Parties hereby authorize their~~ counsel to do the same.
18. The Settling Parties understand and agree that this Agreement is entered into for the purpose of resolving doubtful and disputed claims and is not an admission of liability of any of the Settling Parties as any liability is expressly denied.
19. In any action brought to enforce, construe or rescind this Agreement, or any document required hereby, the state or federal courts of the State of Utah shall have exclusive jurisdiction over, and venue with respect to, each party. This Agreement shall be governed and construed in accordance with the laws of the State of Utah. In any action brought to enforce, construe, or rescind this Agreement, or any document required hereby, the prevailing parties shall be entitled to the recovery of reasonable attorney's fees and reasonably incurred costs and expenses of litigation.
20. This Agreement shall be binding upon the successors, assigns, administrators, and executors of the Settling Parties.
21. This Agreement is being executed in multiple counterpart originals and shall be deemed fully executed and binding when all of the parties hereto have executed one counterpart of this Agreement. This Agreement shall then have the same force and effect as if all signatures appeared on the same original.
22. In entering into this Agreement, the Settling Parties represent that they have relied upon the advice of their attorneys, who are the attorneys of their own choice, concerning the legal consequences of this Agreement, that the terms of this Agreement have been completely read and explained to them by their attorneys, and that the terms of this Agreement are fully understood and voluntarily accepted by them.
23. The individuals executing this Agreement represent and warrant individually that they are duly authorized and empowered to enter into this Agreement on behalf of themselves or their respective principals.

On Behalf of the Gibby Parties



Wendell A. Gibby

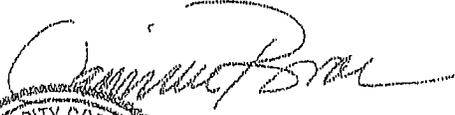


On Behalf of Mapleton City, Utah



Mayor

ATTESTED:



First Amendment to Memorandum of Understanding

WHEREAS, the Settling Parties under the attached "Memorandum of Understanding To Settle Pending Litigation and All Claims Known and Unknown" entered into as of the 15 day of May, 2007 ("MOU") desire to amend certain portions of the MOU; and

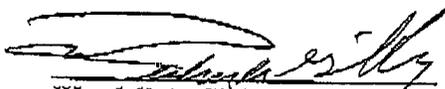
WHEREAS, the Settling Parties have diligently and reasonably attempted to fulfill their obligations under the MOU in the timeframes set forth in the MOU, but require additional time to fulfill said obligations;

NOW THEREFORE, for good and valuable consideration, the existence and sufficiency of which is agreed to by the Settling Parties, the Settling Parties do amend the MOU as follows:

1. All provisions in the MOU which state that actions will be taken or obligations fulfilled by September 1, 2007, are hereby amended to state that such actions will be taken or obligations fulfilled on or before October 1, 2007. This includes the provisions in Paragraph 7, 11, and 15.

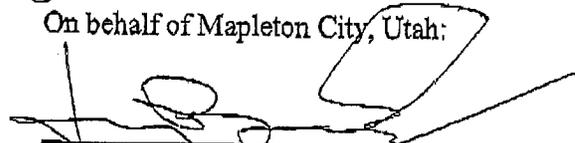
Executed and agreed to on this 31 day of Aug, 2007 by:

On behalf of the Gibby Parties:



 Wendell A. Gibby

On behalf of Mapleton City, Utah:



 Mayor

Attested:





Second Amendment to Memorandum of Understanding

WHEREAS, the Settling Parties under the attached "Memorandum of Understanding To Settle Pending Litigation and All Claims Known and Unknown" entered into as of the 15th day of May, 2007 ("MOU") desire to amend certain portions of the MOU; and

WHEREAS the Settling Parties previously executed a First Amendment to Memorandum of Understanding ("First Amendment") which extended certain dates under the MOU to October 1, 2007; and

WHEREAS, the Settling Parties have diligently and reasonably attempted to fulfill their obligations under the MOU and the First Amendment in the timeframes set forth therein, but require and desire additional time to fulfill said obligations; and

NOW THEREFORE, for good and valuable consideration, the existence and sufficiency of which is agreed to by the Settling Parties, the Settling Parties do amend the MOU and First Amendment as follows:

1. All provisions in the MOU and First Amendment which state that actions will be taken or obligations fulfilled by October 1, 2007, are hereby amended to state that such actions will be taken or obligations fulfilled on or before November 1, 2007. This includes, without limitation, the provisions in Paragraphs 7, 11, and 15

Executed and agreed to on this 15 day of OCT, 2007 by:

On behalf of the Gibby Parties:

Wendell A. Gibby

On behalf of Mapleton City, Utah:

Mayor

Attested:



Third Amendment to Memorandum of Understanding

WHEREAS, the Settling Parties under the attached "Memorandum of Understanding To Settle Pending Litigation and All Claims Known and Unknown" entered into as of the 15th day of May, 2007 ("MOU") desire to amend certain portions of the MOU; and

WHEREAS the Settling Parties previously executed a First Amendment to Memorandum of Understanding ("First Amendment") which extended certain dates under the MOU to October 1, 2007, and a Second Amendment to Memorandum of Understanding ("Second Amendment") which extended certain dates under the MOU to November 1, 2007; and

WHEREAS, the Settling Parties have diligently and reasonably attempted to fulfill their obligations under the MOU, the First Amendment, and the Second Amendment in the timeframes set forth therein, but require and desire additional time to fulfill said obligations; and

NOW THEREFORE, for good and valuable consideration, the existence and sufficiency of which is agreed to by the Settling Parties, the Settling Parties do amend the MOU, First Amendment, and Second Amendment as follows:

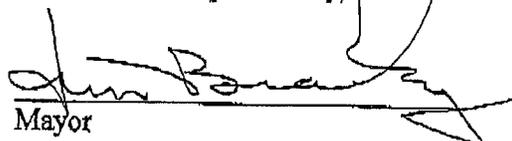
1. All provisions in the MOU, First Amendment, and Second Amendment which state that actions will be taken or obligations fulfilled by November 1, 2007, are hereby amended to state that such actions will be taken or obligations fulfilled on or before December 1, 2007. This includes, without limitation, the provisions in Paragraphs 7, 11, and 15.

Executed and agreed to on this 6th day of November 2007 by:

On behalf of the Gibby Parties:

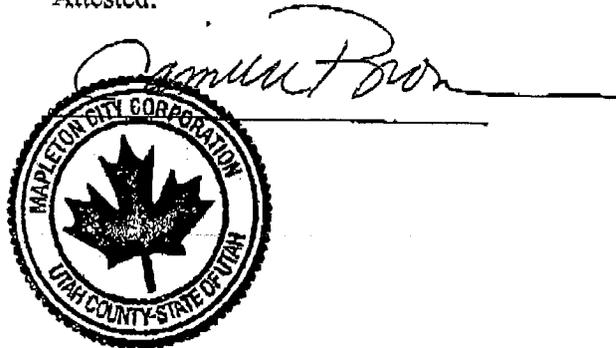
Wendell A. Gibby

On behalf of Mapleton City, Utah:



Mayor

Attested:



Fourth Amendment to Memorandum of Understanding

WHEREAS, the Settling Parties under the attached "Memorandum of Understanding To Settle Pending Litigation and All Claims Known and Unknown" entered into as of the 15th day of May, 2007 ("MOU") desire to amend certain portions of the MOU; and

WHEREAS, the Settling Parties previously executed a First Amendment to Memorandum of Understanding ("First Amendment") which extended certain dates under the MOU to October 1, 2007; a Second Amendment to Memorandum of Understanding ("Second Amendment") which extended certain dates under the MOU to November 1, 2007; and a Third Amendment to Memorandum of Understanding ("Third Amendment") which extended certain dates under the MOU to December 1, 2007; and

WHEREAS, the Settling Parties have diligently and reasonably attempted to fulfill their obligations under the MOU, the First Amendment, the Second Amendment and the Third Amendment in the time frames set forth therein, but require and desire additional time to fulfill said obligations; and

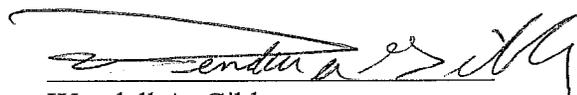
NOW THEREFORE, for good and valuable consideration, the existence and sufficiency of which is agreed to by the Settling Parties, the Settling Parties do amend the MOU, First Amendment, Second Amendment and Third Amendment as follows:

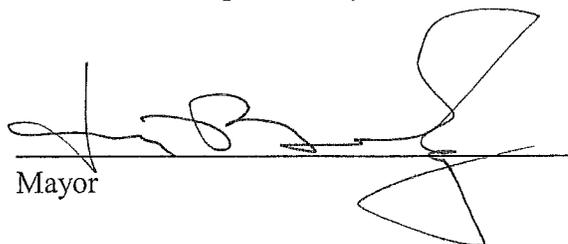
1. All provisions in the MOU, First Amendment, Second Amendment and Third Amendment which state that actions will be taken or obligations fulfilled by December 1, 2007, are hereby amended to state that such actions will be taken or obligations fulfilled on or before January 1, 2008. This includes, without limitation, the provisions in Paragraphs 7, 11 and 15.

Executed and agreed to on this 6th day of December, 2007 by:

On behalf of Gibby Parties:

On behalf of Mapleton City, Utah


Wendell A. Gibby


Mayor



Attested:



FIFTH AMENDMENT TO MEMORANDUM OF UNDERSTANDING TO SETTLE

This Fifth Amendment to Memorandum of Understanding to Settle Pending Litigation and All Claims Known and Unknown ("Fifth Amendment to Settlement Agreement") is entered into by and between Mapleton City, Utah ("Mapleton" or the "City"), a municipal corporation and body politic, and Wendell A. Gibby and Rudy Gibby individually and as co-trustees of the UVRA, Inc., WAG Pension Trust, Wendell A. Gibby Trustee Utah Valley Radiology (sic) Assoc., Inc., Money Purchase Pension Plan fbo Wendell A. Gibby and MCBRS, LLC (collectively, the "Gibby Parties") (Mapleton and the Gibby Parties are collectively referred to herein as the "Settling Parties") as of January 18, 2011, and amends the Memorandum of Understanding to Settle Pending Litigation and All Claims Known and Unknown entered into between the Settling Parties on May 15, 2007 (the "Original Settlement Agreement" as previously amended which is discussed hereinbelow).

WHEREAS, the Original Settlement Agreement included the commitment by Mapleton City to bring forward an ordinance to rezone the 60 +/- acres of the Gibby Parties' land from an environmentally restricted zone to a zone comparable to RA-1 zone development restrictions for areas with a slope less than 30%, which 60 +/- acres is included in the 124 +/- acres of land owned or controlled by the Gibby Parties (the "Gibby Property") within the Critical Environment 1 or CE-1 zone to allow for a total density on the Gibby Parties' land of 47 separate residential units with clustering of homes within the 60 +/- acres and a plat to incorporate such development; and

WHEREAS, in August 2007 the Mapleton City Council created the PD-2 zone in an effort to fulfill the Original Settlement Agreement; and

WHEREAS, in October 2007, a citizens group incorporated as Friends of Maple Mountain, Inc. ("FOMM") challenged the PD-2 zone by petitioning for a referendum election and filed suit against Mapleton City requesting an injunction; and

WHEREAS, in October 2007 the Utah Fourth District Court, Judge Darold McDade presiding, restrained or enjoined Mapleton City from taking further action on the PD-2 zone until after a trial on the FOMM lawsuit; and

WHEREAS, on August 31, 2007, October 15, 2007, November 6, 2007, and December 6, 2007, respectively, the Settling Parties entered into and agreed to a First, Second, Third and Fourth Amendment to the Original Settlement Agreement (the term "Original Settlement Agreement" as used herein includes all prior amendments referenced in this paragraph); and

WHEREAS, after the trial on the FOMM lawsuit in May 2008, Judge McDade ruled that the FOMM were not entitled to an election because the rezoning was an administrative action and thereby dissolved the restraint or injunction against Mapleton City taking further action on the PD-2 zone; and

WHEREAS, in May 2008, Mapleton City applied the PD-2 zone to the entire Gibby Property, rezoning the entire Gibby Property and not just 60 +/- acres; and

WHEREAS, the FOMM timely appealed Judge McDade's final judgment but did not ask for a stay pending appeal; and

WHEREAS, in 2009 in a separate lawsuit from the FOMM suit, the Utah Fourth District Court, Judge David Mortensen presiding, held that Mapleton City had satisfied paragraph 11 of the Original Settlement Agreement and ordered the case before him dismissed pursuant to the Original Settlement Agreement; and

WHEREAS, in 2009 the Gibby Parties appealed Judge Mortensen's final judgment; and

WHEREAS, in February 2010 in the appeal brought by FOMM, the Utah Supreme Court overturned Judge McDade and declared that the creation of the PD-2 zone was a legislative action and that FOMM were entitled to a referendum vote on the creation of the PD-2 zone by Mapleton City; and

WHEREAS, in April, 2010, the Gibby Parties file a motion pursuant to Rule 60(b) of the Utah Rules of Civil Procedure, arguing that Mapleton's application of the PD-2 zone was invalid and that Judge Mortensen's prior ruling holding Mapleton City had satisfied paragraph 11 of the Original Settlement Agreement should be reversed ; and

WHEREAS, in November 2010, the voters of Mapleton City rejected the PD-2 zone by a majority vote; and

WHEREAS, in November 2010, Judge Hilder of the Third District Court entered an Order granting the Gibby Parties Rule 60(b) motion for relief from judgment and vacated Judge Mortensen's prior ruling; and

WHEREAS, after the results of the referendum vote were canvassed on November 16, 2010, Mapleton City promptly gave public notice calling a public hearing regarding its intention to amend the text of the RA-1 zone to allow for clustering and simultaneously gave notice calling a public hearing regarding its intention to rezone approximately 60 acres of the Gibby Property to the RA-1 zone with its new clustering provisions, consistent with the Original Settlement Agreement; and

WHEREAS, on December 9, 2010, after proper notice was provided in the newspaper and on the Utah Public Notice Website, the Mapleton Planning Commission recommended a text amendment to the RA-1 zone to allow for clustering and immediately afterward recommended the rezoning of approximately 60 acres of the Gibby Property to the RA-1 zone with its new clustering; and

WHEREAS, on December 13, 2010 at the request of Dr. Gibby, the Mapleton City Council met in executive session with Dr. Gibby to hear his comments on the

proposed text amendments providing clustering in the RA-1 zone and rezoning of approximately 60 acres of his property to that zone and the ability of such measures to settle the pending litigation between the parties; and

WHEREAS, based on comments from Dr. Gibby, on December 14, 2010, the Mapleton City Council met in public session, including a previously scheduled and noticed public hearing to consider the proposed text amendments to the RA-1 zone, including clustering, and including a public hearing to consider rezoning approximately 60 acres of the Gibby Property to the RA-1 zone with its new clustering. The City Council considered modifications to the recommendations from the City Planning Commission on the proposed text amendment to the RA-1 zone including clustering, which modifications were consistent with comments from Dr. Gibby, such as removing references to a minimum buildable area, and the City Council considered comments from Dr. Gibby concerning, among other things, the approximately 60 acres proposed for rezoning; and

WHEREAS, based on a request from Dr. Gibby that the City Council not adopt the proposed text amendments to the RA-1 zone and apply them to his property until after his engineers could meet with City staff, the City Council postponed consideration of the text amendments to the RA-1 zone and the application to the Gibby Property until January 18, 2011 and continued the public hearings until January 18, 2011; and

WHEREAS, in January 2011, City staff, including both staff engineers and outside consulting engineers, met with engineers retained by Dr. Gibby to discuss the proposed text amendments and their application to the Gibby Property; and

WHEREAS, after meeting with the engineers for Dr. Gibby, City staff again modified the proposed amendments to the RA-1 text; and

WHEREAS, on January 18, 2011, Mapleton City met in open public meeting which included the continued public hearings on the proposed text amendments to the RA-1 zone to allow clustering and on the rezoning of approximately 60 acres of the Gibby Property to the new RA-1 zone with clustering; and

WHEREAS, Dr. Wendell A. Gibby appeared and spoke at the public hearings on the proposed text amendment to the RA-1 zone to allow clustering and on the rezoning of approximately 60 acres of his property to that zone; and

WHEREAS, during the public hearing Dr. Gibby gave the City a settlement proposal and ultimately told the City Council that it must accept his oral settlement proposal that night or his offer to settle all litigation between the Settling Parties was withdrawn; and

WHEREAS, on January 18, 2011, the Mapleton City Council amended the text to the RA-1 zone and rezoned approximately 60 acres of the Gibby Property to the new RA-1 zone consistent with the staff report and within the time frame set by Dr. Gibby and the

Mapleton City Council further agreed to accept Dr. Gibby's settlement offer by rezoning an additional 9.3 acres of the Gibby Property to the RA-1 zone as discussed in the public hearing on the condition precedent that Dr. Gibby sign a written amendment to the Original Settlement Agreement within seven (7) business days; and

WHEREAS, this Fifth Amendment to Settlement Agreement is intended to be the written amendment to the Original Settlement Agreement approved by the Mapleton City Council on January 18, 2011, as consideration for rezoning the 9.3 additional acres of the Gibby Property:

NOW THEREFORE the Settling Parties for the mutual promises set forth below, hereby agree as follows:

1. The Settling Parties agree to settle and stipulate to dismiss with prejudice in writing by March 1, 2011, all claims known and unknown against each other and all individuals named in any pending litigation now existing between them with each party to bear its own costs and attorney fees. If any third party appeals or challenges Mapleton City's rezoning of the Gibby Parties' property, as outlined above, then the obligation and deadline outlined in this paragraph to dismiss pending litigation will be stayed until 30 days after a court of competent jurisdiction has ruled that Mapleton City's action was proper and legal, and all appellate rights to any such challenge have expired or have been exhausted. Any holding by any court of competent jurisdiction which finds that Mapleton City's actions were improper or illegal will render the entirety of this Fifth Amendment to the Original Settlement Agreement null and void.

2. The Settling Parties hereby agree that the Original Settlement Agreement remains in full force and effect as of this date and that the Settling Parties have diligently and reasonably attempted to fulfill their obligations under the Original Settlement Agreement and the Settling Parties agree to fulfill their respective obligations as set forth in the Original Settlement Agreement and that Mapleton and the Gibby Parties have, to the present date, timely fulfilled and completed their obligations under paragraphs 1, 2, 7, 10, and 15, of the Original Settlement Agreement.

4. The Gibby Parties agree to not file any challenge to the rezoning of the Gibby Property of 69.3 acres which rezoning will be effective upon the signing of this Fifth Amendment to Settlement Agreement, the boundary of which is more particularly set forth in Exhibit A attached hereto.

5. In the event, this agreement is not signed by the Gibby Parties and by the Mapleton Mayor within 7 business days from January 18, 2011, this Fifth Amendment to Settlement Agreement shall be of no effect or force and the conditional rezoning by the Mapleton City Council of the 9.3 additional acres shall be vacated and of no force and effect.

6. As modified and supplemented by this Fifth Amendment to Settlement Agreement, the Original Settlement Agreement, as previously amended, is in all things

and respects hereby ratified and confirmed. The provisions of the Original Settlement Agreement, as previously amended, shall apply to this Fifth Amendment to Settlement Agreement to the extent that such provisions have not been deleted or modified by, or are not inconsistent with the specific provisions of, this Fifth Amendment to Settlement Agreement.

DATED: January 22, 2011

MAPLETON CITY, UTAH



Mayor

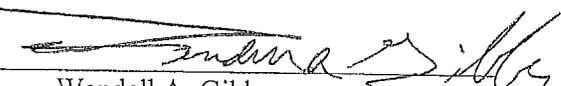
ATTEST



City Recorder
Jan. 26, 2011



ON BEHALF OF GIBBY PARTIES



Wendell A. Gibby

EXHIBIT A

Attach map and boundaries showing rezone of approximately 67 acres of the Gibby
Property

4843-5485-0312, v. 1

ANDREW M. MORSE (4498)
CHRISTOPHER W. DROUBAY (12078)
SNOW, CHRISTENSEN & MARTINEAU
10 Exchange Place, Eleventh Floor
Post Office Box 45000
Salt Lake City, Utah 84145-5000
Telephone: (801) 521-9000
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Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

WENDELL GIBBY; TRUDY GIBBY;
WENDELL A. GIBBY & TRUDY GIBBY as
CO-TRUSTEES of the UVRA, Inc. WAG
Pension Trust; and MCBRS, L.L.C.,

Plaintiffs,

vs.

MAPLETON CITY, a municipal corporation of
the State of Utah; MAPLETON CITY
COUNCIL; DEAN ALLEN, individually and as
mayor of Mapleton City; MARVIN SCOTT
BIRD, individually and as public works director
of Mapleton City; MATTHEW W. EVANS,
individually and as planning and zoning director
of Mapleton City; ROBERT BRADSHAW,
individually and as city manager of Mapleton
City; BEN CARD, individually and as a member
of the Mapleton City Council; LORI ALLEN,
individually and as a member of the Mapleton
City Council; ERIC TODD JOHNSON,
individually and as attorney of Mapleton City;
JAMES BRADY, individually and as attorney of
Mapleton City; GORDON DUVAL, individually
and as attorney of Mapleton City; MAPLETON
TRAILS COMMITTEE, an unincorporated
association; John & Jane Does 1-10,

Defendants.

**JOINT MOTION AND STIPULATION
FOR AN ORDER OF DISMISSAL
WITH PREJUDICE**

Case No. 2:05-CV-00632 DB
Judge Dee Benson

COME NOW, Defendants, by and through their counsel of record, Andrew M. Morse of the law firm Snow, Christensen & Martineau, and Plaintiffs, by and through their counsel of record, M. Dayle Jeffs of the law firm of Jeffs & Jeffs, P.C., and jointly acknowledge (1) that Wendell A. Gibby and Gibby Parties are entitled to seek to develop the 69.3 acres, which was rezoned to RA-1 on January 18, 2011, in full accordance with the rights afforded under the RA-1 zone, the same as any other property owner in the RA-1 zone; (2) that under the RA-1 zone applied to the Gibby Property, after deducting the area occupied by the roads, the zone allows for the possibility of a density of one lot per acre on the remaining property, if the appropriate applications are filed and approved, and (3) that Wendell A. Gibby and the Gibby Parties will be afforded equal protection in the methodology and treatment they receive in their development applications under the RA-1 zone.

Therefore, the parties hereby jointly move and stipulate that all claims in this action be dismissed with prejudice and upon the merits, with each party to bear its own costs and attorney fees.

DATED and SIGNED this 10th day of August, 2011.

SNOW, CHRISTENSEN & MARTINEAU

JEFFS & JEFFS, P.C.

/s/ Andrew M. Morse
(original signature on file with Defendants)
Andrew M. Morse
Christopher W. Droubay
Attorneys for Defendants

/s/ M. Dayle Jeffs
(original signature on file with Defendants)
M. Dayle Jeffs
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 10, 2011, I electronically filed the foregoing **JOINT MOTION AND STIPULATION FOR AN ORDER OF DISMISSAL WITH PREJUDICE** with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to counsel of record, as follows:

M. Dayle Jeffs
Randall L. Jeffs
JEFFS & JEFFS, P.C.
90 North 100 East
P.O. Box 888
Provo, Utah 84603

/s/ Jamie Cathcart



Attachment "3" Consultant Engineering Reports (Sunrise & Larsen)

September 18, 2013

Gary E. Calder, P.E.
City Engineer / Public Works Director
Mapleton City
125 West 400 North
Mapleton, Utah 84664

Subj: Subdivision Evaluation and Recommendations – Freedom Vista

Dear Mr. Calder,

Sunrise Engineering has been requested by the City of Mapleton to evaluate and provide recommendations regarding the proposed streets improvements for the Freedom Vista subdivision Plat A through D. The evaluation and recommendations provided are specifically for the roadway grades greater than 8% that are being proposed by the new subdivision along with evaluations and recommendations regarding other general aspects of the proposed roadway plan and design. The intent and purpose of this letter is to express problems and safety concerns that can arise with grades steeper than 8% and provide recommendations where possible to minimize those problems and safety concerns. It should be noted that the Freedom Vista subdivision is located in the foothills or bench of Mapleton City.

This letter covers three sections of the street design: vertical grades; crest, sag, and horizontal curves; and intersections.

Vertical Grades:

The Mapleton City code states, according to Title 17.12.050:C, that "the maximum grade of any street in the subdivision shall be eight percent (8%) unless the street design has been approved by the city engineer." It should be noted that we recommend that where possible the City code should be enforced. The proposed subdivision has eight different locations where the proposed grade is greater than 8%. One section is 10%, another is 11.75%, and the rest are 12%. Refer to the plan set for specific locations. It should also be noted that steep grades on curves are actually even steeper on the inside travel lane of the curve than the center line. Taking measurements off the plan set it appears that several grades on the inside of the curve are upwards of 13.5% to 13.8%.

There are several reasons why this particular subdivision is not a good candidate for allowing grades greater than 8% under their current proposed plan. These reasons fall under two main categories, emergency and other utility vehicle access and possible hazardous situations under snowy and icy conditions.

Emergency and Other Utility Vehicle Access

The types of emergency and utility vehicles that are being referred to include the following: fire trucks, ambulances, garbage trucks, delivery trucks, school buses, snow plows, etc. An overall general concern with grades steeper than 8% involves vehicles not being able to ascend steep grades during normal and snowy/icy conditions.

Specifically, it can be very difficult for a large vehicle once stopped to get moving again on a steep grade. For some vehicles this is true regardless of whether there is snow or not. In many situations this problem can be avoided, such as moving a bus stop to a flatter area, but for vehicles like delivery trucks and garbage trucks this situation is not easily avoided since they typically are required to stop at individual houses. It appears that there will be several lots within the proposed development that only have access to roads that have steep grades, lots 4, 5, 11, 12, 13, 17, 25, 37, 39, 40, 44, and 52. Fire trucks, when fully loaded with water could have a very difficult time getting moving again on a 12% grade with snow if they were to be stopped in front of any of these lots facing uphill.

Currently there are two proposed major access roads to the development, Andrew Avenue and Krissa Street. Major access roads are roads that the majority of the development will use to access individual lots from outside the development. Both of these major access roads include several sections with a 12% grade. It is recommended, based on engineering judgment, that in a development such as this, a minimum of one major access would consist of only moderate grades, grades less than 8%. This allows for snow plows to enter the subdivision streets and plow downhill on all the steep grades. Additionally, a moderate grade access allows the residences to have the option for a safer access for entering and exiting the subdivision under snowy and icy conditions. It should also be noted that the anticipated average daily total trips calculated is approximately 600 for this development, which is not an insignificant number of trips. This means that on average, 600 vehicles will be traversing these two access points daily. Therefore, it is recommended that either a third access with moderate grades be proposed or one of the two proposed accesses be modified with moderate grades.

It is also recommended that the developer and/or the City discuss potential problems with the waste disposal services, the fire services, snow plow services, school district, and other emergency services to get their input on the steep slopes proposed in the subdivision, if they haven't done so already.

Hazardous Situations

Typically, locations in a development where 12% grades would be allowed would be under ideal circumstances. Ideal circumstances include the following conditions: for short runs, located in straight runs (not for curves), used minimally, minimal snow and ice in the area, and not located near intersections. In general it appears that the 12% grades are not being executed under these ideal circumstances.

There are several locations where 12% grades are being combined with curves. Additionally, several of these situations also include steep slopes and significant drop offs next to the roadway. These situations, combined with snowy, wet, and icy conditions, can be dangerous and should have clear zones included into the cross section of the roadway. A clear zone is an unobstructed, relatively flat

area beyond the edge of the traveled way that allows a driver to stop safely or regain control of a vehicle that leaves the traveled way.

Regardless of whether 12% grades are allowed, it is recommended that any location where steep drop offs are located next to the roadway that a clear zone of at least seven feet be included in addition to any jersey barriers shown on the plans. Here are several locations that meet this description: Andrew Avenue between Lots 5 and 44; Calvin Street near Lot 33; Troy Street between Lots 11 and 12; Conrad Street near Lot 57; and Andrew Street near Lot 41. It should be noted that two locations described above, Calvin Street near Lot 33 and Conrad Street near Lot 57, do not have jersey barriers shown on the plans, therefore just a clear zone area would suffice.

It is recommended that if 12% grades are allowed, locations where steep drop offs are also accompanied by 12% grade and/or curves a clear zone of ten feet be included in addition to any jersey barriers shown on the plans. Here are several locations that meet this description: Andrew Avenue between Lots 38 and 39; Krissa Street between Lots 2 and 5; and Krissa Street near the intersection with Maple Street.

In conjunction with the clear zone and the jersey barriers, another concern exists regarding the locations of the jersey barriers and the access to individual lots. Several lots have jersey barriers proposed along the entire length of their access to the street. Therefore, in order to provide driveways to these lots additional considerations must be made regarding the break in the jersey barriers and clear zone recommendations of 7 and 10 feet.

There are also several locations where the 12% grade is located just above an intersection. During snowy conditions it can be very difficult for a driver to slow to a complete stop before the intersection. Even more hazardous than entering an intersection without stopping is having a steep drop off opposite the intersection and the 12% grade. A couple of locations in the plans include this situation, meaning that a vehicle that can't stop would potentially drive off the other side of the roadway, down the steep embankment, and potentially into a house. Here are the specific locations that meet this description: the intersection of Conrad Street and Calvin Street; the intersection of Calvin Street and Andrew Avenue; and the intersection of Krissa Street and Maple Street. It would be recommended that at these locations a barrier would be provided to stop this from happening or move the steep grade further back up the alignment away from the intersection. It appears a jersey barrier is being proposed for the intersection of Calvin Street and Andrew Avenue, but the other intersections lack any barriers.

Sag, Crest and Horizontal Curves:

It appears that no design speed has been identified on the plan set and that a design speed of 25 to 30 miles per hour was assumed for this review. It is recommended that a design speed and design standards being used be clearly stated and specified if they have not already been provided. It should be noted that these standards should be applied to those portions of the roadway that might be considered the major access roadways to the proposed development, but that potentially lighter standards could be applied to those roadways that provide just residential access.

There are ten sag curves and eight crest curves located within the proposed development. With the "K" value and lengths specified on the plans, it appears that at least six of the sag curves and one crest curve do not meet current AASHTO guidelines for local roads and streets. As stated in the "A

Policy on Geometric Design of Highways and Streets” the major design control for crest and sag curves is the provision of ample sight distances for the design speed and that all vertical curves should be designed to provide at least the stopping sight distance as provided by the manual. It appears that of those crest and sag curves mentioned above, they do not meet the minimum stopping distances. It does appear though that if the design speed was reduced to 15 miles per hour, then all crest and sag curves would meet AASHTO guideline, yet by doing so would conflict with the City’s standard minimum speed limit of 25 miles per hour.

There are approximately 20 horizontal curves located within the proposed development. With the radius specified on the plans, it appears that many of the horizontal curves do not meet current AASHTO guidelines for local roads and streets. It is recommended that these roadways be constructed with no super elevation on the curves. Therefore, with a design speed of 25 or 30, the recommended minimum radiuses for horizontal curves are 181 feet and 300 feet respectively. Under these guidelines it appears that several of the horizontal curves do not meet these guidelines. It should also be referenced that the City’s minimum center line radius is 128 feet, but for grades less than 8%.

Intersections:

Other than those intersections previously discussed regarding steep grades, there are two additional intersections that we would provide recommendations on to improve safety.

The first intersection is off of 1900 East and Maple Street. It is recommended, that in order to allow for sufficient stacking of cars at this intersection, that the flatter grade extends another 50 feet up Krissa Street. This provides additional space for stacking and stopping cars that are coming off the steep 12% grade into this intersection.

The second intersection is off of Dogwood Drive. At this intersection a “knuckle” is shown on the plans. It appears that this is not the correct application for the use of a knuckle since this roadway is one of the major access locations for the proposed development. The use of a knuckle would be in a very low traffic application, one where it provides access to only a few residences.

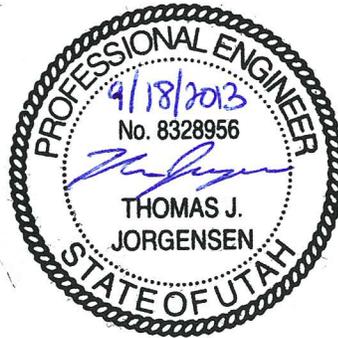
In summary, if the council elects to allow steep slopes in this case, we recommend that you require the developer to address the following recommendations:

1. Address access roads with steep grades.
2. Address third access road into the development.
3. Address opinions from garbage, snow plow, school, fire, and other services.
4. Address clear zones for steep drop offs, steep roadway grades, and curves.
5. Address breaks in the jersey barriers in association with clear zones.
6. Address possible barriers at “T” intersections with steep grades.
7. Address design speed in cooperation with vertical and horizontal curves.
8. Address the approach and configuration of the following intersections:
 - a. 1900 East, Maple Street, and Krissa Street,
 - b. Dogwood Drive and Andrew Avenue.

Sincerely,



Thomas J. Jorgensen, P.E.
Sunrise Engineering, Inc.





April 30, 2014

Gary E. Calder, P.E.
City Engineer / Public Works Director
Mapleton City
125 West 400 North
Mapleton, Utah 84664

RE: Subdivision Evaluation and Recommendations (Third Access) – Freedom Vista

Dear Mr. Calder,

The City of Mapleton has requested Sunrise Engineering provide recommendations regarding the proposed street improvements for the Freedom Vista subdivision Plat A through D. The recommendations provided in this letter specifically address the previous recommendation for a third access into the subdivision.

The two accesses being proposed are 12% or less and are located relatively close to each other. The third access was previously recommended and is still recommended based on the following reasons. The third access would provide an alternative route for entering the development. This would be beneficial for both convenience and during emergency situations, particularly ones that might be worsened by the close proximity of the two proposed access locations. The likely location for this access would provide local connectivity and would benefit the City's transportation network. This likely location also provides a logical connection to adjoining pieces of property. The developer has expressed concern that the existing constraints for the property prohibits modifying one of the two proposed accesses, and therefore the only remaining alternative would be to provide a third access.

In the review of the plans, it appears there are two likely locations where a third access could be located. The first alternative for a third access could be to the south, by extending Calvin Street into the adjoining future development. However, the land to the south is owned by the Forest Service, and is most likely not anticipated to be developed in the foreseeable future, thus excluding this as a potential alternative because it would never be a developed roadway that connected with the City road system. The second alternative for a third access could be to the north. The land to the north is private property, the Roundy property, and undeveloped. The location for the connection road into the adjoining development is not as straight forward as the first alternative, and may require modifying the loop that joins Conrad Street and Troy Street. This would be the recommended alternative for a third access point. This assumes that the Roundy property would be developed in the future.

We do acknowledge some complications with this alternative, which would need to be addressed in order to connect with the Roundy property. First, an existing slope greater than 12% would have to be traversed. This slope lies directly on the boundary line between the two properties. It appears that traversing this slope with a grade less than 12% would be feasible, but is likely to require

coordination with the Roundy property owner. The location of this roadway would need to work for both developments because it appears that both a cut and fill may be required to install the road at a feasible grade. Second, the location of the roadway to connect with the Roundy property would inevitably require some rearranging or possibly the elimination of some proposed lots and dedication of some additional roadway right-of-way.

In keeping with the recommendations for previous letters, and despite the increased cost to do so, it is our recommendation that a third access would prove beneficial to the Roundy development, the community as a whole, and to the property owners within the Freedom Vista subdivision. For additional reasons, justifications, and explanations for recommending a third access, please see previous letters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas J. Jorgensen', written in a cursive style.

Thomas J. Jorgensen, P.E.
Sunrise Engineering, Inc.

FINAL REPORT



FREEDOM VISTA SUBDIVISION TRANSPORTATION ENGINEERING REVIEW

Prepared for
CITY OF MAPLETON
MAPLETON, UTAH

by **LARSON Engineering, Kurt G. Larson, PE, PTOE**



Professional Engineer in Utah
Civil Engineer (C.E.)
License No. 170897

January 13, 2014

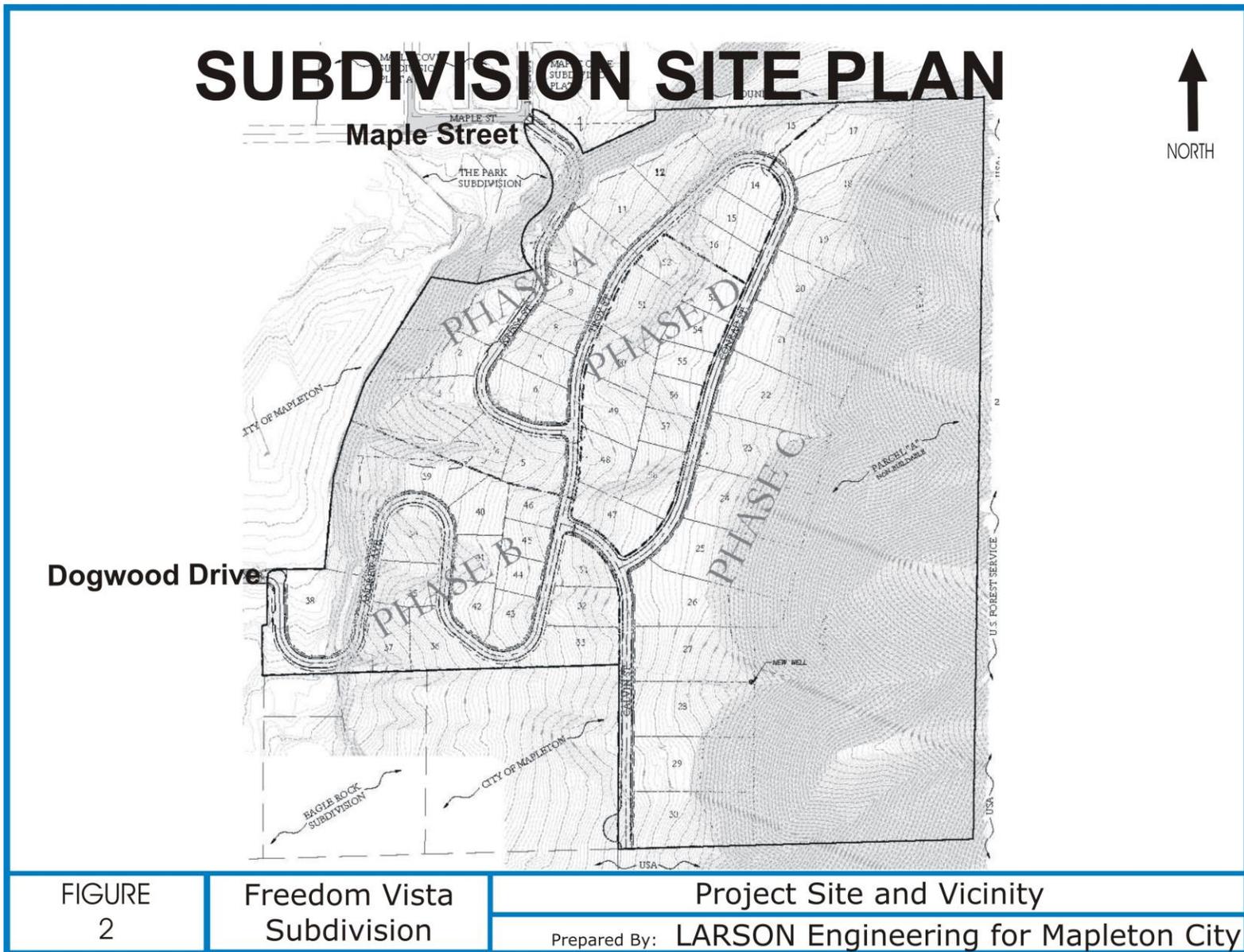


9071 Quail Run Drive, Sandy, UT 84093 801-694-6554
www.larson-engineering.com

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Subdivision Transportation Features

The subdivision proposes construction of five (5) new streets and two (2) subdivision access connections. Andrew Avenue which will connect to Mapleton City's Dogwood Drive and Krissa Street which will connect to Mapleton City's Maple Street. Troy Street, Conrad Street and Calvin Street are interior subdivision streets. Each street has 12% grades. Project phasing and construction of the streets must facilitate temporary turn around areas and secondary subdivision access for emergency vehicles.

The subdivision proposes construction of three (3) new "T" intersections within the project interior at Krissa Street and Troy Street, at Andrew Avenue and Calvin Street, and at Calvin Street and Conrad Street.

The proposed streets are thirty two feet (32') wide between gutter lip to lip and are placed inside of a fifty six (56') foot right-of-way. A five (5') foot sidewalk is proposed on one side of the street and concrete jersey barriers are proposed along fill locations. When jersey barriers are proposed they are located just behind top back of curb or behind the sidewalk depending upon the location. The proposed shoulder area is three feet (3') beyond top back of curb.

Krissa Street is proposed to be approximately 2,500 feet in length, with a couple of broken back and reverse curves, a maximum grade of 12% and a minimum turn radius of 128 feet. Krissa Street intersects with Troy Street as a 90° "T" intersection and with Maple Street as a 45° south easterly leg of the existing 90° Maple Street at 1900 East Street intersection.

Troy Street is proposed to be approximately 2,200 feet in length, with two (2) "T" intersections at Krissa Street and Calvin Street, and includes a broken back and reverse curve. It includes a maximum grade of 12% and a minimum turn radius of 128 feet.

Conrad Street is proposed to be approximately 1,400 feet in length, with one (1) "T" intersection at Calvin Street. It includes a maximum grade of 12% and a minimum turn radius of 140 feet.

Calvin Street is proposed to be a cul-de-sac approximately 1,000 feet in length, with one curve section, two (2) "T" intersections at Conrad Street and Troy Street, a 90 foot paved cul-de-sac turnaround area. It includes a maximum grade of 12% and a minimum turn radius of 300 feet.

Andrew Avenue is proposed to be approximately 2,000 feet in length, with a couple of broken back and reverse curves and will be the south leg of a 90° intersection at Dogwood Drive. It includes a maximum grade of 12% and a minimum turn radius of 128 feet.

Street and Road Design Standards

Below are a few of the design standards that should apply to the Freedom Vista Subdivision.

Reverse curves shall have a tangent of at least one hundred feet (100') unless in the opinion of the planning commission and city council such is not necessary.

Streets shall intersect each other as nearly as possible at right angles. Minor streets shall approach the major or collector streets at an angle of not less than eighty degrees (80°). Offsets in street alignment of more than fifteen feet (15') or less than one hundred twenty feet (120') shall be prohibited.

The maximum grade of any street in the subdivision shall be eight percent (8%) unless the street design has been approved by the city engineer and fire chief. Mapleton City currently does not have a fulltime fire chief/fire Marshall. Perhaps another Municipal Fire Department Chief/Marshall could provide input on the above.

A cul-de-sac shall have a maximum length of one thousand feet (1,000') and shall be terminated with a suitable turnaround having a diameter of not less than ninety feet (90') in accordance with standard drawing.

Where the road is located in a cut or fill area the graded roadbed shall extend not less than three feet (3') beyond the curb face or edge of sidewalk, as applicable, on the fill side and two feet (2') on the cut side.

Cutting and filling shall be held to a minimum and retaining walls employed to help provide planting areas conducive to revegetation. Revegetation plans will be required for all areas disturbed during road, street or driveway construction. All cuts and fills shall be approved by the city council, which approval shall be based on the recommendations of the city engineer, consistent with the purpose of this zone that such cuts and fills not have significant adverse visual, environmental or safety impacts.

"A Policy on Geometric Design of Highways and Streets" (this book is used by States and the Federal Government to provide roadway design standards) presents the following guidance:

Page 5-1 Paragraph 4

In constrained or unusual conditions, it may not be practical to meet the design criteria presented in this chapter. In such cases, the goal should be to obtain the best practical alignment, grade, sight distance, and drainage that are consistent with the terrain, development (present and anticipated), safety, and available funds.

Page 5-2 Paragraph 1 and 2

Roadside design has an important role in reducing the severity of crashes that may occur when vehicles run off the road. It may not be practical to provide an obstacle-free roadside on local roads and streets. However every effort should be made to provide as much clear roadside as is practical. This becomes more important as speed increases. The judicious use of guardrail and flatter slopes helps to reduce crash severity for vehicles that leave the roadway.

It may not be cost-effective to design local roads and streets that carry less than 400 vehicles per day using the same criteria applicable to higher volume roads or to make extensive traffic operational or safety improvements to such very low volume roadways.

Page 5-3 Paragraph 3

Alignment between control points should be designed to be as favorable, practical and consistent with the environmental impact, topography, terrain, design traffic volume, and the amount of reasonably obtainable right-of-way. Sudden changes between curves of widely different radii or between long tangents and sharp curves should be avoided.

Page 5-8 Paragraph 5

A clear zone of 7 to 10 ft or more from the edge of the traveled way, appropriately graded with relatively flat slopes and rounded cross-sectional design, is desirable. An exception may be made where guardrail protection is provided. The clear zone should be clear of all unyielding objects such as trees, sign supports, utility poles, light

poles, and any other fixed objects that might increase the potential severity of a crash when a vehicle runs off the road. Further guidance on clear zones can be found in the AASHTO "Roadside Design Guide".

Page 9-27 Paragraph 5 and 6

Most drivers are unable to judge the effect of steep grades on stopping or accelerating distances. Their normal deductions and reactions may thus be in error at a critical time. Accordingly, grades in excess of 3 percent should be avoided on the intersection roads in the vicinity of the intersection. Where conditions make such designs too expensive, grades should not exceed about 6 percent, with a corresponding adjustment in specific geometric design elements.

The profile gradelines and cross sections on the legs of an intersection should be adjusted for a distance back from the intersection proper to provide a smooth junction and proper drainage. Normally, the grade line of the major road should be carried through the intersection and that of the minor road should be adjusted to it.

"Roadside Design Guide" presents the following guidance:

Mapleton City's Transportation Master Plan has included in its contents a Master Street Plan Map. This map shows a north easterly roadway connection from the Freedom Vista Subdivision to Maple Canyon Road.

Conclusions and Recommendations

1. Mapleton City Code states, "The maximum grade of any street in the subdivision shall be eight percent (8%) unless the street design has been approved by the city engineer". The code also states "Where the road is located in a cut or fill area the graded roadbed shall extend not less than three feet (3') beyond the curb face or edge of sidewalk, as applicable, on the fill side and two feet (2') on the cut side". It is concluded that the graded roadbed extension of no less than three feet (3') may constitute a required clear zone for roadway grades of up to 8%. If grades are increased beyond the City codes 8% limit the roadbed extensions (clear zones) should be increased as well.
2. The Freedom Vista Subdivision is currently proposing two access points with streets that have 12% grades. One access point should be designed

- with a lower grade to provide better access for garbage, snow removal, school bus, fire, emergency, and other service equipment.
3. The speed limit in Mapleton City is 25 mph on all local streets. Because of this local street designs approved by the City should reflect a 25 mph design speed. This would require the Freedom Vista Subdivision to increase minimum horizontal curve centerline radii to 150 feet (developer is currently using 128 feet).
 4. Vertical curve requirements for a 25 mph design speed should be used for the Freedom Vista Subdivision as well to provide adequate stopping sight distance. The design requirement is to provide a minimum "K" value of 12 for crest curves and 26 for sag curves.
 5. Driveway approaches leaving the public right-of-way should not exceed a maximum slope of 8% from gutter to property line. Maximum sight distance should be encouraged with blind entrances or other sight obstructions disallowed.
 6. The developer is showing jersey barriers along the edge of subdivision roadways. Subdivision lots will be accessed by driveways which will cause gaps in the jersey barrier sections. The developer needs to show more detail as to how safety will be provided at the jersey barrier driveway gaps.
 7. The Transportation Master Plan Street Plan map has included in its contents a north easterly roadway connection from the Freedom Vista Subdivision to Maple Canyon Road. This 3rd access can provide an additional reduced grade access that will benefit the subdivision during inclement weather conditions associated with Utah winters.
 8. Large service vehicles such as garbage, snow removal, school bus, fire, emergency, and other services have trouble accessing roadways with steep grades. Because of this the subdivision may need to utilize less steep roadway grades in its design, or provide optional routes that are not as steep.
 9. T-intersections with steep entering grades make it hard for drivers to judge the effect of the grades on stopping or accelerating distances. Typically grades in excess of 3 percent should be avoided on intersection roads in the vicinity of the intersection. However, grades should not exceed 6 percent, with a corresponding adjustment in specific geometric design elements. The Freedom Vista Subdivision should follow these requirements for intersection staging areas for a distance of at least 40 feet on each intersection leg.
 10. Clear zones should typically be 7 to 10 feet or more from the edge of the traveled way, appropriately graded with relatively flat slopes and

rounded cross-sectional design. This is more critical for areas near steep shoulders. An exception may be made where guardrail or barrier protection is provided.

11. If guardrail is substituted for the concrete barriers, studies have shown the curb and guardrail surfaces should be perpendicular so as to prevent vehicles from tipping and rolling when the curb is contacted before the guardrail.
12. If jersey barriers are used near driveway approaches care should be taken to provide proper sight distance. A 30 foot by 30 foot sight zone triangle would be required with a limitation that nothing in the sight triangle could measure above 30 inches in height. The jersey barriers specified in the construction drawings are 32 inches in height and would need to be placed outside the sight triangle. This same sight triangle applies to subdivision intersections.
13. The horizontal and vertical curves with driveways utilized in the subdivision construction drawings would suggest a roadway design speed of approximately 15 to 20 mph. This design speed is too low and does not meet minimum Mapleton City standard design speed of 25 mph for local streets.
14. Use of retaining walls should be considered to reduce cut and fill exposures.
15. As the subdivision construction progresses, each construction phase must facilitate temporary turn around areas and a second subdivision access for emergency vehicles.



April 24, 2014

Gary E. Calder, P.E.
City Engineer/Public Works Director
1405 West 1600 North
Mapleton, UT 84664

RE: BENEFITS OF A STUB STREET TO ROUNDY PROPERTY

Dear Gary:

This letter is an opinion on the benefits of providing a stub street from the Freedom Vista Subdivision to the Roundy property (adjacent property North of Freedom Vista Subdivision). Larson Engineering presents the following considerations for Mapleton City.

Mapleton City's Transportation Master Plan has included in its contents a Master Street Plan Map. This map shows a north easterly roadway connection from the Freedom Vista Subdivision to Maple Canyon Road.

Stub streets provide connection to future subdivisions and improve the overall circulation pattern of developing areas. Stub-out streets are intended to allow continuity in street patterns and connectivity among residential and nonresidential districts.

Additionally, to ensure future street connections where a proposed development abuts unplatted land or a future development phase, street stubs should be provided to access all abutting properties or to logically extend the street system into the surrounding area. If the adjacent property is undeveloped, the right-of-way of a street to be continued should be extended to the property line.

Stub-out streets should be built to extend to the property line with the adjoining vacant land. Typically street stubs will be provided with temporary turn-around or cul-de-sacs and the restoration and extension of the street will be the responsibility of any future developer of the abutting land.

The street layout of a subdivision should provide for the continuation and connection of streets between adjacent properties to the convenient movement and circulation of traffic, effective police and fire protection, access by public service vehicles, and efficient provision of utilities, and in accordance with policies of the City's Transportation Master Plan.

Additionally, any plat containing a stub street should include the following note:

"The road system shown on this plat includes one or more stub roads that are intended to be connected to the adjacent property at such time that the property



is developed. The interconnection of neighborhoods with a road network ensures the efficient flow and dispersal of traffic and provides for additional points of ingress and egress for emergency vehicles."

Sincerely,
LARSON Engineering



Kurt G. Larson, PE, PTOE
Principal



Jan. 30, 2014

Attachment "4"
Applicant's Response to Engineering Reports

Gary E. Calder, P.E.
City Engineer / Public Works Director
Mapleton City
125 West 400 North
Mapleton, UT 84664

Subject: Response to Subdivision Evaluation and Recommendations – Freedom Vista

Mr. Calder,

This letter is primarily in response to recommendations made by Sunrise Engineering in a letter to you, dated 9/18/2013. This letter has also been supplemented with responses to a recently prepared Transportation Engineering Review by Larson Engineering, dated 1/13/2014.

In general, it should be noted that AASHTO standards are developed primarily for highway design, and not always applicable to residential areas such as the project under examination herein. We express our common desire for safety, and appreciate the recommendations provided. However, we feel that those recommendations are in excess of what is necessary to preserve the safety of the citizens that will make use of the streets within the development.

Street grades

The vertical relief of this project justifies consideration of grades in excess of 8%; otherwise, access to the upper areas could only be accomplished by such extensive grading operations that essentially the entire project site would be devegetated and put at risk of heavy runoff and mudflows until new vegetation could be firmly established, creating an unnecessary safety hazard. Furthermore, the aesthetic impact of devegetating and increasing the total number of roads across the project would be a detriment to the community.

Many communities along the Wasatch Front have successfully allowed roads steeper than 8%. The following are just a few examples:

- Alpine City (up to 12% grades allowed)
- Layton City (up to 12% grades allowed)
- Lehi City (up to 12% grades allowed)
- Salt Lake City (up to 14% grades allowed)

A list of some of the other communities in the state that allow steeper grades was prepared by Jeffs & Jeffs, P.C., and is included as an appendix to this letter.

We have discussed the implementation of 12% street grades with the engineering departments for Alpine City and Layton City. Both of these engineering departments have expressed that they have not encountered issues with being able to provide emergency services, trash service, or snow removal, nor have they noted any general safety issues with these areas. Jeffs & Jeffs also contacted several communities, and the results of their discussions are listed in the appendix.

Data on fatal vehicle accidents was reviewed for Layton, Lehi, and Salt Lake City for the years 2001 to 2011 (source: City-Data.com) (Data for Alpine not available). All of the fatal accidents listed in the available records were on highways, arterials, commercial areas, or fairly flat areas, or involved a drunken driver (or a combination of these factors). Few of these accidents were in residential areas. Of those, none were in areas consisting of grades exceeding about 6%.

Although non-fatal crash data was not available, it can be seen that fatal crashes for streets such as are proposed for this development are extremely rare, and the safety measures that will be implemented will only add to the safety of these roads.

According to AASHTO's *A Policy on Geometric Design of Highways and Streets*, Chapter 5, grades for local residential streets can be as steep as 15% where practical and consistent with the surrounding terrain. Also, "design criteria for local roads and streets are of a comparatively low order" and "in constrained or unusual conditions, it may not be practical to meet the design criteria presented in [said] chapter".

Under the current version of Mapleton City Code, Chapter 17.12.050 (paragraph C), grades of up to 12% are permissible with approval by the City Engineer, as evidenced by prior approvals by the City. In 2011, Mapleton City and its Engineer approved a version of this subdivision in which the street grades were nearly identical to the current proposal. This previous design included grades on Krissa Street of up to 12% at centerline, and in excess of 12% on the inside of curves. Our current proposal includes a plan revision that lowers grades on Krissa Street to a maximum of 11.75 percent, including both centerline and inside of curves.

It is evident that Mapleton City recognized in 2011 that the topography of this area warrants steeper grades than normally used in order to avoid substantial aesthetic and stability detriments. As indicated above, requiring lower grades than proposed would result in huge amounts of earth removal and disturbance, besides creating a more hostile situation with some residents. Even nearby Provo City, not known for being "developer-friendly", allows 12% grades for foothill subdivisions.

Third access point

A 2009 Technical Memorandum prepared by Horrocks Engineers, dated Nov. 10, 2009, makes it clear that for the number of homes proposed, the two proposed access points will accommodate the estimated traffic for this development. Even with 70% loading at the north access point during the daily peak hour, the peak number of vehicles entering that intersection is estimated at 31.5* vehicles per hour, or approximately one vehicle every two minutes, well within the capacity of the proposed streets to handle.

*Extrapolated for 58 lots from estimates for 54 lots in said memorandum.

An arbitrary value of 8% should not be held as the maximum grade without adequate justification that steeper grades will really impose a significant safety risk. A large number of cities nearby and throughout the state allow for grades in excess of those proposed, without experiencing significant problems, as indicated in the appendix.

In this area, requiring flatter grades could actually create more safety issues due to the potential impact on stability of the hillside as a result of the substantial increase in devegetation, excavation, and embankment.

As mentioned above, *A Policy on Geometric Design of Highways and Streets*, Chapter 5, states that grades for local residential streets can be as steep as 15% where practical and consistent with the surrounding terrain.

Safety statistics for fatal crashes, as listed above, also indicate street grades are not a major factor in serious accidents, since of all the fatal crashes reviewed for three nearby communities for a ten-year period, none occurred on street grades above 6% (and few were even in residential areas).

There is not sufficient justification for requiring a third access point to this development.

Clear zone

The cross-section for this street is 36 feet wide from face of curb to face of curb. Even allowing for 12-foot-wide lanes in each direction (wider than necessary for a minor residential street), this leaves an 8-foot-wide shoulder on each side for vehicles to use for safety. This is in addition to any area beyond the curb on either side. According to *A Policy on Geometric Design of Highways and Streets*, Chapter 5, a clear zone of 7 to 10 feet is recommended (for rural roads; less is recommended for urban streets), which is met under the current design.

Jersey barrier

We will add jersey barrier to the plans at the Conrad Street / Calvin Street intersection. Where a break in the jersey barrier will need to occur for a driveway in steep downhill areas, we will specify jersey barriers alongside the driveways to keep vehicles from crossing the barrier and continuing downhill. This is expected to affect Lots 4, 5, 10, 11, 12, 13, 36, and 39.

Design speed / Stopping sight distance / Curve radius

In order to improve stopping sight distance, we recommend the speed limit for the areas of greatest concern be posted as 20 MPH, with 25 MPH for all other areas. The areas to be posted as 20 MPH would be the following:

The entire length of Krissa Street

Sta. 12+00 to Sta. 31+00 of Andrew Ave.

Sta. 49+90 to Sta. 53+72 of Troy Street / Conrad Street (curve only)

Maple Street entrance

We will revise the beginning of Krissa Street with the next set of revisions, accommodating, if possible, the additional 50 feet of flatter grade recommended for queuing vehicles. However, our recommendation for improving both queuing and safety at this intersection is to not place stop control on Maple Street or Krissa Street, and move the proposed stop sign to 1900 East Street. Vehicles coming from 1900 East should be much lower in number than those coming from Krissa Street, and they would have good visibility of both Maple and Krissa Streets from the stopped position.

Dogwood Drive entrance

While the use of a “knuckle” at the Dogwood Drive intersection is not preferred, it is not anticipated that the majority of vehicles will use this entrance to the project. Horrocks Engineers modeled this street at 30 to 40 percent of the project traffic. The actual use will likely be approximately 20 to 30 percent, due to (a) the proximity of most lots to the Maple Street entrance, (b) the fewer number of turns required to exit the subdivision via Maple Street, and (c) the fewer number of turns required outside the subdivision to get to a major road via Maple Street. It may be possible to lengthen the radius of this turn to approximately 70 feet to allow for a smoother flow of traffic through the intersection, and we will look at this possibility with the next set of plan revisions.

Conclusion (Referenced to Sunrise Engineering's itemized summary)

1. We will grade Krissa Street to a maximum of 11.75%. We will grade the horizontal curves to a maximum of 12%.
2. A third access point is not justified, and will not be provided.
3. Garbage, snow, school, fire, and other services operate without significant problems in many communities in the area and throughout the state, where conditions match those proposed.
4. Adequate clear zone will exist under the current design, and additional clear zone will not be needed.
5. Jersey barrier will be added as recommended.
6. Jersey barrier will be added at the Conrad / Calvin Street intersection as recommended.
7. Reduced speed is recommended in three areas within the project.
8. We intend to accommodate an additional 50 feet of flatter grade for queuing at Krissa / Maple Street. We also recommend the proposed stop sign be moved to 1900 East Street since this is proposed as a "Y" intersection.
We will lengthen the curve at Dogwood Drive if possible, but cannot eliminate the "knuckle".

Supplemental Responses (to Larson Engineering report)

Following our preparation of this letter, we received a copy of a Transportation Engineering Review prepared by Larson Engineering, dated 1/13/2014. The following are responses to the "Conclusions and Recommendations" section contained therein, referenced by item number:

1. There is not sufficient justification for extending the clear zone beyond the 8+ feet already provided for in the design; this provision is already in excess of the clear zone recommended by AASHTO's *A Policy on Geometric Design of Highways and Streets*.
2. Krissa Street will be graded to a maximum of 11.75% grade.
3. A minimum radius of 128 feet is allowed by Mapleton City Code for streets with speed limits of 25 mph.
4. Reduced speed is recommended in three areas within the project, in order to improve stopping sight distance.
5. Sufficient justification for requiring a maximum grade of 8% on driveways would need to be provided.
6. We can provide details addressing configuration of jersey barrier driveway gaps following resolution of the substantial issues that are currently holding up approval.
7. There is not sufficient engineering justification for providing a third access point. The route along existing Maple Canyon Road that would be used to reach the suggested third access point as shown on the city's Transportation Master Plan includes a steep, shaded area that is at a 20 to 24% grade, with a pavement width of only 20 feet. The proposed Krissa Street will be at grades of no more than 11.75% on 32 feet of pavement that will

generally enjoy full sun during peak traffic time. In light of this, it would be unsafe to encourage drivers to utilize Maple Canyon Road, a road that is more prone to icy conditions, much narrower, and about twice as steep as the proposed street. Such a recommendation would not be consistent with sound engineering judgment.

8. Garbage, snow, school, fire, and other services operate without significant problems in many communities in the area and throughout the state, where conditions match those proposed.
9. Following resolution of the major outstanding issues, we will review intersection staging areas to implement, as closely as possible, the approaching grades recommended.
10. A minimum clear zone of 8 feet is provided outside the travel lanes, and is supplemented in some areas with jersey barrier.
11. It is currently anticipated that jersey barrier will be utilized, but the recommendation regarding guardrail is duly noted.
12. Plans will be revised to specify that jersey barrier within sight zone triangles be installed 2 inches below grade, so as to be no more than 30 inches in height above grade.
13. We recommend reduced speeds in three areas within the project.
14. Retaining walls are not currently proposed due to lack of necessity and excessive cost. Slopes will be revegetated for aesthetics and stability according to project design.
15. Developer recognizes that temporary turnaround areas and two access points will be required.

We request that the plan changes/revisions mentioned above be stipulated as conditional approval items, or other similar approval be provided, prior to making those changes at our client's expense, in order to avoid unjustified burdens to the developer.

Sincerely,



G. Thomas Torgersen, PE, PLS

APPENDIX

REPORT BY JEFFS & JEFFS, P.C.

Cities and Towns:

- **Alpine** – The max grade for arterial and collector roads/streets is 10%; the maximum street grade for minor roads/streets and common-use private roads is 12%.
- **American Fork** – The max grade is 10%.
 - Andy Spencer, the City Engineer, said that they do have some 15% roads, and those are challenges. Specifically, in the wintertime, they plow downhill for those (if they can).
- **Bountiful** – The max grade for any road is 12%. However, the city may approve a grade of up to 15%.
 - Paul Rowland, the City Engineer, explained that, given the area that they're in, access is going to be more difficult for the Fire Department, Waste Management, etc., when it's icy and snowy. But, he also said that he still believes that their ordinance of 12% is still reasonable.
- **Farmington** – The max road grade is 10%. However, they city may approve up to a 14% grade.
 - I spoke with Ken, who said that the Fire Department doesn't like the 12% grade, but it hasn't posed problems for them or others. While there may have been some complaints, but he doesn't know of any.
 - In addition, he didn't know how they actually go about implementing the installation of roads that have a grade that's higher than 10% (unlike Draper).
- **Fruit Heights** – The max road grade for arterial streets is 8%; the max road grade for collector streets is 10%; the max road grade for standard residential streets is 12%.
 - Brandon Jones, the City Engineer, said that there had been no problems with the 12% grade. In addition, he said that they even had roads that were pushing 14% and they weren't a problem.

- **Hyde Park** – “Grades of road shall be a minimum of one-half of one percent (0.5%) and a maximum of twelve (12.0%) percent for local, collector, and arterial roads, on short, unsustained stretches of street, nor in excess of eight (8%) percent on sustained grades.”
 - I called and spoke with a gentleman who reported that they haven’t any problems with roads which have a 12% grade.
- **Lehi:** “Larger roads (collector & arterials) must be between 6-8% max. However for a local street, the maximum grade is 12%.”
 - I received the following email from Kim Struthers, the Planning Director, in regard to whether or not there have been any issues with the Fire Department or Waste Management:
 - “No major concerns that I am aware of. The only concern I can think of is that in winter conditions it is obviously more of a challenge to plow the steeper roads. That said, it has not been enough of a concern to have anyone (Streets Dept., etc.) request to change the standards.
- **Lindon** – The max road grade for major and collector roads is 10%; the max road grade for minor roads is 12%.
 - Mark Chistensen, from J-U-B Engineers, said that he had never heard the Fire Department/Waste Management complain about the 12% grade.
- **Manti** – “Grades of streets shall not be excess of eight percent on major collector streets, not in excess of fifteen (15) percent on other streets.”
 - I called and spoke with a gentleman who said that there had been no complaints (at least that he’s aware of) for roads with a 15% grade.
- **Midway** – “All streets shall be constructed at a maximum of twelve per cent grade.”
- **Morgan** – According to the City Code, the max exception road grade is 15%, and 12% is the recommended/preferred grade.

- Matt Hartvigsen, the City Engineer, said that 10% is the actual maximum grade. However, he said that they would be fine going up to 12% and that they've actually used 12% recently.
- Matt also said that none of the Fire Departments that he's worked with has made a fuss of having a 12% grade, as long as there's adequate turnaround.
- **North Ogden** – Matt Hartvigsen, the City Engineer, said that the “maximum allowable grade for roadways in North Ogden City is 12%.”
- **North Salt Lake** – The max grade for major and minor collector streets is 12%.
- **Panguitch** – “Grades of the street shall not be in excess of eight percent on major collector streets, nor in excess of 15 percent on other streets or according to AASHTO Standards.”
- **Payson** – Travis Jockumsen, the City Engineer, said that the max grade for streets is 12%. But, they can go up to 15% for up to 200 feet.
- **Pleasant View** – The max grade for major roads is 8%; the max grade for collector roads is 12%; the max grade for minor roads is 12%; the max grade for private roads is 12%.
- **Provo** – The max street grade is 12% for local streets and 8% for arterial and collector streets.
 - I received the following email from David Graves, the City Engineer:
 - “The maximum grade allowed by the city on our collector and arterial streets is 8%. We do allow short sections of 12% grade on local and private streets within the city. The reason that the city has adopted these limitations on grade is to provide proper access for public safety and other larger vehicles which provide services to property owners within the city. The grades which have been adopted have been done as we have coordinated with other city departments.”
- **St. George** – The max grade for all streets is 15%.

- **Sandy** – I called and spoke with Mike Gladbach, the City Engineer, who said that the max street grade is 12%, and that “Fire/Emergency response is at the top of the list of reasons for the 12% limitation. Other vehicles are less critical.”
- **Spanish Fork** – “The maximum grade allowed for any City street is eight percent (8.0%) unless otherwise approved by the City Engineer. In no case shall grades greater than fourteen percent (14.0%) be allowed.”
- **Woodland Hills** – I spoke with Brian at LEI Engineering (801-798-0555), and he said that the max grade is 10%. But, the city may approve up to 12% and 14% for certain short distances. When I asked whether these grades have ever been an issue for the Fire Department, Waste Management, etc., he said that if I called the different school districts, they would say that they don’t allow (or don’t like to allow) anything above 8%. However, Brian said that the school buses go on the 14% and even 16% grades. So, while they may not like the steepness of the grade, they’re at least able to handle it.

Counties:

- **Sanpete** – I received the following information from Kevin Christensen, Economic Development:
 - “Maximum road grade for unincorporated County areas:
Major Subdivisions: 10%
Minor Subdivisions: 12%

Requirements for each city/town is established by each individual municipality and is not covered by the county ordinance.”

- **Weber County** – “[M]ajor public streets, 8 percent (8 %); on collector streets, 10 percent (10%); on minor streets, 12 percent (12%); on private streets, 15 percent (15%).”

April 29, 2014

Attachment "5"
RB&G Stub Street Analysis

RB&G
ENGINEERING, INC.

Gary Calder, P.E.
Public Works Director/City Engineer
Mapleton City
1405 West 1600 North
Mapleton, UT 84664

Re: Preliminary Design of Access Road
Freedom Vista Subdivision to Roundy Property

Dear Gary:

As requested, we have completed a preliminary evaluation of the feasibility to construct an access road from Maple Canyon Road to connect to the Freedom Vista Subdivision. The proposed road would provide an additional access to the proposed subdivision that would not require traversing steep grades for prolonged distances. This will be of benefit to residents of the subdivision, emergency vehicles and personnel and City maintenance crews during inclement weather, particularly in the winter. Other traffic benefits that may accrue from the additional access road have been evaluated by others and are, therefore, not a part of the scope of work for this study.

An important infrastructure feature to provide culinary water service to the Freedom Vista Subdivision, as well as other areas in the southern portion of the City, involves a trunkline along the foothill from the City main pipeline in Maple Canyon Road to connect to the existing pipe at 1600 South. It is our understanding that the waterline is planned to pass through the Freedom Vista subdivision in Conrad Street and will make it possible to provide adequate water pressure to the development. The preferred alignment for the proposed access road would follow the waterline from Conrad Street along the boundary between Lots 13 and 17.

We have evaluated the topography and possible grades along the proposed roadway, as well as the impacts to the adjacent lots. The roadway will be based upon the approved Mapleton City Hillside Local typical roadway section. This roadway section consists of 32 feet of asphalt, with curb and gutter on both sides, a sidewalk on one side and a jersey barrier on the other. The existing topography falls steeply to the north from the Freedom Vista subdivision property toward the adjacent Roundy property. We have investigated a preliminary profile which meets the criteria established by the City. The preliminary alignment, profile and typical roadway section are shown on the attached figure.

We recommend that retaining walls be constructed along the roadway through Lot 17 in order to lessen potential slope impacts to that parcel. The difference in elevation between the road and the existing property along Lot 13 is minimal (approximately one foot), so a wall is not needed on that side of the road. It will be observed from the figure, that the maximum grade identified in the preliminary profile is 11.473%. This grade exists between two vertical curves for a distance of 63.2 feet. Retaining walls are also recommended as shown along the north side of the road in

Preliminary Design of Access Road

April 29, 2014

Page 2

the Roundy property approximately between Stations 3+20 and 6+80 in order to lessen the extent and impact of the fill slopes that would be necessary in order to construct the roadway and waterline as shown.

Based upon this preliminary design and analysis, it is our opinion that a viable access road can be appropriately constructed from Maple Canyon Road to the Freedom Vista Subdivision as outlined. If there are any questions regarding this design and analysis or the resultant impacts, please do not hesitate to contact me to discuss them.

Sincerely,

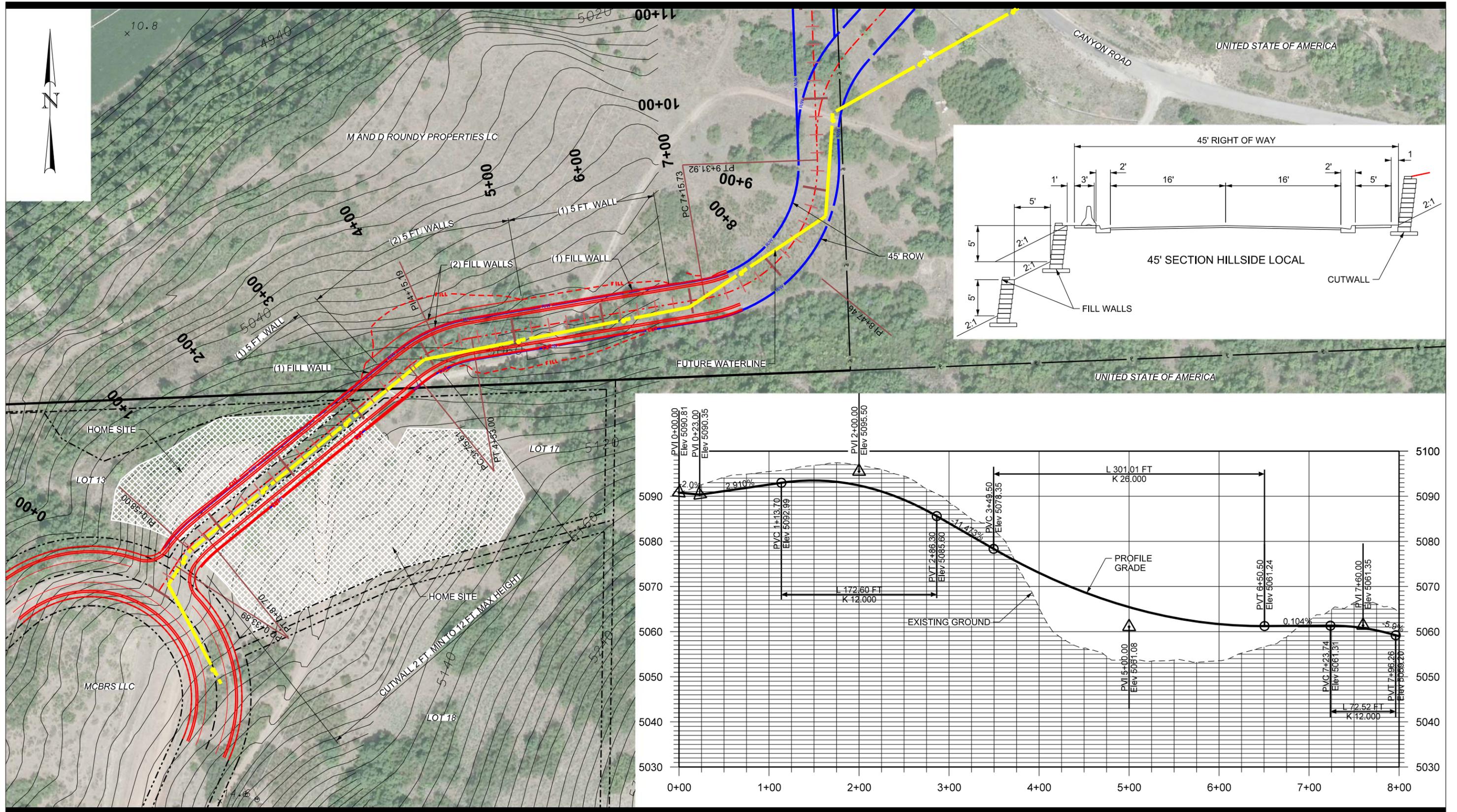
RB&G Engineering, Inc.

A handwritten signature in black ink, appearing to read 'Carl L. Cook', with a long horizontal flourish extending to the right.

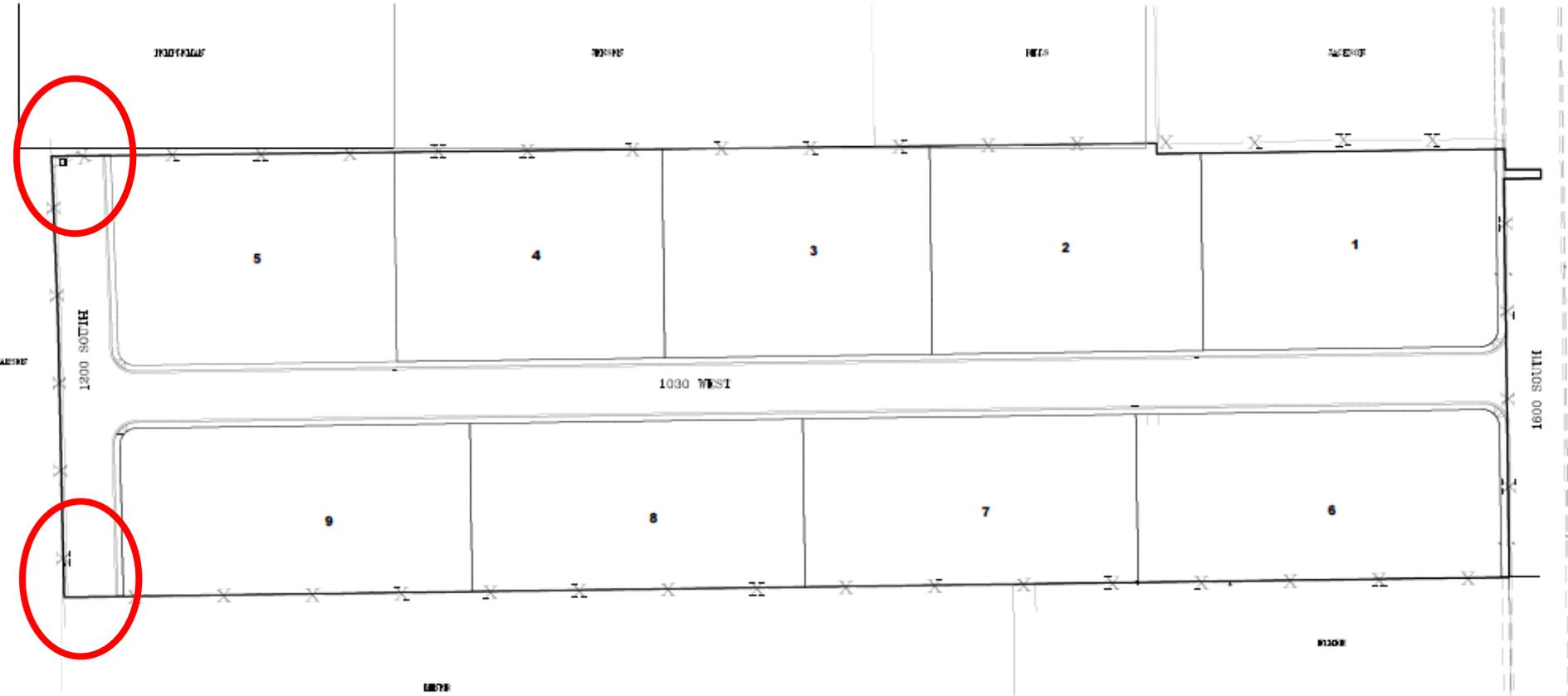
Carl L. Cook, P.E.

Principal

attachment



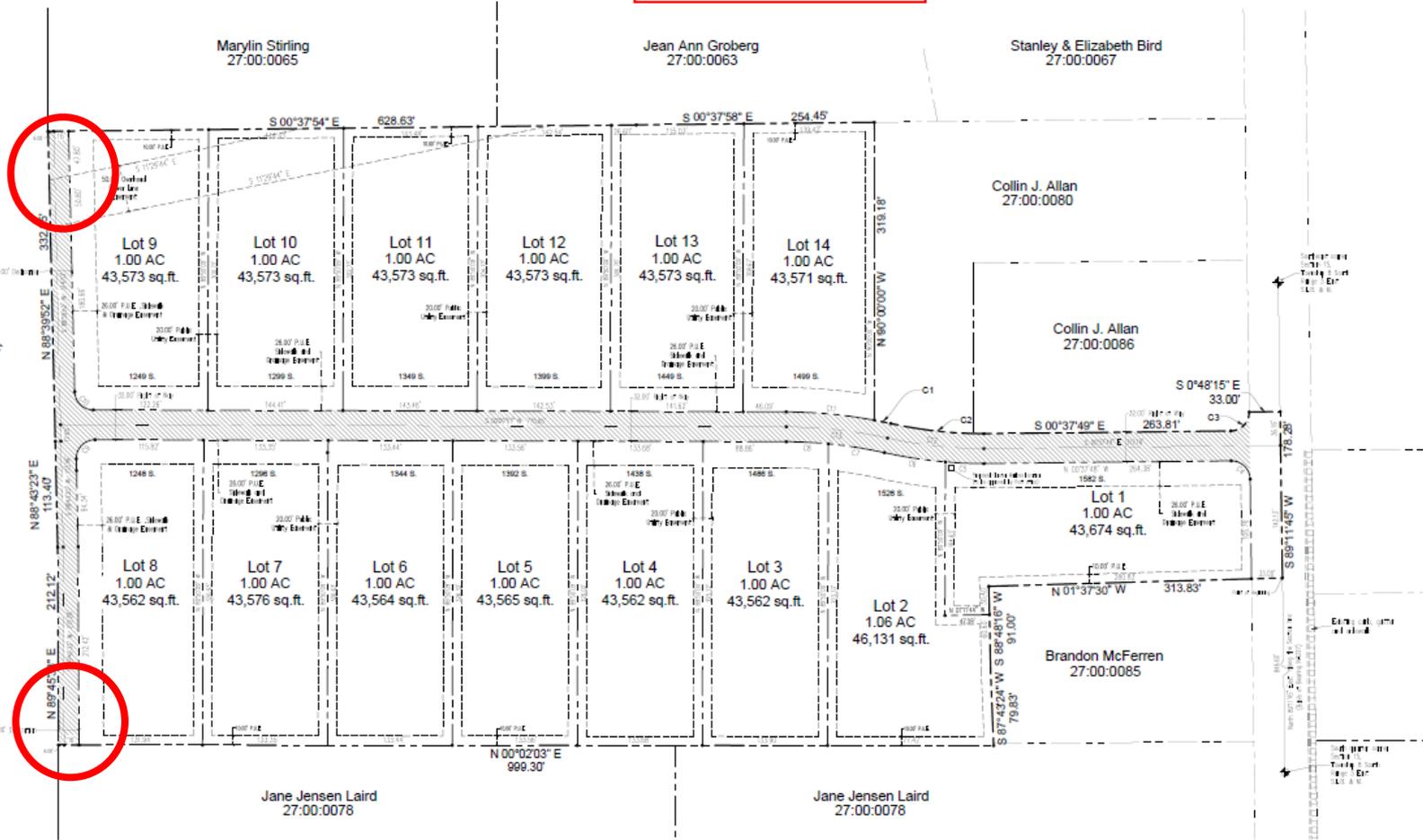
Attachment "6"
Examples of subdivisions recently approved
by City Council that included stub streets



Breckenridge Estates - 3/19/2013

Silverado - 2/18/2014

Marylin Nielsen
27:00:0071

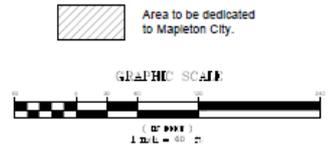


Curve Data Table

Curve	Delta	Delta (D)				
C1	18.45	1.04	1.00	1.174507	0.004	
C2	18.45	30.18	1.00	1.174507	0.004	
C3	30.00	31.48	1.00	1.174507	0.004	
C4	30.00	31.48	1.00	1.174507	0.004	
C5	18.45	31.18	1.00	1.174507	0.004	
C6	18.45	30.18	1.00	1.174507	0.004	
C7	18.45	30.18	1.00	1.174507	0.004	

Curve Data Table

Curve	Delta	Delta (D)				
C8	18.45	43.00	1.00	1.174507	0.004	
C9	30.00	43.00	1.00	1.174507	0.004	
C10	30.00	43.00	1.00	1.174507	0.004	
C11	18.45	43.00	1.00	1.174507	0.004	
C12	18.45	43.00	1.00	1.174507	0.004	



Note: The proposed subdivision is located in a high water table area, a geo-technical report will need to be submitted which addresses storm water and ground water remediation, storage, distribution and restrictions on basement / habitable floor space. A letter report is required prior to the issuance of a building permit.

Surveyors Certificate

Boundary Description

Owner's Dedication

Acceptance of Legislative Body

Rocky Mountain Power Approval

Planning Commission Approval

Utility Company Approvals

Conditions of Approval

PREPARED BY
DUDLEY AND ASSOCIATES INC.

Occupancy Restriction Notice

ORIGINATOR: _____
DATE: _____
COUNTY: _____

Acknowledgement (PERSONAL)

STATE OF UTAH, SS: _____
COUNTY OF UTAH, SS: _____
ON THIS _____ DAY OF _____, 2014, I, _____, DO HEREBY ACKNOWLEDGE AND AGREE TO THE TERMS AND CONDITIONS OF THE SUBDIVISION PLAT AND TO THE OBLIGATIONS THEREOF.

Acknowledgement (CORPORATE)

STATE OF UTAH, SS: _____
COUNTY OF UTAH, SS: _____
ON THIS _____ DAY OF _____, 2014, I, _____, DO HEREBY ACKNOWLEDGE AND AGREE TO THE TERMS AND CONDITIONS OF THE SUBDIVISION PLAT AND TO THE OBLIGATIONS THEREOF.

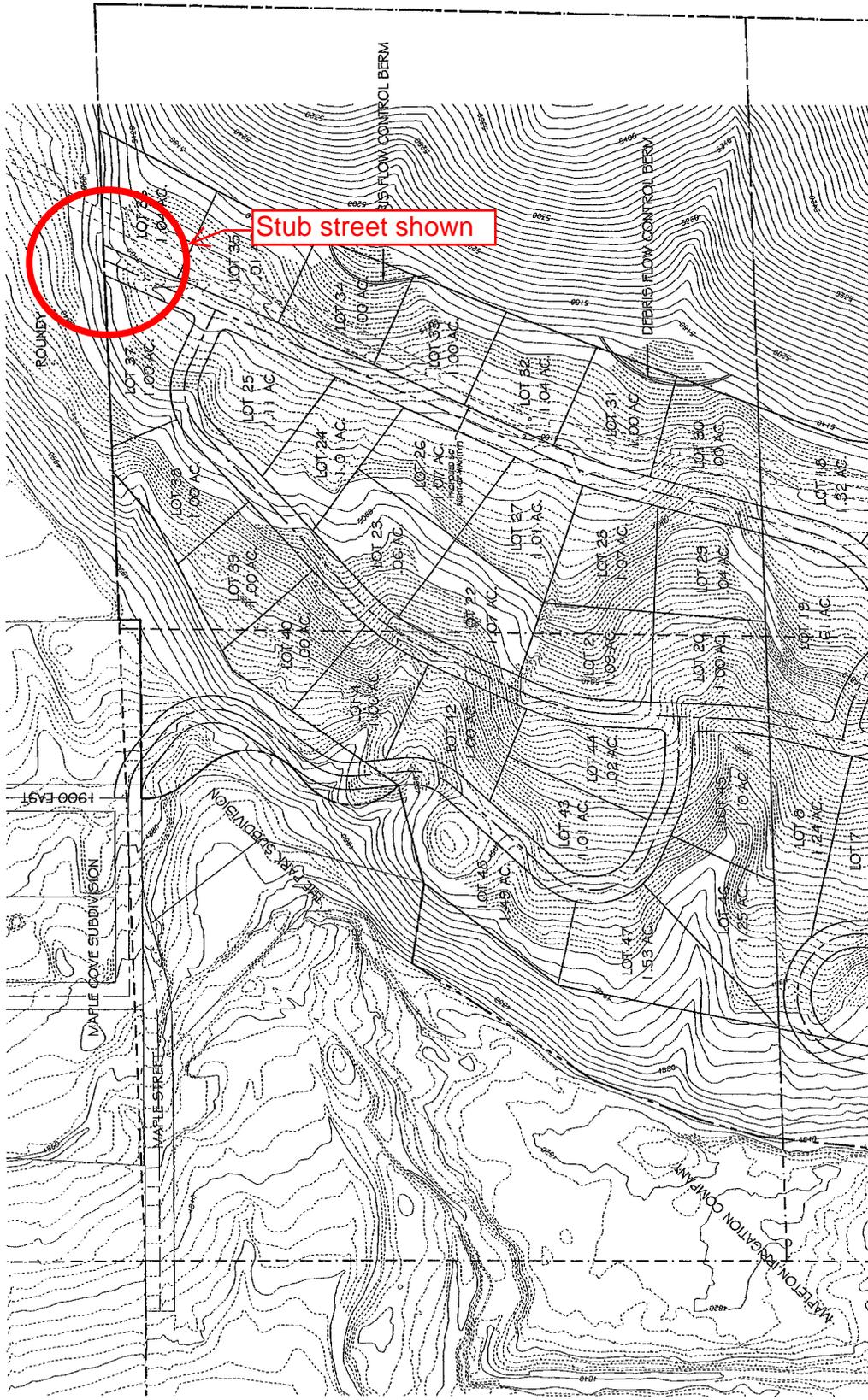
PLAT "A"

Silverado

Subdivision
Mapleton
Scale: 1" = 50 Feet

Attachment "7"

Freedom Vista Project Plan from 2005 & Correspondence with Forest Service



TORGENSEN ENGINEERING	
<small>370 WEST PARKWAY DRIVE MARTINEZ, UTAH 84701 PHONE: 435-225-8888 FAX: 435-225-8889</small>	
<small>CONCEPT PLAN & PROPOSED LINE CHANGE FOR</small>	
MCBRS, LLC	
MCBRS SUBDIVISION	
<small>MAPLE COVE SUBDIVISION, UTAH COUNTY, UTAH PROJECT NUMBER: 12-00-0001</small>	
<small>SURVEY BY:</small>	<small>DATE:</small>
<small>DRAWING BY:</small>	<small>DATE:</small>
<small>CHECKED BY:</small>	<small>DATE:</small>
<small>REV:</small>	<small>DATE:</small>
SCALE: 1" = 100'	
WG3RA1	
2 OF 2	

KLEMETSON ENGINEERING LLC

June 4, 2008

Doug Jones
Uinta National Forest Ranger Station
44 West 400 North
Spanish Fork, UT 84660
(801) 798-3571

RE: Freedom Vista Subdivision Access Road To Maple Canyon Road

Dear Mr. Jones:

Dr. Gibby has asked that I forward to you information about a proposed access road from the Freedom Vista Subdivision to Maple Canyon Road. Attached are the drawings we discussed on the telephone. There is a need for this road and there are several benefits to the Forest Service if it is constructed.

Mapleton City is requesting an access for the new waterline to be constructed from Maple Canyon Road. They also need an access to maintain the waterline. The Freedom Vista Subdivision by Dr. Gibby needs a second access to his subdivision and the City would like an access to be from Maple Canyon Road. I understand that Ben Christiansen, Chairman of the Long Range Planning Committee has indicated that that route is critical to the needs of Mapleton City for the following reasons:

- a. It helps to provide traffic flow on the bench area
- b. It is required for the maintenance of the new water line
- c. It resolves the issue of the Bonneville Shoreline Trail
- d. It provides emergency access to the foothills

As part of the Freedom Vista Subdivision Dr Gibby would be providing a continuation of the Bonneville Shoreline Trail, as well as a new powerline access road that could be used for horse and walkers. The existing and proposed powerline access road can be revegetated with native grasses to blend into the hillside. The Freedom Vista Subdivision and the powerline access roads provide fire protection access routes for the Forest Service, as well as public access. The access routes can also be extended to the Forest Service lands south of Dr. Gibby's land to provide access in that direction also to improve Forest Service access..

We are requesting an ingress/egress and utility easement through the Forest Service lands for the public road and Bonneville Shoreline Trail. Should you desire the access to the Powerline Access Road we will also need an easement for that narrow route also. Without the approval of the access road we will be unable to construct the subdivision or provide the access for the Bonneville Shoreline Trail, or the additional fire access routes for the Forest Service.

We are looking forward to meeting with you on Tuesday, June 10th at 1:00 PM in your office.

Sincerely,

KLEMETSON ENGINEERING, LLC



Stanley L. Klemetson, Ph.D., P.E.

Cc: Dr. Wendell Gibby

Attachment "8"

Letter from Roundy Family

Mapleton City
Attn: Sean Conroy, Community Development Director
May 13, 2013
RE: Request for stub out to the Roundy property

To Whom It May Concern:

The Roundy family is reiterating our request that the City Council will require Dr. Gibby to include a stub out to our property. We have been informed on multiple occasions throughout this process that a stub out should be a requirement for Plat approval of Dr. Gibby's development.

Although there are other valid reasons for including the stub out, the following are two of the most important, which taken together make it an essential element of the approval process:

- **Property Rights:** We feel strongly that the City Council should protect our right to develop our property at some future date. Without the stub out as potential access to our property, this would be extremely difficult, if not impossible. We need this connection to use our land properly without constraints.
- **Safety Issues.** In the event of an emergency, such as a house or brush fire on the mountain, it would be crucial for home owners on our property to have a second route of escape from danger if the main road was unusable. The stub out would be of mutual benefit to both properties as Dr Gibby's homeowners would also have a third option of egress, and it would allow greater access for emergency and service vehicles.

We are confident any topographical concerns regarding the placement of the stub out and possible future road can be resolved, and we can achieve a smooth transition of the two properties.

The Roundy's have a long history of supporting Mapleton City. Our father Max, and mother Dorothy, have granted several easements for water lines and the Bonneville Trail. We also gave land for the road up Maple Canyon, and allowed the City to use our land on the East side of the road for the water tanks before subsequently receiving TDRs for the mountainside. Our property has been in our family for generations, and we respectfully ask you to honor our request for a stub out so we may continue to have options for its best use in the future.

Sincerely,

James Roundy
Evan Roundy
Frank Roundy

Attachment "9"
Trail Grading Photos



03/20/2014



03/20/2014



Attachment "10" CE-1 Restoration Plan

Restoration Plans
for
Wendell Gibby Access Road

Submitted
by
Western Ecological Consulting, Inc
Dec. 2004

Road Construction

Successful restoration is dependent upon planting at the appropriate season, the condition of the soil surfaces, and moisture availability. As possible, road construction should be scheduled and completed to aid in restoration. Road construction should be completed to allow sites to be seeded in the fall months. Disturbances should not be left exposed for extended periods contributing to excessive erosion, surface crusting, and weed invasion. Disturbances created in the summer months should not remain exposed throughout the winter, but should be shaped and seeded in the fall or early winter. Netting or other means of protecting the disturbances should also be completed before winter and periods of heavy rainfall.

Water collection and culverts

Road surfaces collect and discharge excessive amounts of water that is often deposited onto fill slopes. "Out-sloping" of road surfaces allows for water to drain or runoff without collecting into ditches and channeled through culverts from the road. Normally "out-sloped" roads do not cause serious erosion and channeling. Areas proposed for in-sloping with ditches and culvers should be mapped and intensively planted to reduce erosion. Surface netting, transplanting, and physical barriers or rock could be used to reduce erosion from road fills where water may be discharged.

Fill Slope Construction, Deposition, and Compaction

Construction of fill slopes directly affects seedbed conditions and planting success. Surfaces left loose or highly compacted do not provide suitable seedbeds for direct seeding. Fill surfaces should be compacted, if necessary, to stabilize surfaces and facilitate seeding. Compaction can be completed when materials are moist, yet compaction of topsoils and heavy textured soils can cause surface crusting.

Weed Control

Perennial weeds, principally whitetop *Cardaria draba* and Canada thistle *Cercium arvense* are problem weeds of this area. Existing patches should be sprayed to prevent seed formation that can spread quickly onto new disturbances. In addition, areas infested with these and other weeds should not be excavated and used as topsoil.

Spreading weeds to road disturbances and infesting new areas should be avoided. New disturbances should not be left exposed and open to weed invasion. Repeated spraying may be required to prevent seed development during the period of construction.

Site Preparation

Cut Slopes

Benching

Benching is proposed to stabilize the surfaces and improve seedbed conditions. Generally benches are required for slopes that exceed 30 feet in height from the top of cut to the base of the road. Benchings of sandy and gravelly soils normally do not remain in place, but fail as the bench becomes saturated. Consequently, benching of coarse textured soils is not recommended. Generally, smaller benches that are less than 3 feet in height and with a two foot surface are adequate for roads with slopes that are 30 to 50 feet in length. Benches should be wide enough to collect and sustain topsoil. Benchings are not necessary for all cut slopes, only those where failures or serious erosion is likely to occur. Entire slopes do not need to be benched, only sites that may cause considerable erosion. Benches may be placed in an irregular pattern to improve aesthetics. Benches constructed across small gullies where water may accumulate must be designed to temporarily store and discharge the water without failing or slumping. Rough surfaces furnish a much better seedbed than cut slopes that are groomed, cleared of rock, and left as a smooth uniform surface. Consequently, surfaces should be left somewhat rough to improve seeding.

Fill Slopes

Soil surfaces of fill slopes must be stable to provide seedbeds for planting. In addition surfaces must be permeable and able to allow moisture to infiltrate reducing surface erosion. Excessive compaction or crusting can interfere with seedling establishment. Long fills, those exceeding 30 to 50 feet are normally subjected to erosion at the upper portion of the slope and some deposition at the base. Consequently, it is important to create suitable seedbeds to assure immediate establishment of new plantings. Slopes left open become increasingly unstable and difficult to plant. Topsoiling normally improves seedbed conditions and enhances plant growth. In addition, topsoil normally contains numerous seeds and plant propagules that can establish and stabilize the slopes. Netting or erosion control blankets also improve surface stability and enhance seedling establishment.

Topsoil

Topsoil that is removed and immediately reapplied retains numerous seeds and roots of different species that remain alive and are able to re-establish. If topsoil is stockpiled for three or four months or longer, seeds and roots decline in viability and can't be relied upon to re-establish. Weeds should not be allowed to spread and infest

stockpiles, and later spread throughout the road. Uniform placement of the topsoil is necessary to re-establish vegetation. However, topsoil should be specifically applied to areas where vegetation is most needed. This includes drainages and exposed slopes where erosion is likely to occur.

Placement of topsoil on a smooth, harden surface should be avoided as the topsoil tends to slip and does not remain in place. Topsoil should be placed on a rough surface or the substrata should be ripped to improve intermixing of the materials. Ripping fills or cut slopes to mix the topsoil with the subsoil is generally not possible on steep long slopes. Leaving rough surfaces on both fills and cut slopes is the most feasible method to improve soil stability. As possible, all disturbances should be topsoiled. Topsoil should be uniformly placed on both cut and fill slopes. This may require some grading, raking, or hand grooming to uniformly place topsoil, particularly on benched slopes. Moist or slightly dry soils can be placed much more uniformly than wet or saturated soils.

Culverts and down pipes

Fill slopes and drainages that collect water must be shaped to accommodate runoff and reduce down cutting. Erosion control blankets and intensive plantings should be used in areas where excessive runoff is anticipated. As possible, down spouts or culverts should be used to carry water off from the fill slopes. Physical barriers, netting, and transplanting are recommended for fill sites where runoff is expected.

Erosion Control Measures

Erosion Control blankets

Erosion control blankets or netting can be used to protect surfaces, improve seedbeds, and increase planting success. Jute netting is much superior to any other netting or materials. Big game animals are often attracted to some netting, but tend to avoid jute netting.

Instillation

Netting should be installed soon after surface preparation and seeding. Netting should be applied in the fall to furnish protection during the winter and spring when most runoff is expected. Netting should be properly placed and attached to all surfaces. Netting should slightly overlap the top of the cut slope to prevent moisture from running beneath the netting, which pulls the net from the surface and cause serious failures. Similarly, netting should overlap the top of the fill slope to prevent moisture from entering beneath the netting on the fill surfaces. Netting should be anchored by placement of pins to prevent movement and undercutting. Netting will improve seedbed conditions, but is not a substitute for seeds being placed in the soil. Seeds should be planted in the soil in all areas, even sites that are netted.

Cuts Slopes

Benching can also cause problems with the placement of netting or erosion control blankets. It is difficult to fit, place, and attach netting or blankets on bench surfaces. To be effective netting must be firmly attached to the benches including the slope and the flat bench. Unless the netting is tightly fitted to the surfaces, water collects beneath the netting and causes it to be pulled away or undercutting will occur. Netting should be placed on all slopes after topsoiling and seeding, but prior to transplanting. Sites are normally fall seeded and then covered with the netting. Areas are transplanted in the early spring when the netting is in place. Transplanting can be completed by cutting small slits in the net to accommodate physical planting. A slight slit in the netting should extend upwards from the transplant about 4 to 6 inches, as the netting tends to migrate or is pulled down slope and can uproot the transplant.

Re-vegetation

Seeding

All disturbances should be seeded with the recommended seed mixture. Seeding should be conducted soon after construction and topsoiling is completed. However, planting during the summer is not advised as summer rains are unpredictable and soils normally do not remain moist for a long enough for seeds to germinate and survive. Soil surfaces must be loose enough for seeds to be planted. In addition, surfaces that are compacted must be ripped prior to seeding. Ripping must break-up compact layers including surfaces and underlying zones. Ripping to depths exceeding 12 to 20 inches may be required on heavily compacted surfaces.

Recommended Species

Species recommended for direct seeding are all native species and endemic to the project location. In addition, all species are adapted to exposed disturbances and capable of establishing and persisting on both substrata and topsoil. Most species develop secondary root systems and spread vegetatively to provide an effective ground cover. A combination of species is recommended to provide maximum ground cover, resist surface runoff and erosion, prevent weed invasion, persist with wildlife grazing, and periods of drought. As possible, seeds of all species should be acquired from wildland sites near or close to the project. Seed of all recommended species are available from commercial seed companies that market native species. (See following list) Shrubs are recommended as they provide much more effective cover than if grasses or herbaceous plants are seeded alone. Specific information is provided below to assure adapted species and collections are used.

Native Seed Companies

Stevenson Intermountain Seed Company, Ephraim, UT 435- 283 6639

Mark Plummer, Ephraim, UT 435-283-4844

Maple Leaf Seed Company, Ephraim, UT 435-283-4243

Mountain brome *Bromus carinatus* and slender wheatgrass *Agropyron trachycaulum* are the two primary grasses that will likely establish first and eventually dominate as the stand matures. Both plants spread quickly from seed and rooting to provide an effective ground cover. Both species have relatively large seeds that must be covered to a depth of 0.5 – 1.0 inch to effectively germinate and establish. Western wheatgrass *Agropyron smithii* is also native to the area and forms variable size patches on the adjacent foothills. It occurs in the openings between stands of Gamble oak *Quercus gambelii* as well as an understory with less dense stands of shrubs. It establishes slowly, but provides a stable and effective ground cover on hash disturbances. It must also be planted at least 0.5 – 1.0 inch deep to establish. Bluebunch wheatgrass *Agropyron spicatum* is the most common grass on the adjacent foothills, particularly on dry, well-drained south and west slopes. It forms a bunch or clump that does not spread by rooting. It is less adapted to exposed sub soils but grows well on topsoils. If possible, it is advisable to purchase a local source of seed for all species. Normally, wildland seed is collected and marketed by native seed companies. Contracting with a local seed company to obtain site-adapted sources is a common practice.

The broadleaf forbs recommended for planting will also furnish effective ground cover, and are adapted to mixed and disturbed soils. Western yarrow *Achillea lanulosa*; Pacific aster *Aster adscendens*; Louisiana sagebrush *Artemisia ludoviciana* spread by rooting proliferation and form a dense surface ground cover. Seeds of these three species are quite small and establish quite well from shallow planting depths. Lewis flax *Linum lewisii*; Rhydberg penstemon *Penstemon rhydbergii*; and Utah sweetvetch *Hedysyrum utahensis* normally establish quite well even amid disturbances. All three species tend to form single bunches or clumps; yet collectively provide excellent ground cover when seeded with other species. All recommended forbs develop attractive and diverse flowers that are commonly observed on the adjacent slopes and steep hills. Seed from local wildland collections are recommended, and all are commonly collected and marketed by most wildland seed companies. Utah sweetvetch is a legume, and seeds must be inoculated prior to planting with a root organism (rhizobium) that significantly aids in plant establishment and growth.

Rubber rabbitbrush *Chrysothamnus nauseosus*; big sagebrush *Artemisia tridentate* ssp *vaseyana*; and antelope bitterbrush *Purshia tridentate* are recommended as these three shrubs establish well by direct seeding, grow quickly, furnish effective ground cover, persist with browsing by wildlife, and provide a cover that is compatible with adjacent non-disturbed sites. Rubber rabbitbrush establishes much better than any other shrub on disturbed soils, including sites that have been topsoiled. This species provides an excellent nurse crop that improves establishment and survival of other shrubs. It is relatively short-lived in these situations, and will likely persist for 10 –15 years. A

decumbent or low growing growth form of antelope bitterbrush is recommended. The native bitterbrush that grows in the area is a decumbent form or type that provides excellent ground cover and persists with heavy browsing by wildlife. A commercially available cultivar of mountain big sagebrush is available and recommended for planting. The cultivar called “Hobble Creek” was developed from a collection obtained in the mouth of Hobble Creek canyon, and is obviously well adapted to this planting site.

Seeding Rates

Recommended seeding rates are listed in Table 1. Seeding rates are based on the amount of pure live seed (PLS). This is computed by multiplying the germination rate and purity percentages. All seed purchased and planted should be purchased from a reliable seed company, and should have a recent seed test to assure that high quality seed is used and no problem weed seeds are planted. Example of seed quality:

89 % germination x 95 % purity = 84.55 PLS

Planting Season

Direct seeding should be completed in the late fall and early winter period, normally during October and November. Late fall plantings are recommended to prevent seed from germination in the summer months when consistent moisture is not available to maintain the small seedlings. In addition, seeds of some species require a period of cold and moist conditions to break dormancy and germinate uniformly. Seeds deposited and maintained in the soil over winter normally germinate in the spring when soil moisture is available to assure germination and initial establishment. Over-winter stratification of the seeds eliminates dormancy and allows for uniform germination and seedling establishment.

Planting Methods

All seeds must be incorporated into the soil to adequately germinate and establish. Seeds may be distributed on the soil surface by hand or mechanical broadcasting, however some means must also be employed to cover the seeds with an appropriate amount of soil. New plants are difficult to establish on steep and unstable slopes primarily because seeds are not placed or incorporated into the soil. Most seeds require 0.5 to 1.0 inch depth placement in the soil. Seed coverage can be accomplished using drags, rakes, or rails. Depositing seeds on a roughened surface and placing mulch or erosion blankets can improve seedling establishment, however these practices alone will not assure successful establishment of many species. Seeds should be covered immediately after broadcast distribution to prevent wind and water erosion and loss to small mammals, insects, and birds. .

Table 1. – Species Recommended for Direct Seedings – Cut and Fill Slopes

Species		Seeding Rates lbs/ac (PLS)
<u>Grasses</u>		
Bluebunch wheatgrass	Agropyron spicatum	2
Mountain brome	Bromus carinatus	3
Slender wheatgrass	Agropyron trachycaulum	3
Western wheatgrass	Agropyron smithii	3
<u>Broadleaf Herbs</u>		
Lewis flax	Linum lewisii	1
Louisiana sagebrush	Artemisia ludoviciana	1
Pacific aster	Aster adscendens	2
Rydberg penstemon	Penstemon rydbergii	1
Utah sweetvetch	Hedysarum utahensis	2
Western yarrow	Achillea lanulosa	1
<u>Shrubs</u>		
Antelope bitterbrush (decumbent growth form)	Purshia tridentate	1
Mountain big sagebrush (Hobble Creek Variety)	Artemisia tridentate vaseyana	1
Rubber rabbitbrush	Chrysothamnus nauseosus	<u>1</u>
	Total	23

Transplanting

Locations

Transplanting can be used to increase initial establishment and provide a more effective ground cover immediately after road construction when erosion is most common and destructive. Transplanting should be accomplished in the early spring when soil moisture is most available. Plantings should be completed the first spring after road construction to reduce the time that surfaces are exposed to erosion and to limit or restrict weed invasion.

Transplant survival is dependent upon the availability of soil moisture at the time of planting. Plantings completed in the late spring normally fail to root and survive as the soils dry before the roots become established. If timing of road construction does not allow for winter moisture to accumulate in the soils prior to transplanting, planting success is usually very poor. As possible, road construction should be scheduled to assure planting success.

Both cut and fill slopes can be transplanted to improve and restore cover. Transplanting of cut slopes is recommended for sites with a soil depth or substrata that exceeds 18 inches. Transplanting shallow soils (those less than 12 inches deep) is not recommended as shrubs fail to persist. Transplanting can be successful and valuable on both cut and fill surfaces that are topsoiled.

Recommended Species

The three shrubs recommended for direct seeding (rubber rabbitbrush, big sagebrush, and antelope bitterbrush) are also recommended as transplants. All three are native to the area, establish successfully, grow rapidly, furnish adequate protection to the soil, and persist with the seeded herbs. They also allow for natural recovery of other plants from seed incorporated in the topsoil. Natural spread or invasion of additional species from adjacent area can also be expected. Rabbitbrush and bitterbrush survive much better on exposed substrata than does sagebrush. All three species establish and persist well on topsoil sites.

Planting Stock

Bare root and container grown transplant stock can be obtained from commercial nurseries as well as from the Utah State Conservation Nursery, Draper Utah. One-year-old bare root materials that vary from 8 to 15 inches in height are satisfactory and establish well from spring plantings. Normally, orders must be placed six months to a year in advance of planting to allow time for rearing. The Utah Conservation Nursery normally produces excess stock, and orders placed in the early spring of rabbitbrush, bitterbrush and big sagebrush are available to complete small plantings. Bare root stock is usually one third the cost of contained stock, and planting costs are also much cheaper. In addition, survival and growth of properly planted bare root materials normally exceeds contained stock. Prices for both container and bare rootstock can be obtained from Eddie Trimmer, Utah Conservation Nursery, Draper, UT (801-.571-0900)

Planting Methods

All transplant stock will be hand planted using planting spades or power augers. Care must be given to prevent roots from drying as plantings are completed. In addition, transplants must be maintained in a cold moist condition to prevent desiccation and heating. Placement of small fertilizer tablets in the planting hole improves transplant survival and significantly improves annual growth.

Spacing

Transplants can be spaced at variable distances to regulate the amount of vegetal cover that develops. Close spacing increases ground cover and better assures establishment of a dense cover. However, close spacing, particularly of cut slopes where soil moisture is limited can create unnecessary competition that results in poor growth and abnormal loss of plants. Spacing plants closer than six feet is normally not recommended except in highly erosive sites. Transplants should be specifically located in areas where excessive runoff and erosion is likely to occur, practically drainages, the edge of road surfaces where overland flow is expected. In addition, planting along the top of the cut slopes is advisable to intercept overland flows that can erode the steep barren cut slopes. Transplanting both cut and fill slopes that exceed 30 feet in length are recommended. Bitterbrush provides better ground cover than rabbitbrush or sagebrush and should be planted in areas where serious erosion is expected. In all other areas, all three species can be intermixed and planted in mixed combinations.

Recovery of Native Species

It is advisable to retain the existing native plants, particularly stands of Gamble oak. This shrub furnishes protective cover and aesthetics. Oak brush is difficult to re-establish by seeding or transplanting. As possible, deposition of soil into oak clumps should be avoided to prevent damage and loss of the stands.

Attachment "11"
City Council Minutes dated 5/14/13

MAPLETON CITY COUNCIL MEETING

May 14, 2013

PRESIDING AND CONDUCTING:

Mayor Pro-tem Jim Lundberg

Mayor Brian Wall- Arrived Late

Council Members:

Ryan Farnworth

Scott Hansen

Jim Lundberg

Mike Nelson

Jonathan Reid

Also Present:

Cory Branch- City Administrator

Camille Brown- City Recorder

Gary Calder- City Engineer/Public Works Director

Sean Conroy- Community Development Director

Eric Johnson, City Attorney

Chief Pettersson- Police Chief

Minutes Recorded by:

Camille Brown- City Recorder

CALL TO ORDER: Mayor Pro-tem Lundberg called the meeting to order at 7:00 pm. Cory Branch gave the invocation and Sean Conroy led the pledge of allegiance.

APPROVAL OF MINUTES:

1. Approval of City Council meeting minutes- April 30, 2013

Motion: Cl. Farnworth moved to approve the minutes of the April 30, 2013 City Council meeting.

Second: Cl. Nelson seconded the motion.

Vote: Passed 5:0

PUBLIC HEARING ITEM:

2. Consideration of Final Plat approval for the Harvest Park Plat "G" subdivision consisting of forty (40) lots located in the Specific Development Plan (SDP-1) zone (approximately 1750 W Elm).

Sean Conroy, Community Development Director, stated that he has spoken with the applicant and they are working through a few issues and would recommend continuing the item to the June 4, 2013 City Council meeting.

Motion: Cl. Nelson moved to continue the item to the June 4th meeting.

Second: Cl. Farnworth seconded the motion

Reid Aye
Nelson Aye
Hansen Aye
Lundberg Aye
Farnworth Aye
Vote: 5:0

ACTION ITEM:

3. Consideration to approve an Electric Utility Franchise and General Utility Easement Agreement between Mapleton City and Rocky Mountain Power.

Cory Branch, City Administrator, stated that he received the Franchise Agreement from Rocky Mountain Power and he had contacted them regarding concerns pertaining to the proposed Section 18 of the agreement which waives the right to a jury trial in the event of litigation. Mr. Branch stated that Rocky Mountain Power requests this item be continued until this issue is resolved.

Motion: Cl. Nelson moved to continue the Electric Utility Franchise and General Utility Easement Agreement between Mapleton City and Rocky Mountain Power to the June 4, 2013 meeting.

Second: Cl. Hansen seconded the motion

Reid Aye
Nelson Aye
Hansen Aye
Lundberg Aye
Farnworth Aye
Vote: 5:0

DISCUSSION ITEM:

4. Consideration of a request from Dave Scoville for a discussion item regarding a potential annexation proposal and concept plan for 41 acres located at approximately 3125 South and 800 West

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. The subject parcel consists of 41 acres and is currently outside the city limits located in the unincorporated area within Utah County.

Mr. Conroy presented the proposed concept plan. The proposed plan consists of 69 units. The plan which was proposed previous to this plan consisted of 63 units, but could go up to 78 units with the use of 15 TDR's. The one acre lot that was previously being proposed as being donated to the City is now being showed as a retention basin.

Cl. Farnworth stated that he was concerned with traffic measures as it related to access points to Hwy 89 and whether or not the existing 2600 South Street could handle additional traffic. Sean Conroy stated that the applicant is requesting a range of unit sizes from .23 acres to 1.35 acres. The applicant would prefer RA-2 zoning for the southern 20 acres thus allowing for 1/3 acre lots. Mr. Conroy stated that they are in compliance with the General Plan. The applicant stated that the property would be lined with 1 acre lots as a buffer to the north. Cl. Farnworth stated that it is up to the council to change a zone, the annexations we have done recently have had a benefit to the city, with different utilities and such, if the zone is changed he would like to see TDRs used. Cl. Hansen stated that he is for the annexation and thinks that there should be a place in Mapleton for smaller lots. Cl. Nelson stated that he thinks there needs to be a stub street near the southwest corner of the property. The applicant stated that the reason they are here tonight is to get ideas from the council. He also stated that he believes having a 1 acre retention basin would be a benefit to the city. The applicant inquired of Gary Calder, City Engineer if this proposed basin would help with the Storm Water Master Plan. Mr. Calder stated that the Boggess parcel would be a good use for a retention basin, but they are still in negotiations. He also thinks that full improvements should be required for all proposed roads. Cl. Lundberg inquired if this would be a joint annexation with the Boggess property. Bart Boggess was in the audience and stated that they are very close to submitting for annexation. Cl. Farnworth stated that there needs to be some major improvements to the roads.

PUBLIC HEARING ITEM:

- 5. Consideration of a request from Wendell Gibby for Preliminary Plat approval for the Freedom Vista Subdivision Plats A-D and Final Plat approval of Plat A located generally at 2000 E Maple Street in the RA-1 and CE-1 zones.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance.

Cl. Farnworth stated that the lots up against the mountain would have to have regulations as to what can be built. Sean Conroy stated they would work with the constraints of each lot.

Cl. Lundberg stated that there are regulations in the CE-1 zone and asked what remediation could be done to the existing areas in the CE-1 zone that have been altered. As part of the approval could remediation in the CE-1 Zone be required. Mr. Conroy stated that as part of the approval a landscape plan would be required that would address remediation. Mr. Calder stated that Rocky Mountain Power would continue to want the power line road as a way of access for a fixing the power lines. Mr. Calder stated that in the CE-1 zone, there has been much excavation on the hillside and that remediation should be required as a condition of final plat approval.

Mayor Wall arrived at 7:50 pm

Mayor Wall stated that the city agreed to treat Mr. Gibby like any other developer and when he does excavation Mr. Gibby should be treated the same as anyone else.

Cl. Lundberg inquired about the grade of the road. He lives relatively close to this area. He stated he has 6-8 inches of snow on his driveway compared with 2 inches here at the city center. He has a lot of concerns about the excess amounts of snow that is going to be received up on this hillside.

Mayor Wall stated that the city has been informed that the garbage and busses will not be able to drive up the proposed steep roads during the winter months.

Public Hearing was opened at 8:00 pm

Dee Thatcher, 1882 East Maple Street, He is very pleased with the comments that he has heard tonight. He stated that the city has certain codes to make the city a better place to live. Mr. Gibby should be able to develop his land, but will also need to follow the rules. As our engineer said, he does not want to have a snow plow in his back yard.

Evan Roundy, He is concerned that they can't develop their property without a stub street. He stated that their primary concern was safety and that is why the stub street should be provided.

Rick Maingot, 636 South 1200 East, He stated that he would like to begin by apologizing for his behavior at the last meeting. He has tried to follow this development, but it has been awhile. He asked if the number of lots have gone from 47 to 58. The Mayor stated that under the RA-1 standards Mr. Gibby can get more lots on the property than 47. Cl. Lundberg stated that there was an original agreement and then there were amendments, including a rezone to RA-1. Mr. Maingot inquired what the steepest grade in the city is and the City Engineer stated that Maple Canyon is about the steepest grade at approximately 12%. Mr. Maingot stated his concern with the proposed grade of the road.

Melanie Roundy, She is concerned that the busses or garbage carriers would not go up that steep of a road. If busses and garbage carriers won't go up, what about our own public safety vehicles. She sees this as being a big liability for the city and was not aware how dangerous this area was.

Public Hearing was closed at 8:40 pm

Mayor Wall stated he wanted to refer to a couple of things as he was reading through the special conditions from planning commission. The commission went through each condition prior to the motion being made. The motion was made with approval minus condition no. 2 (requirement for a stub street). Mayor Wall discussed the special conditions, and asked Mr. Calder about the irrigation pond and the detention ponds.

Cl. Nelson inquired if there was already a 12% grade road in the Jack Evans property. Mr. Calder stated that the Jack Evans property did receive approval for a preliminary plat that included a 12% road.

Cl. Lundberg stated that it was only preliminary approval and that the applicant may come back with something completely different. He also stated that in the Jack Evans project, the 12% road was straight compared with Mr. Gibby's roads that include sharp S turns. Given the location and design, Mr. Gibby's roads are not sufficient for public safety.

Cl. Reid inquired what the code stated about the grade limit and Mr. Conroy stated that the code reads 8% unless agreed to by the City Engineer. Eric Johnson stated that the settlement agreement as well as general principles require that Wendell Gibby be treated just like any other developer. The city has approved 12% grades elsewhere within the city. It would not be difficult for Mr. Gibby in Court to argue that there are already 12% grades in the city and he is not being treated fairly, because he is being denied.

Cl. Reid stated that he does not agree, he stated that we are hearing testimony from our public officials that this is a safety hazard. He stated that he thinks public safety is more important. He believes that public safety is at risk and that is far more important to him.

Eric Johnson stated that he concurs and asked staff to provide studies on the safety of the roads.

Cl. Lundberg stated that there needs to be research done to evaluate the safety issues related to the grade of the road. He recommended continuing this item, subject to additional information namely the road configuration, the 12% road, and the steepness of the road relating to public safety. The city cannot make a final decision on Plat A until we know where the stub street, water easement, and the proposed trail easement will be located. Sean Conroy asked for guidance on the trail and whether the easement is adequate. Gary Calder suggested that the city hire a third party engineering company to review the road issue. Eric Johnson stated that you can continue this and ask the applicant for more information on a remediation plan as well.

Motion: Cl. Lundberg moved that we continue the request from Wendell Gibby for Preliminary Plat approval for the Freedom Vista Subdivision Plats A-D and Final Plat approval of Plat A located generally at 2000 E Maple Street in the RA-1 and CE-1 zones with a request for the following changes or additional information:

- 1) The applicant shall provide the location of the proposed water line easement;
- 2) The applicant shall provide a stub street to the Roundy property;
- 3) The trail easement shall be revised to be consistent with the settlement agreement;
- 4) The applicant shall provide a remediation plan for any grading in the CE-1 zone; and
- 5) Staff shall consult with a third party engineer regarding the safety of the proposed roads.

Second: Cl. Reid seconded the motion

Reid Aye

Nelson Aye

Hansen Aye

Lundberg Aye

Farnworth Aye

Vote: 5:0

PUBLIC FORUM:

Stan Egan, 1331 West 2100 South, He is concerned with the proposed roads and wondered if they will connect to Hwy 89. The Mayor stated that if any property fronting 2800 South was ever developed the fronting property owners would be required to put in the road improvements. Cl. Lundberg stated that if you wanted the developer to put in a road for you and you make an agreement you could do that.

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS:

Cl. Nelson brought up that he has been approached by a few citizens about chickens and rabbits and that they are not being raised in the right zones. He stated that he believes the city needs to be more direct when citizens ask where they can have certain animals.

Cl. Farnworth reported that the Solid Waste District is proposing to start charging the cities for recycling, because they are losing money. He will keep the council updated on this issue.

Chief Pettersson reported that Officer Warner's last day with the city will be on May 16th. The Police Department will be advertising for another officer.

Mayor Wall brought up a topic about the general plan and using TDRs without being penalized for double dipping. Cl. Nelson stated that he would support that.

Motion: Cl. Farnworth moved to adjourn the meeting

Second: Cl. Nelson seconded the motion

Vote: Passed unanimously

APPROVED: June 4, 2013

Camille Brown, City Recorder

Attachment “12”
Planning Commission Minutes dated 4/25/13

MAPLETON CITY
PLANNING COMMISSION MINUTES
April 25, 2013

PRESIDING AND CONDUCTING: Vice-Chairman Rich Lewis

Commissioners in Attendance: John Gappmayer
Leslie Jones
Golden Murray
Keith Stirling
Mike Tippets

Staff in Attendance: Sean Conroy, Community Development Director
Brian Tucker, Planner I
Gary Calder, City Engineer
Eric Johnson, City Attorney

Minutes Taken by: April Houser, Executive Secretary

Vice Chairman Lewis called the meeting to order at 6:30pm. Golden Murray led the Pledge and Mike Tippets gave the invocation.

Alternate Commissioner Golden Murray was seated as a voting member this evening.

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – April 11, 2013.

Motion: Commissioner Tippets moved to approve the April 11, 2013 Planning Commission Minutes.
Second: Commissioner Jones
Vote: Unanimous

Item 2. Consideration of a request for a Home Occupation to operate a daycare/preschool for up to 16 children in the Agricultural-Residential (A-2) Zone.

Brian Tucker, Planner I, went over the Staff Report for those in attendance. The property is accessed from 1200 North. The access easement along the driveway is approximately 14’-16’ wide all the way back to the home. No more than 500 square feet of the home can be used, and no more than 6 cars at any one time onsite, for the home occupation. Background checks will be done on all employees, and a state license is required as well. The plan is to only have one employee, and pick up and drop off times will be staggered. Staff does not feel there is a concern with traffic along 1200 North.

Jennifer Scoma, applicant, stated that the State requires background checks on all daycare facilities. **Vice Chairman Lewis** opened the Public Hearing. **Janice Fowels** has no objection to the permit except she wanted to make sure the children were not allowed to come out close to the ditch that runs through this area. No additional comments were given and the Public Hearing was closed.

Motion: Commissioner Gappmayer moved to approve the Home Occupation Permit for a daycare/preschool for up to 16 children in the Agricultural-Residential (A-2) Zone, with the conditions listed below:

1. The applicant shall obtain a business license prior to opening for business.
2. The applicant shall obtain licensure for a daycare from the State of Utah and shall maintain a copy of current licensure with Mapleton. The maximum number of children shall not exceed that allowed by the state license.
3. Background checks for all employees and residents of the dwelling shall be maintained with Mapleton.
4. With the exception of activities that are clearly incidental and secondary to the daycare/preschool use, the home occupation shall be conducted within the confines of the structure.
5. No signs shall be placed on the property without a sign permit.
6. The access easement must be approved by the Mapleton City Police and Fire Departments to ensure safe access for emergency vehicles.
7. Violations of the terms of this use permit or other ordinances of the City may constitute grounds for revocation of this permit and associated business license by the Planning Commission.
8. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.

Second: Commissioner Jones

Vote: Unanimous

Item 3.

Consideration of a request from Wendell Gibby for Preliminary Plat approval for the Freedom Vista Subdivision Plats A-D and Final Plat approval of Plat A located generally at 2000 East Maple Street in the RA-1 and CE-1 Zones.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The applicant owns approximately 118 acres. The lot sizes vary from .48 to 2.25 acres in size. Staff is supportive of the proposal for 58 lots. City Standards state that an 8% street grade is the maximum the city would like, however if a 3rd party engineer can give approval on the proposed grade on these roads an increase up to 12% may be acceptable. The City is requesting a stub street to the Roundy's property, which is consistent with the City Code and Master Transportation Plan. The applicant is proposing to dedicate an easement to the City that would run down the escarpment that would connect by Maple Street and head south towards Dogwood Drive. The trail would go along the applicant's property, onto City property, and back on to the applicant's property again. Storm water is to be retained onsite, and not to be directed to adjacent properties. They would be able to have some flow into the Mapleton City Irrigation Pond, but the bulk of the water will need to be retained on site. Staff recommends approval to the City Council with the conditions as outlined in the Staff Report.

Wendell Gibby, applicant, showed a picture of the slope he feels is too steep in order to provide a stub in to the Roundy property. He felt large cuts in Lots 18 and 19 would be required in order get a stub in this area. In previous discussions they were very insistent that they would determine where the city trail access be located. Their position has not changed. The Memorandum of Understanding (MOU) was discussed that their position was to run the trail around the perimeter of the development. Mr. Gibby feels that there should be no easement required as a road stub to the Roundy property, feeling it would be a direct violation of the MOU. They tried for 10 years to work with the Roundy's to get an easement across here, and have spent approximately \$5 million dollars to gain access to their property. He stated that the City has land locked them twice, and has not had any cooperation with the Roundy's. They are opposed to providing this access. He is appreciative of the City's support of the 58 lots and water line installation.

The applicant has had multiple meetings, including mediation, with the Maple Cove Subdivision owner. Wendell went over what the previous proposal was between himself and the Graham's. He showed two possible proposals for the development if they were not able to come up with an agreement between them. The turnaround has been requested by the City. Mr. Gibby feels that the density and water line are not an issue, and that the Graham situation should not be an issue either. This subdivision was approved at one time. With the topography of the land it does not allow for the property to be developed in any other fashion than having some 12% street slopes. **Eric Johnson**, City Attorney, stated that the prior approval was for a development with 47 lots, which is not the same as the one before them this evening. Wendell stated that it was not binding at this time. The RA-1 Zone has been passed, and that is a fact. The debates and discussions about this were agreed upon and there should be equal protection under the law. The final issue is about the trail, and Wendell Gibby showed a drawing indicating the difference between degrees and slopes. When they agreed to this at the Legislature they agreed to a 10' easement in the MOU. The City has come back and said that would not work. They have come back with a compromise to accommodate a pedestrian and equestrian trail, not one for handicap access. The slope up Maple Canyon is 16%. To keep the slopes under 12% will require 600' of trail in order to get up the hill. It becomes expensive as well as requires acres of property. What they propose is they will provide a 12 degree slope, which is less than the road they have for Rocky Mountain Power. Wendell stated that he was told by a member of the Bonneville Shoreline Trail that a 25% slope is okay for short distances along the trail system. 12 degrees is roughly a 23% slope. Wendell understands the Planning Commission is advisory, but a favorable recommendation would go a long ways to help reduce contention and litigation between himself and the City. Mr. Gibby then summarized his comments again. **Commissioner Tippetts** went over the recommended conditions listed in the Staff Report. Wendell Gibby would prefer a longer term Development Agreement than the proposed 3 years. Eric Johnson stated that 3 years is what the code states. **Gary Calder**, City Engineer, stated that Fire Code requires Temporary Turnaround every 500'. Wendell stated that he does not have a problem with it. The bond would be for street improvements, sidewalk, and whatever infrastructure is required. Wendell is okay with the 3rd party requirement for the slope of the streets. Mr. Gibby is happy to work with the City to come up with something reasonable in regards to water retention. He does not know why the City is requiring an updated landscaping plan. Gary stated that the retention basins have to be approved in order to meet Division of Water Quality standards. Any previous submittals would not be acceptable since this new development proposal will be larger.

Vice-Chairman Lewis opened the Public Hearing. **Evan Roundy** stated that he can not speak for the conversations Mr. Gibby had with his father or mother but that the road he proposed to them would have required them to come up with \$1 million dollars as their portion. They would be able to have 6 lots on their property, and that would not be feasible. There was no other proposal forth coming. He would propose that the city negotiate with the Forest Service to get an easement on the top and access the property there. That would give Mr. Gibby a 3rd access to his property. The old fire break road, which goes up the side of the mountain, has already been graded and that is a possibility. There are solutions to this situation and the city should look at all possibilities. They are asking that the City Code be enforced. **Commissioner Stirling** asked how much it would cost to stub the road for the Roundy's if the road was located in the northeast corner, and Mr. Roundy stated that he did not know. **James Roundy** stated that if there was no access to their property it would make it difficult to do anything with. It would also limit emergency access to their property. The roads being on the north side of Mr. Gibby's property will make for steep roads that are difficult to get up, and has a concern with this. Staff stated that there is no prohibition on having a lot with roads on both sides. Wendell stated that the Roundy's made a case for not doing the road here due to the cost. The Forest Service, under the plan they have, would need to agree to the road. He feels there is nothing that prevents the Roundy's from getting to their property. Mr. Gibby went back to the MOU that was previously signed. He feels the City made some pretty serious and unethical choices. Part of the agreement with the MOU is that the City can not require things of him that

they do not require of other developers. He feels they provided 3 areas for emergency access to the bench. No additional comments were given and the Public Hearing was closed.

Commissioner Jones asked Eric if the City was the one that asked for the temporary turnaround on the south end of the property and he said that he believed it was. Sean stated that we are not requesting a 55' easement for the trail and Wendell stated that we are asking for a much larger one. The request in the Staff Report is the trail stay on the applicant's property. A 10' easement is consistent with what the City is requesting. Eric Johnson said two things seemed inconsistent to him. One; that the stub would go through the flattest part of Mr. Gibby's property. The second is that Mr. Gibby stated that the grade becomes very steep on his property. Eric asked if the power line easement would be moved on the Roundy's property, and Wendell stated that it would not. **Commissioner Stirling** stated that he feels the trail and Roundy property stub are the two conditions that Mr. Gibby has issues with.

Motion: Commissioner Tippetts moved to recommend approval to the City Council of the Preliminary Plat for the Freedom Vista Subdivision Plats A-D and Final Plat approval of Plat A located generally at 2000 East Maple Street in the RA-1 and CE-1 Zones, with the recommendations listed below:

1. Upon final approval by the City Council, the applicant shall have three years to record Plat A, unless otherwise agreed to by the City Council. Final plat review of plats B-D shall require Planning Commission review and City Council approval. Additional special conditions may be imposed during the final review of these plats.
2. The bond amount for Plat A shall include the installation of a gravel road (Andrew Avenue) that is accessed off of Dog Wood Drive to provide secondary emergency ingress and egress for Plat A.
3. All roadways shall be inspected by a third party geo-tech engineer company prior to acceptance by Mapleton City. This will require a subsurface investigation to assure proper clearing and grubbing and compaction were completed prior to fill placement.
4. The applicant shall provide an easement for a trail from the north and south property lines of the Gibby Parties' property across the west escarpment of the property in substantial compliance with plats previously submitted by the Gibby Parties during the legislation session in 2007 to Mapleton, consistent with City's trail easement on the north across the adjoining Roundy property and connecting on the south to either the Forest Service or the City property. The Gibby Parties shall choose the location of the trail easement through the Gibby Parties' property.
5. Prior to plat recording, the Gibby Parties shall grant an easement, at no cost to the City, for an 18" water main that is to be placed in a public right-of-way in a location to be determined by Mr. Gibby and approved by the City Engineer.
6. The debris fence basin drawings shall be stamped by the structural and geo-tech engineer and shall include a note of approval from the Utah Geological Survey (UGS) of the design and location of debris fence if required by the UGS.
7. The geo-tech and structural engineer shall stamp and sign sheets D1-1 to D1-3 of the plans.
8. A revised drainage study shall be submitted prior to plat recording. The drainage study shall evaluate the subsurface soil conditions at the site and provide geotechnical recommendations for storm water detention and release. Design discharge from the detention facilities shall approximate pre-developed (not developed) peak runoff rates of no more than .2 cfs per acre. The storm water runoff leaving the site during the design storm is limited to either .2 cfs per acre

or discharge prior to development.

The applicant is requesting to release storm water into the new irrigation pond below the development (built 2010-12), which will only be allowed if the discharge is clean, and also at a determined controlled flow rate. This flow rate will need to be determined based on historical or pre-developed data from the geo-tech engineer and approval by city engineer. This flow rate may need to be reviewed by a third party geo-tech engineering company if this rate cannot be agreed upon. The submitted plans shall include outlet structures at the detention ponds that are designed to assure the discharge is clean and the facility is near capacity before any water exits the detention basins.

- 9. An amendment to the Maple Cove Plat B subdivision shall be recorded prior to, or simultaneously with Plat A of the Freedom Vista subdivision identifying the new property boundaries between the two subdivisions. If the Freedom Vista subdivision is revised to no longer require a portion of the Maple Cove Plat "B" property, than this condition will no longer be required.
- 10. An updated Retention Basin Plan meeting the requirements of Mapleton City Code.
- 11. Prior to Plat C being recorded the RMP transmission lines shall be relocated to the east.

Second: Commissioner Murray

Vote: 5:1:0 with Commissioners Murray, Stirling, Gappmayer, Tippetts and Lewis voting aye and Commissioner Jones voting nay stating that she was not comfortable with removing the recommendation of a street stub to the Roundy's property at this time.

Item 4 Adjourn.

Motion: Commissioner Murray moved to adjourn the meeting at 8:00pm.

Second: Commissioner Stirling

Vote: Unanimous

April Houser, Executive Secretary

Date: