

RESOLUTION 24

A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL APPROVING SOUTH BENCH MEADOWS FINAL PLAT AND FEE AGREEMENT

WHEREAS, property owner Jon Wall applied to subdivide his 2.74 acres at approximately 7494 S 1025 E into five residential lots; and

WHEREAS, the South Weber City Planning Commission held a public hearing on November 9, 2023 for the subdivision at which time the Commission recommended approval; and

WHEREAS, Mr. Wall has requested to pay a fee in lieu of an onsite detention basin and City Engineer Brandon Jones has determined there is excess capacity in the Lester Street basin; and

WHEREAS, Council has reviewed all related materials in a public meeting;


NOW THEREFORE BE IT RESOLVED by the Council of South Weber City, Davis County, State of Utah, as follows:

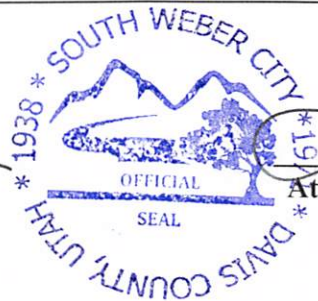
Section 1. Approval: The final plat for South Bench Meadows located at approximately 7494 S 1025 E is hereby approved as included herein as **Exhibit 1**. The Agreement for a Fee in Lieu of Requirement Improvements Regarding Storm Drain Detention as presented in **Exhibit 2** is also approved.

Section 2: Repealer Clause: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 9th day of January, 2024.

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Winsor	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Dills	FOR	AGAINST


Rod Westbroek, Mayor




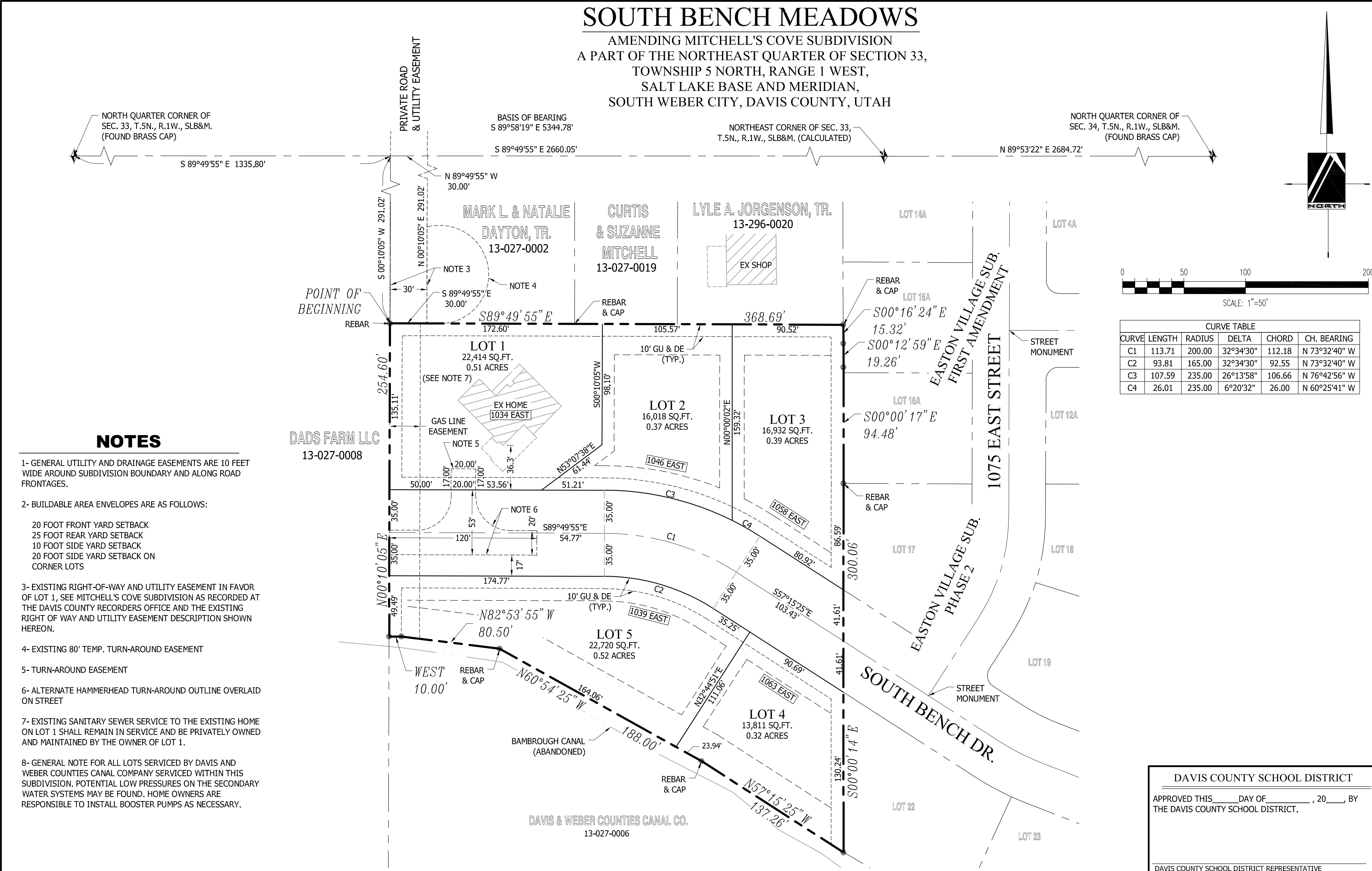

Attest: Lisa Smith, Recorder

EXHIBIT 1
SOUTH BENCH MEADOWS PLAT

SOUTH BENCH MEADOWS

AMENDING MITCHELL'S COVE SUBDIVISION
A PART OF THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 5 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SOUTH WEBER CITY, DAVIS COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, STEPHEN P. BOTT DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 343593-2201 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS **SOUTH BENCH MEADOWS** AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

A PART OF THE NORTH QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT SOUTH 89°49'55" EAST 1335.80 FEET AND SOUTH 00°10'05" WEST 291.02 FEET FROM THE NORTH QUARTER OF SAID SECTION 33, AND RUNNING THENCE SOUTH 89°49'55" EAST 368.69 FEET TO THE WEST LINE OF EASTON VILLAGE FIRST AMENDMENT SUBDIVISION AS LOCATED ON THE GROUND BASED UPON THE EXISTING STREET IMPROVEMENTS AND STREET MONUMENTS, THENCE SOUTHERLY ALONG THE WEST BOUNDARY OF SAID EASTON VILLAGE FIRST AMENDMENT (3) COURSES: (1) SOUTH 00°16'24" EAST 15.32 FEET, (2) SOUTH 00°12'59" EAST 19.26 FEET, AND (3) SOUTH 00°00'17" EAST 94.48 FEET TO THE NORTHWEST CORNER OF EAST VILLAGE PHASE 2 ALSO LOCATED BASED UPON THE EXISTING STREET IMPROVEMENTS AND STREET MONUMENTS; THENCE SOUTH 00°00'14" EAST ALONG THE WEST LINE OF SAID SUBDIVISION AND THE EXTENSION THEREOF 300.06 FEET; THENCE NORTH 57°15'25" WEST 137.26 FEET; THENCE NORTH 60°54'25" WEST 188.00 FEET; THENCE NORTH 82°53'55" WEST 80.50 FEET; WEST 10.00 FEET; AND THENCE NORTH 00°10'05" EAST 254.60 FEET TO THE POINT OF BEGINNING.

CONTAINING: 119,328 SQ.FT. (2.74 ACRES)

STEPHEN P. BOTT _____ DATE _____

OWNER'S DEDICATION

WE THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS, AS SHOWN ON THIS PLAT AND NAME SAID TRACT OF LAND

SOUTH BENCH MEADOWS

AND HEREBY YACATE ALL EASEMENTS DEPICTED WITHIN THE CONFINES OF MITCHELL'S COVE SUBDIVISION, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE AND HEREBY DEDICATE, GRANT AND CONVEY TO SOUTH WEBER CITY, DAVIS COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO SOUTH WEBER CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR GENERAL UTILITY AND DRAINAGE PURPOSES, AS SHOWN HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF GENERAL UTILITY SERVICE INSTALLATION, MAINTENANCE AND OPERATION OF GENERAL UTILITY SERVICE LINES AND DRAINAGE, AS MAY BE AUTHORIZED BY SOUTH WEBER CITY.

THE UNDERSIGNED HEREBY CERTIFY THAT THIS SUBDIVISION HAS MET THE ALL THE REQUIREMENTS OF SOUTH WEBER CITY ORDINANCES.

SIGNED THIS _____ DAY OF _____, 20____.

JONATHAN WALL

ACKNOWLEDGMENT

STATE OF UTAH)
County of Davis

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

NORARY PUBLIC: _____

COMMISSION NUMBER: _____

COMMISSION EXPIRES: _____

SOUTH BENCH MEADOWS

A PART OF THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 5 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SOUTH WEBER CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

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

DAVIS COUNTY RECORDER

BY: _____ DEPUTY RECORDER

NOTES

- 1- GENERAL UTILITY AND DRAINAGE EASEMENTS ARE 10 FEET WIDE AROUND SUBDIVISION BOUNDARY AND ALONG ROAD FRONTAGES.
- 2- BUILDABLE AREA ENVELOPES ARE AS FOLLOWS:
20 FOOT FRONT YARD SETBACK
25 FOOT REAR YARD SETBACK
10 FOOT SIDE YARD SETBACK
20 FOOT SIDE YARD SETBACK ON CORNER LOTS
- 3- EXISTING RIGHT-OF-WAY AND UTILITY EASEMENT IN FAVOR OF LOT 1, SEE MITCHELL'S COVE SUBDIVISION AS RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE AND THE EXISTING RIGHT OF WAY AND UTILITY EASEMENT DESCRIPTION SHOWN HEREON.
- 4- EXISTING 80' TEMP. TURN-AROUND EASEMENT
- 5- TURN-AROUND EASEMENT
- 6- ALTERNATE HAMMERHEAD TURN-AROUND OUTLINE OVERLAID ON STREET
- 7- EXISTING SANITARY SEWER SERVICE TO THE EXISTING HOME ON LOT 1 SHALL REMAIN IN SERVICE AND BE PRIVATELY OWNED AND MAINTAINED BY THE OWNER OF LOT 1.
- 8- GENERAL NOTE FOR ALL LOTS SERVICED BY DAVIS AND WEBER COUNTIES CANAL COMPANY SERVICED WITHIN THIS SUBDIVISION. POTENTIAL LOW PRESSURES ON THE SECONDARY WATER SYSTEMS MAY BE FOUND. HOME OWNERS ARE RESPONSIBLE TO INSTALL BOOSTER PUMPS AS NECESSARY.

LEGEND

- PROPERTY LINE
- LOT LINE
- CENTER / SECTION LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- ADJOINING LOT LINE
- PROPOSED STREET MONUMENT
- SECTION CORNERS
- PROPOSED STREETLIGHT
- GUARDE
- GENERAL UTILITY & DRAINAGE EASEMENT
- SET 5/8" REBAR WITH A ORANGE PLASTIC CAP, OR NAIL & WASHER STAMPED PINNACLE ENG. & LAND SURV.



327 West Gordon Ave., Suite #3
LAYTON, UT 84041
Phone: (801) 773-1910
Fax: (801) 719-6738

EXISTING RIGHT OF WAY AND UTILITY EASEMENT (NOTE 3)

A RIGHT OF WAY BEING 30 FEET IN WIDTH DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SOUTH 89°49'55" EAST 1335.80 FEET FROM THE NORTH QUARTER OF SECTION 33 TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 00°10'05" WEST 291.02 FEET; THENCE SOUTH 89°49'55" EAST 30.00 FEET; THENCE NORTH 00°10'05" EAST 291.02 FEET; AND THENCE NORTH 89°49'55" WEST 30.00 FEET TO THE BEGINNING. (SEE MITCHELL'S COVE SUBDIVISION AS RECORDED AT THE DAVIS COUNTY RECORDER'S OFFICE)

SOUTH WEBER WATER IMPROVEMENT DISTRICT

APPROVED THIS _____ DAY OF _____, 20____, BY THE SOUTH WEBER WATER IMPROVEMENT DISTRICT.

SOUTH WEBER WATER IMPROVEMENT DISTRICT REPRESENTATIVE

ROCKY MOUNTAIN POWER

APPROVED THIS _____ DAY OF _____, 20____, BY A REPRESENTATIVE OF ROCKY MOUNTAIN POWER.

ROCKY MOUNTAIN POWER REPRESENTATIVE

DOMINION ENERGY

APPROVED THIS _____ DAY OF _____, 20____, BY A REPRESENTATIVE OF DOMINION ENERGY.

DOMINION ENERGY REPRESENTATIVE

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE SOUTH WEBER CITY ATTORNEY.

SOUTH WEBER CITY ATTORNEY

PLANNING COMMISSION APPROVAL

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

CHAIRMAN, SOUTH WEBER CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

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

SOUTH WEBER CITY ENGINEER

CITY COUNCIL APPROVAL

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

ATTEST:
SOUTH WEBER CITY RECORDER SOUTH WEBER CITY MAYOR

EXHIBIT 2
AGREEMENT FOR A FEE IN LIEU OF
REQUIRED IMPROVEMENTS

AGREEMENT FOR A FEE IN LIEU OF REQUIRED IMPROVMENTS

(REGARDING STORM DRAIN DETENTION)

This AGREEMENT is made and entered into on the date referenced below by Jon & Cami Wall (hereinafter referred to as the “Owner”); and South Weber City, a municipal corporation (hereinafter “South Weber City” or the “City”), after having received approval by the South Weber City Council in its regular meeting on the day referenced below.

RECITALS

WHEREAS, Owner owns the real property described in **Exhibit A** (Property Boundary Description), located at approximately 7494 South 1025 East, South Weber, Utah, and consisting of approximately 2.74 acres (referred to hereafter as the “Property”); and

WHEREAS, Owner has applied to subdivide the Property, with the required public hearing held by the Planning Commission on November 9, 2023, and with other public meetings also being held; and

WHEREAS, South Weber City desires to enter into this Agreement because the area being developed was master planned to flow to a regional detention basin, and the City’s Code requires that all developments provide storm water detention for flood control purposes. Therefore, an equivalent financial contribution towards the excess capacity of the regional storm drain basin would satisfy this requirement;

NOW THEREFORE, for and in consideration of the promises, covenants, terms, and conditions hereinafter set forth, the adequacy of which is hereby acknowledged, Owner and City agree as follows:


1. Approval of a Fee in lieu of Detention (of Storm Water). As a condition of subdivision approval, the Owner shall make a “one-time payment” of SEVEN THOUSAND THREE HUNDRED EIGHTY-EIGHT AND EIGHTY CENTS (\$7,388.80) as a fee in lieu of detaining storm water on site, as agreed upon by the Owner and the City and as specifically set forth in the attached **Exhibit B**.
2. Payment. Owner must pay the fee referenced in Exhibit B to the City in full before the subdivision plat may be recorded.
3. Duration. This Agreement shall continue until the parties (the Owner and the City) have completed all their responsibilities referenced herein.

4. Reservation of Rights. South Weber City reserves all rights, including the right to collect its costs and attorney fees as may be necessary to enforce this Agreement.
5. Subsequent Landowners. This Agreement shall inure to the benefit or detriment of any subsequent landowner(s) and shall bind and require performance by any subsequent landowner(s); even though certain actions by the Owner may release him of certain responsibilities pursuant to this Agreement, this does not automatically release any subsequent landowner of the same responsibilities (or other City requirements).
6. Recording. This Agreement shall be recorded in the Davis County Recorder's Office following final plat approval by the City Council.

IN WITNESS WHEREOF, the parties execute this Agreement, as follows, to be effective on approval by the South Weber City Council in its regular meeting on the 9th day of

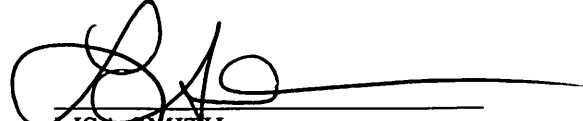
January, 2024

SOUTH WEBER CITY APPROVAL



DAVID LARSON
City Manager David Larson

ATTEST:



LISA SMITH
City Recorder, South Weber City

OWNER APPROVAL

(Signature)

By: **Jon Wall**, as an individual property owner

STATE OF UTAH)
 §
COUNTY OF DAVIS)

On this ____ day of _____, 2023, personally appeared before me **Jon Wall**, who signed this document as an individual partial property owner of ground identified in Exhibit A.

Notary Public
Residing in: _____
My Commission Expires: _____

(Signature)

By: **Cami Wall**, as an individual property owner

STATE OF UTAH)
 §
COUNTY OF DAVIS)

On this ____ day of _____, 2023, personally appeared before me **Cami Wall**, who signed this document as an individual partial property owner of ground identified in Exhibit A.

Notary Public
Residing in: _____
My Commission Expires: _____

EXHIBIT A

PROPERTY BOUNDARY DESCRIPTION

A PART OF THE NORTH QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT SOUTH 89°49'55" EAST 1335.80 FEET AND SOUTH 00°10'05" WEST 291.02 FEET FROM THE NORTH QUARTER OF SAID SECTION 33, AND RUNNING THENCE SOUTH 89°49'55" EAST 368.69 FEET TO THE WEST LINE OF EASTON VILLAGE FIRST AMENDMENT SUBDIVISION AS LOCATED ON THE GROUND BASED UPON THE EXISTING STREET IMPROVEMENTS AND STREET MONUMENTS; THENCE SOUTHERLY ALONG THE WEST BOUNDARY OF SAID EASTON VILLAGE FIRST AMENDMENT (3) COURSES: (1) SOUTH 00°16'24" EAST 15.32 FEET, (2) SOUTH 00°12'59" EAST 19.26 FEET, AND (3) SOUTH 00°00'17" EAST 94.48 FEET TO THE NORTHWEST CORNER OF EAST VILLAGE PHASE 2 ALSO LOCATED BASED UPON THE EXISTING STREET IMPROVEMENTS AND STREET MONUMENTS; THENCE SOUTH 00°00'14" EAST ALONG THE WEST LINE OF SAID SUBDIVISION AND THE EXTENSION THEREOF 300.06 FEET; THENCE NORTH 57°15'25" WEST 137.26 FEET; THENCE NORTH 60°54'25" WEST 188.00 FEET; THENCE NORTH 82°53'55" WEST 80.50 FEET; WEST 10.00 FEET; AND THENCE NORTH 00°10'05" EAST 254.60 FEET TO THE POINT OF BEGINNING,

CONTAINING: 119,328 SQ.FT. (2.74 ACRES)

EXHIBIT B

South Bench Meadows - Lester Street Detention Basin

~ FEE ANALYSIS ~

Lester Street Region Detention Basin - Fee in lieu of actual construction		
1	Regional Detention Basin "Up-sized" Volume (cf)	47,916
2	Easton Village Dev. Agreement → City Cost for "Up-sized" portion of basin	\$53,368
3	Cost per cf	\$1.11
4	South Bench Meadows Detention Basin Volume Required (cf)	7,264
5	South Bench Meadows Retention Volume Provided - Credit for LID Retention (cf)	630
6	South Bench Meadows Detention Basin Volume (cf), Buy-in Amount	6,634
Detention Basin Fee in lieu		\$7,388.80

** Fee to be paid in full to South Weber City prior to recording of the plat.*