



APPROVED

**PUBLIC NOTICE TOWN OF LEEDS
TOWN COUNCIL MEETING
Town Council WORK Meeting at 7:00 p.m.
Wednesday, November 8, 2006
at Leeds Town Hall, 218 North Main Street
THE PUBLIC IS WELCOME TO ATTEND
AGENDA**

As a work meeting of the Town Council, issues will be discussed and information shared. Legislative action or decisions on funding will be made at the Town Council Meeting to be held on Wednesday, November 29, 2006. The items that have a summary listed are included for ideas of discussion and not to be exact or complete in the scope of discussion.

1. Questions regarding requirements for curb, gutter and sidewalk (CGS) on Main Street - Ryan Lefler
2. Discussion of Leeds Area Master Plan (LAMP). Presentation by the Planning Center - Jared Westhoff
3. Leeds residents and Leeds Water Company (LWC) discuss issues regarding overage charges for the sidewalks on Main Street – Jared Westhoff
4. Resolve issues of irrigation ditch run-off (located at Walton Plaza) – Frank Lojko
5. Set timeline for completion of CGS from Vista to Roundy Mt Rds on Main St – Frank Lojko

Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted on the 5th day of November, 2006, these public places being at Leeds Town Hall, Leeds Post Office and Leeds website: www.leedsutah.us.

Karen Markovich, Clerk/Recorder

TOWN COUNCIL MEETING
Town Council WORK Meeting Minutes
Wednesday, November 8, 2006

As a work meeting of the Town Council, issues will be discussed and information shared. Legislative action or decisions on funding will be made at the Town Council Meeting to be held on Wednesday, November 29, 2006. The items that have a summary listed are included for ideas of discussion and not to be exact or complete in the scope of discussion.

1. Mayor Trudy Law was excused and Mayor Pro-tem Dave Harbour led the meeting.
2. Jared Westhoff excused himself due to personal relationship with Ryan Lefler.

Ryan Lefler, developer of two homes being built on North Main Street, asked if they could place the monies for curb, gutter and sidewalk in an escrow fund to be used for both homes at the same time eliminating "piece-meal" of curb, gutter and sidewalk. Frank said if UDOT would contribute some funds the work on Main Street might be able to be done all at one time. Dave Harbour said the Town needs to do some homework to determine how they can get the whole thing done at one time without costs going up in the interim. Dave said we need to get Counsel Heath Snow involved to get the project completed at one time and Jared Westhoff agreed. Dave asked Frank to follow up and find out the legal ramifications and determine what the cost is based on - the linear footage or the valuation of the property and they agreed to address their findings at the November 29 meeting.

Jared Westhoff updated the status of Leeds Area Master Plan and introduced Rick Sant, landowner representing developers, and representatives from the Planning Center. Rick Sant discussed the status of water and sewer in Leeds and said Ron Thompson of WCWCD agreed to provide water to Leeds if we could provide a sewer system. Rick said Leeds needs a comprehensive General Plan, a Master Plan; do determine what is needed for Leeds. They have asked The Planning Center, a land planning group, to propose a plan. Being aware that the Town does not have the money for the study, the land development group has proposed putting up the money for the study. Rick said as an example, the developers would calculate their cost for the General Plan, couple it with the cost to install the sewer and the Town could provide some form of voucher or certificate, giving them credit toward the sewer. Rick said there would be a detailed agreement and they want to work as a team with the Town. Rick said the Town is in its infancy and not a lot of things have happened thus far to destroy the continuity of growth and as an example Rick noted Hurricane has been developing quite a bit and built a beautiful golf course across from an industrial park, an example of lack of vision or forethought prior to developing. Rick said with quality planning, we can develop the Town into something of which we can all be proud. Jared thanked Rick for his presentation and added that the costs would be from the new owners for new growth.

Jared introduced representatives Brian Judd, Gregory Haws, Karen Gulley and Corey Shupe from the Planning Center, to give a presentation on Master Planning for future community growth. They defined planning and discussed linking, thinking and doing as integral in good planning. The Planning Center plans for homes, services (similar to what we now have), arrangement of land to accommodate what the residents see for growth, sewer planning, etc. The Planning Center takes into consideration what the residents see for their community and plan around those needs and goals. Priority for all is first to preserve the historical areas and geographical beauty. IT was mentioned that Leeds is similar to a 'bedroom' community as most folks work outside of Leeds, in St. George and Hurricane where commercial and industrial businesses are located. Plans included the possibility of high-tech business near the colleges in Cedar and St. George.

As a board member of the Leeds Water Company (LWC), Jared Westhoff excused himself from Council to discuss issues regarding costs for sections of sidewalk on Main Street that were incurred during the construction of the underground irrigation system earlier this year. After discussion, Frank Lojko and Jared agreed the costs would be defined and all charge orders would be reviewed to determine if Alpha Engineering Construction overcharged the LWC.

Motion to adjourn was made by Frank Lojko at 9:00 p.m.


Karen Markovich, Clerk/Recorder

PUBLIC NOTICE TOWN OF LEEDS
TOWN COUNCIL MEETING
6:00 p.m. – 7:00 p.m. Leeds Town Council Work Meeting
followed by the Regular Town Council Meeting at 7:00 p.m.
on Wednesday, November 29, 2006
at Leeds Town Hall, 218 North Main Street
THE PUBLIC IS WELCOME TO ATTEND
AGENDA



APPROVED

6:00 p.m. – 7:00 p.m. Work Session

- Road width classification of Babylon Road West
- Review draft of Land Use Ordinance Chapter 22, Signs

Regular Meeting

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of tonight's Agenda dated November 29, 2006
5. Approval of Regular Meeting Agenda and Minutes dated September 27, 2006
6. Approval of Work Meeting Agenda and Minutes dated October 18, 2006
7. Approval of Regular Meeting Agenda and Minutes dated October 25, 2006
8. Approval of Work Meeting Agenda and Minutes dated November 8, 2006
9. Announcements - appointment of Planning Commission Member
10. Declaration of Abstentions and Conflicts by Council Members, if any

Continued Business

11. Boundary Line Adjustment approval on Silver Reef Road owned by June M. Schweer and Southpine Rentals, LLC.
12. Cousins Investments, LLC, road dedication plat - presentation by Kurt Allen of Northern Engineering.
13. Request to establish a curb, gutter, sidewalk fund/account for homes located at 490-492 North Main Street; originally presented by Ryan Lefler on November 8, 2006.
14. Presentation by Scott Nielson updating Sewer System Engineering Proposal

New Business

15. Building Permit request for home at 175 North Main Street, property owner Troy Sullivan.
16. Draft Resolution to adopt current International Building Code (IBC) for Building Permit Fees.

Discussion Items

17. Request for Proposals (RFPs) – revisions and relationship to Town of Leeds Master Plan

18. Executive Session, if needed

19. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted on the 27th day of November 2006, these public places being at Leeds Town Hall and Leeds Post Office.

Karen Markovich, Clerk/Recorder

file -
meeting
rev
dates

Town Council Meeting Minutes
Wednesday, November 29, 2006

Work Session

Road width classification of Babylon Road West was discussed. Mayor Law agreed the fifty-five (55) foot road-width had been accepted for the Cousins Investments RV site and said what they need to decide tonight was if the road classification is to be Residential Standard or Commercial Local. After review, council agreed to amend Master Road Plan Or 05-06 and Standard Specifications for Design and Construction Ordinance #05-04 to include mixed uses.

Amendment to Sign Ordinance was introduced by Dave Harbour. Mayor Law said the ordinance should be written to allow business owners to identify and advertise. Mayor Law said the Clerk/Recorder should have the authority to approve signage when it is clearly within the ordinance specifications. Jared agreed, saying Staff should take the burden off the Planning Commission and the ordinance should be clear in its requirements. Frank said he believes there is enough support to separate requirements for signage inside and outside of historic areas in the Town. Bailey Muir added the lighting ordinance is too stringent and should be reviewed in conjunction with the Sign Ordinance. Mayor Law established a committee of Bailey Muir, Dave Harbour, Frank Lojko and herself to meet December 6, 2006 and resolve the issues discussed tonight.

Regular Meeting

1. The meeting was called to order by Mayor Law at 7:05 p.m.
2. Roll Call taken with Council members present and Counsel Heath Snow all present.
3. Pledge of Allegiance was led by Dale Barnes.
4. Motion made by Jared Westhoff, second by Dale Barnes with all voting unanimous to approve tonight's Agenda dated November 29, 2006 with noted modifications line #8 scratched and line item #9 moved to "New Business".
- 5-7. Motion made by Dale Barnes, second by Frank Lojko with all voting unanimous to approve meeting agendas and minutes dated September 27, October 18 and 25, 2006, with correction of 'irrigation water' to 'culinary water' in line item #18 on the October 25 agenda.
8. ~~Approval of Work Meeting Agenda and Minutes dated November 8, 2006~~ **item scratched.**
9. ~~Announcements - appointment of Planning Commission Member~~ this is an action item and therefore is moved to line item 15b for vote of approval.
10. Declaration of abstention was made by Jared Westhoff for line items #11 and #13.

Continued Business

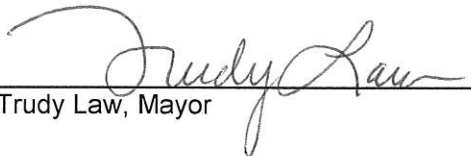
11. Boundary Line Adjustment presented by Jenae Westhoff, Southpine Rentals, LLC. Jenae Westhoff introduced herself and reviewed the request for a boundary line adjustment for property located approximately at 540 North Silver Reed Road, owned by June M. Schweer. Portions of June Schweer's home, swimming pool and barn are located on Southpine Rental property and Mrs. Westhoff proposed adjustment of three lots to provide June Schweer with legal title to the land in question. Council reviewed the letter of consent to dedicate the road provided by June M. Schweer's attorney. Motion was made by Dave Harbour, second by Dale Barnes with roll call vote unanimous to approve the boundary line adjustment between the Schweer property and Southpine Rentals as presented on November 29, 2006, with condition that Mrs. June Schweer dedicate the portion of her road [as presented here tonight] to the Town of Leeds. Motion was made by Dave Harbour, second by Frank Lojko with all in favor for unanimous approval to hold a public hearing for the Schweer road dedication plat.
12. Cousins Investments, LLC, road dedication plat - presentation by Kurt Allen of Northern Engineering. Mr. Allen presented the plat of West Babylon Road and asked council to consider the road dedication plat as well as the lot line adjustment plat so that they might work toward the advertisement period. Counsel said fourteen (14) days is required for abandoning public or municipality property and there was time to do it on December 13. Counsel advised Mr. Allen that the plat requires a surveyor's certificate, an owner's consent block [in lieu of an owner dedication block] and signature blocks for the City Attorney, City Engineer, Planning Commission Chairman, Mayor and Clerk/Recorder and provide 2 CD's of the mylar plat: one for the County Recorder and one for the Town of Leeds. Motion was made by Dave Harbour, second by Jared Westhoff with unanimous roll call vote to approve the lot line adjustment plat for Cousins Investments property along with the road dedication plat with condition of adding signatures blocks to the mylar as indicated by Counsel. Motion was made by Jared Westhoff with second by Frank Lojko to hold a public hearing for the road dedication plat and abandonment of city property all in favor for unanimous approval.

16. Draft Resolution to adopt current International Building Code (IBC) for Building Permit Fees. Mayor Law said Karen Markovich had researched the current Building Permit Fee Schedule and found the Town of Leeds was using the 1985 International Building Code Schedule. In preparing a resolution for Council to adopt the current IBC Building Permit Fee Schedule, it became evident all current Building Codes had been adopted on October 25, 2006 in addition to adopting the current International Fire Building Code, thus no further action was needed at this time.

Discussion Items

17. a. Request for Proposals (RFPs) – Jared Westhoff summarized the three Proposals received from Stantec, IBI Group and the Planning Center. Jared noted the Planning Center included all engineering costs where IBI had not, so the estimates were very different. Of the three, the Planning Center's Proposal was favored because their proposal was specific and met the needs and concerns of the Town. Dave Harbour said they need to review the proposals and the line item costs prior to final selection of a planning group. Council concurred and said this would again be discussed at the December 13 Town Council Meeting.
- b. Counsel Snow said going back to Troy Sullivan's request: The boundary line adjustment needs to be recorded at Washington County and include the signature blocks at the bottom of the mylar along with the record of survey. Counsel Snow recommended Council make motion to approve. Motion was made by Frank Lojko with second by Dale Barnes and all votes unanimous to approve the Boundary Line adjustment for Troy Sullivan provided the Plats are recorded with the County with the necessary signature blocks and surveyor's certificate.
18. Motion to adjourn was made by Frank Lojko at 9:15 p.m.

APPROVED AND SIGNED ON THE 28th DAY OF February, 2007.


Trudy Law, Mayor

Attest:

Karen Markovich
Clerk/Recorder

Karen
Book

Leeds Town Council

Nov. 29, 2006

Seeking APPROVAL for:

Boundary Line Adjustment Between Schweer / South Pine Rentals

Name: Jenae Westhoff, authorized agent of South Pine Rentals.

Before Map: This shows the original 3 parcels. This has been a messy problem for Mrs. June Schweer for many years. Boundary Line Adjustments are excellent ways of cleaning up problems. If ever there were parcels where two owners needed to work together to clean things up, this would qualify as Mrs. Schweer needs ownership and clear title of 1/3 of her home, barn, pool and driveway.

After Map: This shows the resulting 3 parcels. Two of which now belong to June Schweer and one to South Pine Rentals. The problem solved in a way that gives the Schweers a parcel they can do something with someday, per city codes, and two adjusted parcels that are more attractive than the original two parcels. It started with 3 parcels and ended with 3 parcels.

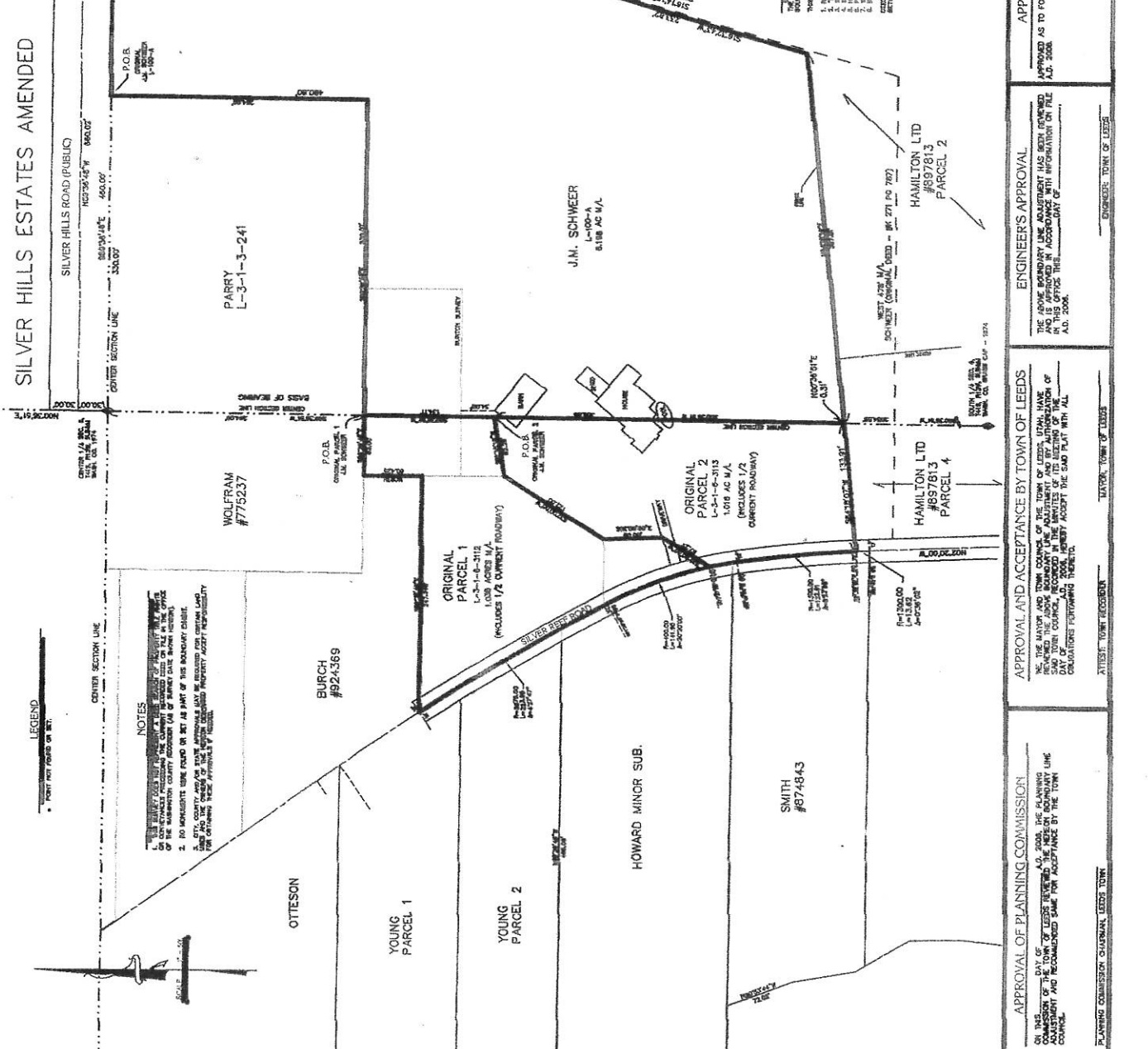
Tax ID numbers for the parcels: L-3-1-6-3112, L-3-1-6-3113, L-100-A

Letter from Schweers: The Planning Commission requested Silver Reef Road be dedicated in order to approve the Boundary Line Adjustment. To Mrs. Schweer's credit, Schweer's have decided to dedicate the road now rather than wait until they develop the ground. The letter stating their intention to dedicate Silver Reef Road has been included. The surveyor has drawn up the plat and with your approval we will present it to the Clerk Recorder so that it can collect the necessary signatures from attorney, engineer, surveyor, etc to get this finished up.

SILVER HILLS ESTATES AMENDED

LOT 1

LOT 4



LEGEND
 POINT AND ROAD OR SET

CENTER SECTION LINE

NOTES
 1. THE BOUNDARY LINES SHOWN ON THIS SURVEY ARE BASED ON THE RECORDS OF THE PLANNING COMMISSION AND THE TOWN OF LEEDS, UTAH, AND THE RECORDS OF THE COUNTY OF WASHINGTON, RECORDS AND FILED AT THE OFFICE OF THE COUNTY CLERK, SALT LAKE CITY, UTAH, ON THE DAY OF RECORDING.
 2. NO WARRANTIES ARE MADE BY THE SURVEYOR AS TO THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 3. THIS SURVEY WAS MADE FOR THE PURPOSE OF THE BOUNDARY ADJUSTMENT AND THE SURVEYOR HAS NO LIABILITY FOR ANY OTHER PURPOSES.
 4. THE SURVEYOR HAS NO LIABILITY FOR ANY OTHER PURPOSES.

BOUNDARY DESCRIPTIONS
 ORIGINAL PARCEL 1
 L-3-1-3-241
 1.08 AC B.V.A.
 (INCLUDES 1/2 CEMENT ROADWAY)

ORIGINAL PARCEL 2
 L-3-1-3-241
 1.08 AC B.V.A.
 (INCLUDES 1/2 CEMENT ROADWAY)

SMITH #874843

HAMILTON LTD #897813 PARCEL 2

HAMILTON LTD #897813 PARCEL 4

J.M. SCHWEER L-100-A 6.188 AC B.V.A.

PARRY L-3-1-3-241

WOLFRAM #775237

BURCH #924369

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YOUNG PARCEL 2

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WOL

**Jenkins Ronnow
Jensen & Bayles, LLP**
Attorneys & Counselors at Law

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Bruce C. Jenkins, P.C.
D. Williams Ronnow, P.C.
Robert M. Jensen, P.C.
Thomas J. Bayles, P.C.

Of Counsel: J. Wendell Bayles

November 9, 2006

*Via Facsimile
and U.S. Mail*

Bo Bingham
Bingham & Snow
840 Pinnacle Court, Suite 202
Mesquite NV 89027

RE: Schweer Road Dedication

Dear Bo:

This letter is in response to your letter of October 16, 2006. While we do not agree with your views of how the town will view a current dedication versus a later dedication, my client has indicated her willingness to dedicate the street in an effort to conclude this matter and foster an amicable relationship with Mr. Westhoff.

We are pleased that this matter is coming to an amicable resolution and our client is hopeful of a continuing neighborly relationship. Please do not hesitate to call us if you have any questions.

Sincerely,
JENKINS RONNOW JENSEN & BAYLES, LLP



Thomas J. Bayles

TJB/sh

cc: Junc Schweer
Stephen Schweer

SURVEYORS CERTIFICATE
 I, JAMES L. BUNDEY, Surveyor, do hereby certify that the foregoing plat is a true and correct copy of the original plat as recorded in the office of the County Clerk of Salt Lake County, Utah, on this 14th day of June, 2011.

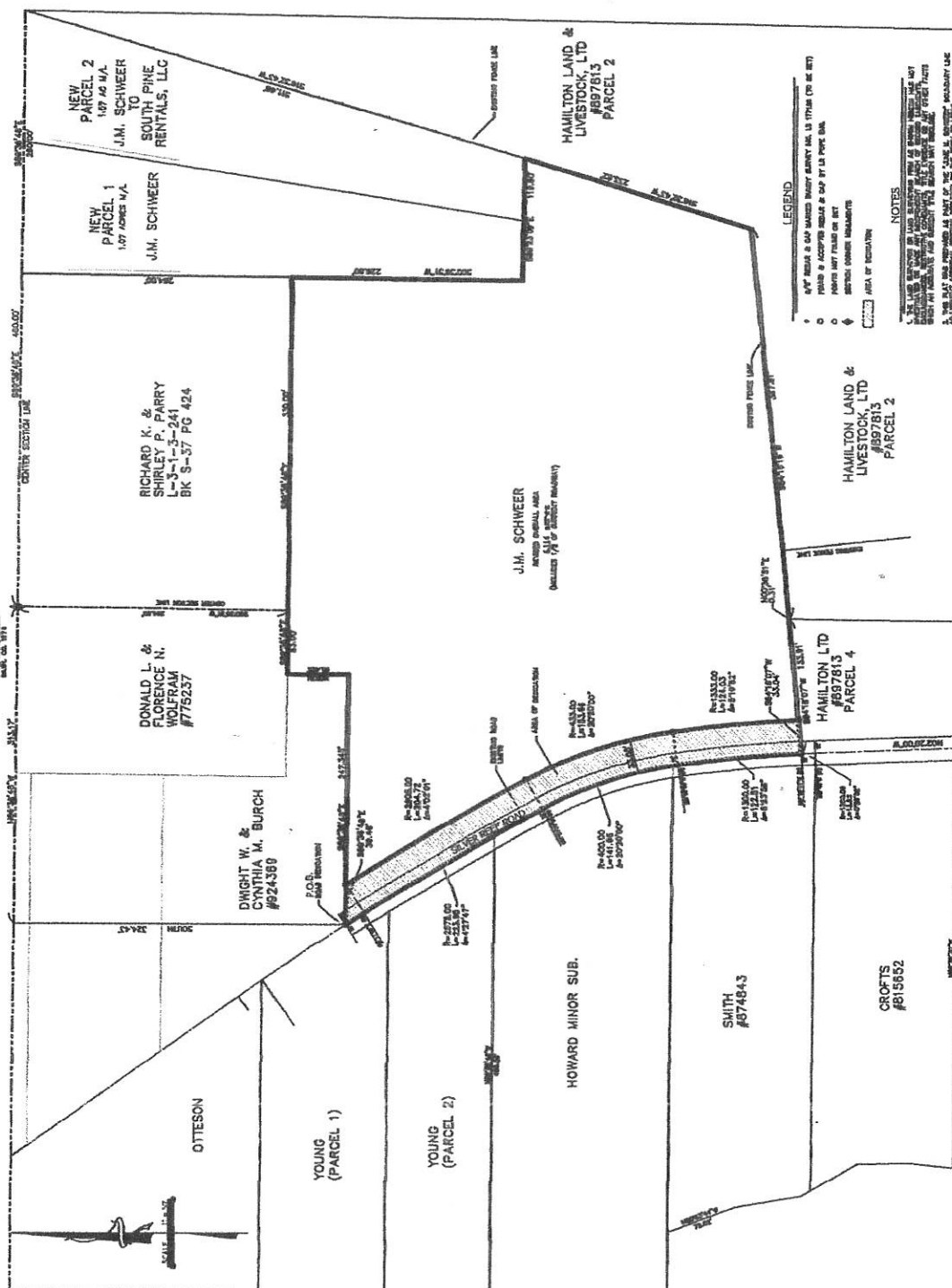


BOUNDARY DESCRIPTION
 THE BOUNDARY OF THE ABOVE DESCRIBED PARCELS IS SHOWN BY THE FOLLOWING DATA: ...

OWNER'S DEDICATION
 I, JAMES L. BUNDEY, Surveyor, do hereby certify that the foregoing plat is a true and correct copy of the original plat as recorded in the office of the County Clerk of Salt Lake County, Utah, on this 14th day of June, 2011.

ACKNOWLEDGEMENT (INDIVIDUAL)
 I, JAMES L. BUNDEY, Surveyor, do hereby certify that the foregoing plat is a true and correct copy of the original plat as recorded in the office of the County Clerk of Salt Lake County, Utah, on this 14th day of June, 2011.

SILVER REEF ROAD DEDICATION PLAT
 EAST ONE-HALF OF PROPOSED 66 FOOT WIDE ROADWAY
 JAMES L. BUNDEY, SURVEYOR
 LOCATED IN THE SOUTHWEST 1/4 OF SECTION 6,
 T 41 N, R 13 W, S 66E



LEGEND
 1. 66' WIDE ROADWAY IS SHOWN BY DASHED LINE (TO BE SET)
 2. 66' WIDE ROADWAY IS SHOWN BY SOLID LINE (TO BE SET)
 3. 66' WIDE ROADWAY IS SHOWN BY DOTTED LINE (TO BE SET)
 4. 66' WIDE ROADWAY IS SHOWN BY SOLID LINE (TO BE SET)
 5. 66' WIDE ROADWAY IS SHOWN BY DOTTED LINE (TO BE SET)

NOTES
 1. THE LINE BETWEEN THE NEW PARCELS AND THE EXISTING PARCELS IS SHOWN BY A DOTTED LINE. THIS LINE IS A PROPOSED BOUNDARY AND IS NOT TO BE SET AT THIS TIME.
 2. THE LINE BETWEEN THE NEW PARCELS AND THE EXISTING PARCELS IS SHOWN BY A DOTTED LINE. THIS LINE IS A PROPOSED BOUNDARY AND IS NOT TO BE SET AT THIS TIME.

RECORDED No. _____
FILED AT THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH
 DATE: _____ TIME: _____ PAGE: _____

APPROVAL AND ACCEPTANCE BY TOWN OF LEEDS
 THE MAYOR AND TOWN COUNCIL OF THE TOWN OF LEEDS, UTAH HAVE REVIEWED THE ABOVE ROAD DEDICATION AND BY AUTHORITY OF SAID TOWN HAVE APPROVED THE ABOVE ROAD DEDICATION AND ACCEPTANCE BY TOWN OF LEEDS. THE TOWN OF LEEDS, UTAH, HEREBY ACCEPTS THE SAID PLAT WITH ALL OBLIGATIONS THEREOF.
 MAYOR: _____ TOWN CLERK: _____

ENGINEER'S APPROVAL
 THE ABOVE ROAD DEDICATION HAS BEEN REVIEWED AND IS APPROVED BY THE ENGINEER AS SHOWN ON THIS PLAT.
 ENGINEER: _____

APPROVAL OF PLANNING COMMISSION
 ON THIS DATE OF _____, A.D. 2011, THE PLANNING COMMISSION HAS REVIEWED THE ABOVE ROAD DEDICATION AND HAS RECOMMENDED THAT THE TOWN COUNCIL APPROVE THE SAID PLAT FOR ACCEPTANCE BY THE TOWN COUNCIL.
 PLANNING COMMISSION CHAIRMAN: _____

PLANNING COMMISSION CHAIRMAN: LEEDS TOWN

BUNDEY SURVEYING, INCORPORATED
 1704 WEST SUNNYSIDE BLVD. GEORGE, UTAH 84770
 PHONE: (435) 816-1999

**Jenkins Ronnow
Jensen & Bayles, LLP**
Attorneys & Counselors at Law

1240 East 100 South, Suite 9
St. George, UT 84790
Tel (435) 674-9718
Fax (435) 674-9006
tbayles@jrjblaw.com

Bruce C. Jenkins, P.C.
D. Williams Ronnow, P.C.
Robert M. Jensen, P.C.
Thomas J. Bayles, P.C.

Of Counsel: J. Wendell Bayles

October 4, 2006

Leeds Planning Commission

To Whom It May Concern:

I am writing this letter on behalf of my client June Schweer, at the request of South Pine Rentals, LLC. Based upon South Pine's representations, it is our understanding that you are requesting this letter in connection with a Boundary Line Adjustment entered into between South Pine and June Schweer.

Please be advised that my client would be willing to dedicate a portion of her property, consisting of a 33 foot right of way along Silver Reef Road, and is willing to negotiate the conditions of how that would take place in the future, if and when she decides to subdivide her property.

My client appreciates her relationship with the town. Please do not hesitate to contact me if you have any questions.

Sincerely,
JENKINS RONNOW JENSEN & BAYLES, LLP



Thomas J. Bayles

TJB/sh

cc: June Schweer
Stephen Schweer

UTAH OFFICE

230 North 1680 East, Ste. D-1
St. George, Utah 84790
(435) 656-1900 phone
(435) 656-1963 fax

Reply to Utah Office

BINGHAM SNOW LLP
attorneys and counselors

www.binghamsnow.com

NEVADA OFFICE

840 Pinnacle Court, Ste 202
Mesquite, Nevada 89027
(702) 346-7300 phone
(702) 346-7313 fax

Email: heath@binghamsnow.com

September 29, 2006

Leeds Town Planning Commission
Leeds Town Hall
PO Box 460879
Leeds, UT 84746

Re: Opinion as to Legality of Proposed Boundary Line Adjustments to be made
within Silver Hills Estates
Requested: Leeds Planning Commission
Applicant: South Pine Rentals, LLC

Dear Chairman and Members of the Leeds Town Planning Commission:

At your request and the request of the applicant, please allow this letter to act as a formal opinion as to the legality of the proposed boundary line adjustment for the above-referenced property. For your information, I have reviewed both the minutes of the Planning Commission meeting as well as the maps supplied to the Town in connection with the boundary line adjustment application. From my review of the above-described minutes and documents, it is my opinion that the proposed boundary adjustment is legal and allowed under our current ordinances (specifically Section 21.13.7 *et seq.* of the Leeds Utah Land Use and Subdivision Ordinance). The above-referenced Section states in part, "petitions to adjust lot lines between adjacent properties may be approved and executed without hearing upon the recordation of an appropriate deed if (1) no new dwelling or housing unit results from the lot line adjustment, (2) the adjoining property owners consent to the lot line adjustment, (3) the lot line adjustment does not result in remnant lands that did not previously exist, and (4) the adjustment does not result in violations of applicable zoning requirements.

In reviewing said boundary line application in the context of the above-referenced ordinance, it appears that, with the possible exception of the second requirement, all requirements have been met. My opinion is based in part on the fact that the outer perimeter of the parcels involved in the boundary line adjustment does not change and the number of parcels approved would equal the number parcels that currently exist (i.e. three parcels). The planning commission should also note that although the location and frontage of the parcels change greatly, this is not a violation of our ordinances.

Planning Commission

Oct. 4, 2006

Seeking APPROVAL for:

Boundary Line Adjustment Between Schweer / South Pine Rentals

Name: Jenae Westhoff or Hyrum Lefler, authorized agent of South Pine Rentals.

Before Map: This shows the original 3 parcels. This has been a messy problem for Mrs. June Schweer for many years. Boundary Line Adjustments are excellent ways of cleaning up problems. If there was ever a parcel(s) where two owners needed to work together to clean things up this would qualify as Mrs. Schweer needs ownership of 1/3 of her home, barn, pool and driveway.

After Map: This shows the resulting 3 parcels. Two of which now belong to June Schweer and one to South Pine Rentals. Problem solved in a way that gives the Schweers a parcel they can do something with someday, per city codes, the day they come in and two adjusted parcels that are more attractive than the original two parcels.

Tax ID numbers for the parcels: L-3-1-6-3112, L-3-1-6-3113, L-100-A

Letter from Town Attorney: This letter of clarification of Towns Ordinances was requested. The request is attached. My understanding was he would contact you with the clarification.

Letter from Schweers: The letter stating their intention to dedicate Silver Reef Road at some time in the future has been requested. The right-of-way is implied and at the time of them wanting to change their property they would and could be required to dedicate regardless of whether they provide a non binding letter at this time.

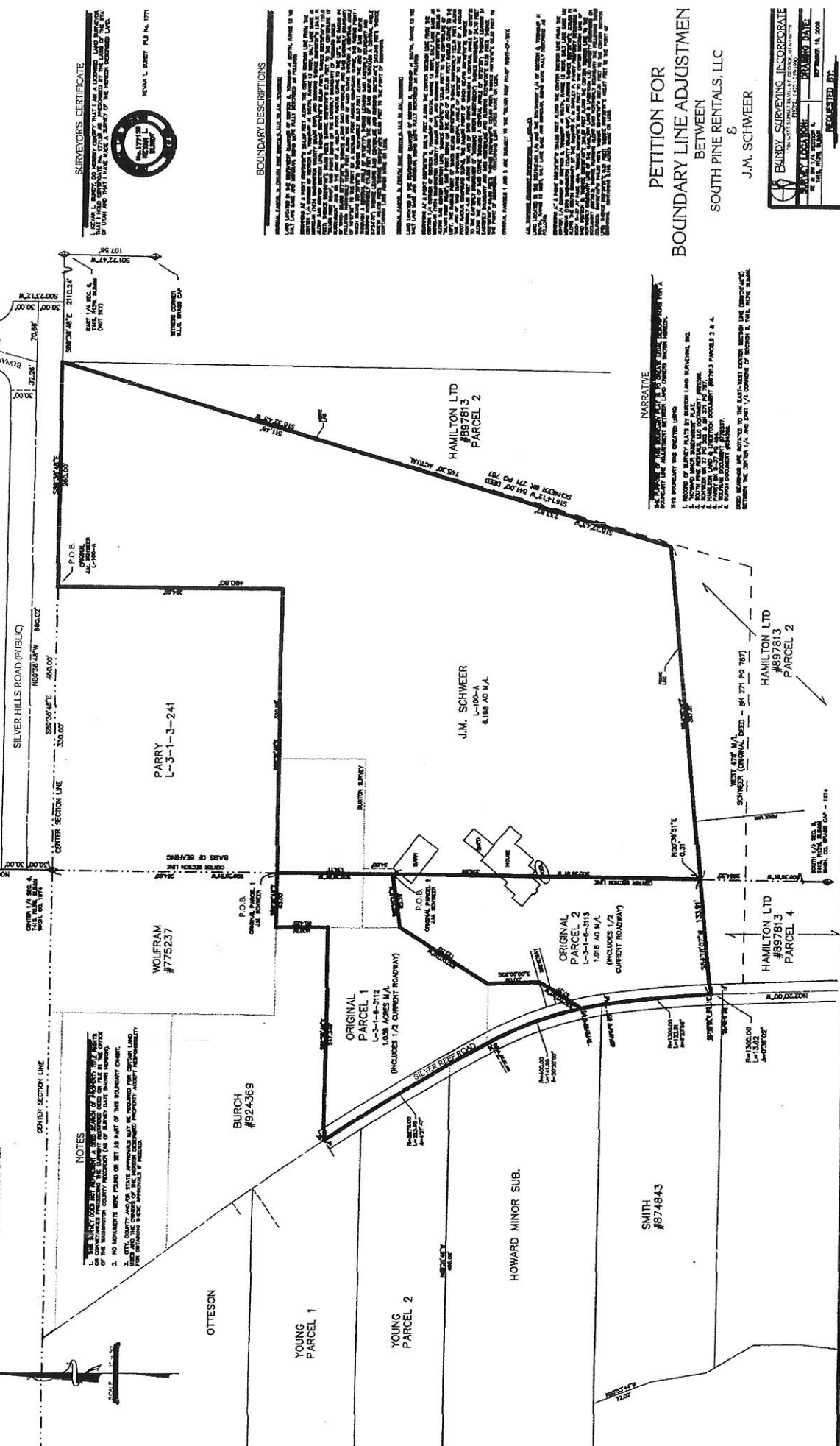
Title Blocks: As you can see on the AFTER map, title blocks are included.

Legal Descriptions: They are written on the maps.

SILVER HILLS ESTATES AMENDED

LOT 1

LOT 4



LEGEND

• POINT NOT FOUND OR SET

CENTER SECTION LINE

NOTES

1. THIS IS A SURVEY OF THE SILVER HILLS ESTATES AMENDED.
2. NO ADJUSTMENTS WERE FOUND OR SET AS PART OF THIS BOUNDARY CORNER.
3. THE CORNER OF THE SECTION CORNER IS THE CORNER OF THE SECTION CORNER.
4. THE CORNER OF THE SECTION CORNER IS THE CORNER OF THE SECTION CORNER.

SURVEYORS CERTIFICATE

WE, THE UNDERSIGNED SURVEYORS, HAVE BEEN DULY SWORN AND HAVE MADE A TRUTHFUL AND ACCURATE SURVEY OF THE ABOVE DESCRIBED LAND.



NEWMAN L. SCHWEER, P.E. No. 1771

BOUNDARY DESCRIPTIONS

THESE ARE THE BOUNDARY DESCRIPTIONS FOR THE ABOVE DESCRIBED LAND. THE BOUNDARY DESCRIPTIONS ARE AS FOLLOWS: ...

NARRATIVE

THE ABOVE BOUNDARY LINE ADJUSTMENT WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES OF THE BOARD OF SURVEYING AND MAPPING. ...

PETITION FOR BOUNDARY LINE ADJUSTMENT BETWEEN SOUTH PINE RENTALS, LLC & J.M. SCHWEER

BUNDY SURVEYING, INCORPORATE
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 DATE: SEPTEMBER 15, 2008
 REQUESTED BY: SOUTH PINE RENTALS, LLC

APPROVAL OF PLANNING COMMISSION

ON THIS DAY OF 2008, THE PLANNING COMMISSION OF THE TOWN OF LEEDS, WASH. COUNTY, IDAHO, HAS REVIEWED THE ABOVE BOUNDARY LINE ADJUSTMENT AND RECOMMENDED SAME FOR ACCEPTANCE BY THE TOWN COUNCIL.

PLANNING COMMISSION CHAIRMAN: LEEDS TOWN

ATTEST: TOWN RECORDER

APPROVAL AND ACCEPTANCE BY TOWN OF LEEDS

THE MAYOR AND TOWN COUNCIL OF THE TOWN OF LEEDS, WASH. COUNTY, IDAHO, HAS REVIEWED THE ABOVE BOUNDARY LINE ADJUSTMENT AND RECOMMENDED SAME FOR ACCEPTANCE BY THE TOWN COUNCIL.

ENGINEER'S APPROVAL

THE ABOVE BOUNDARY LINE ADJUSTMENT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE WITH THE TOWN OF LEEDS, WASH. COUNTY, IDAHO, ON THIS DAY OF 2008.

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS DAY OF 2008.

RECORDED No. _____

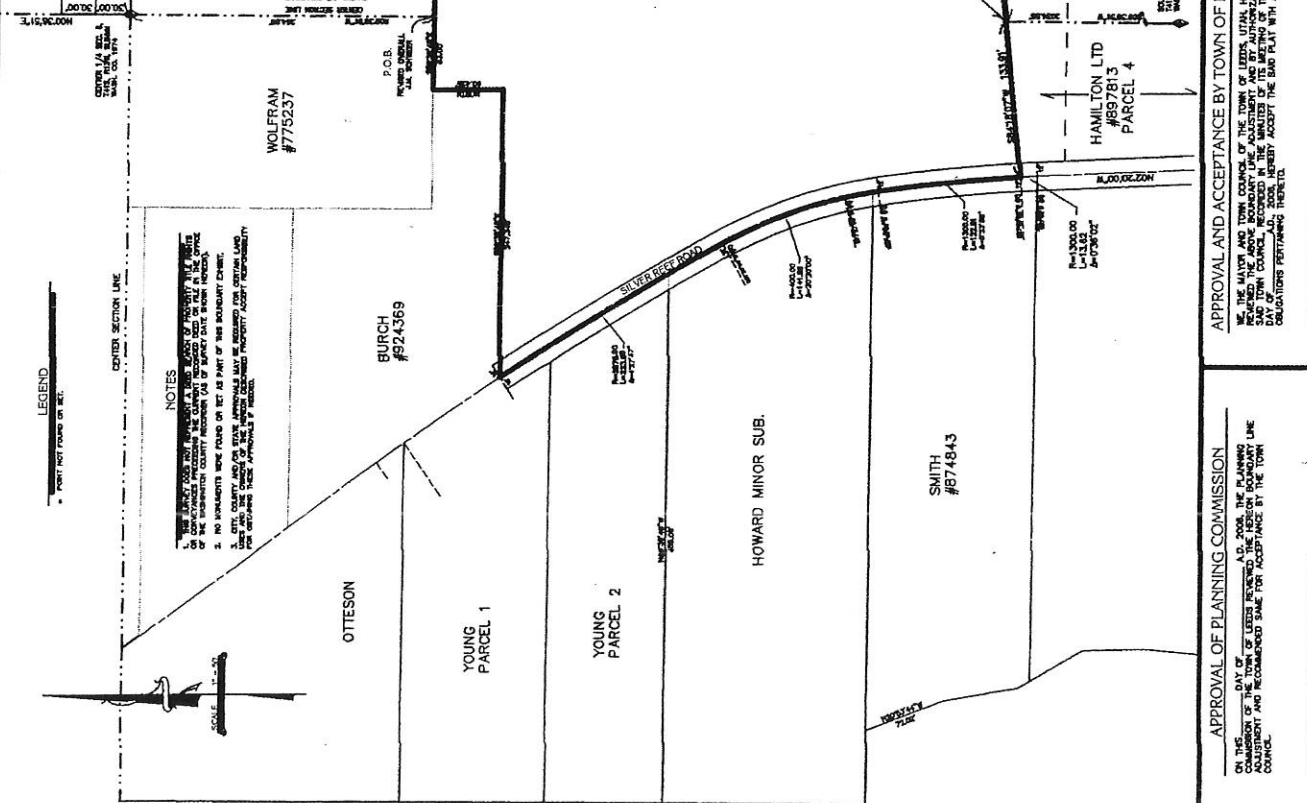
STATE OF IDAHO, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE REQUEST OF:

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE \$ _____

WASHINGTON COUNTY RECORDER

SILVER HILLS ESTATES AMENDED



SURVEYOR'S CERTIFICATE
 I, JAMES L. BURDY, a duly licensed Surveyor in the State of Utah, and that I have made a true and correct plat of the above described land.

BOUNDARY DESCRIPTIONS

THE ABOVE DESCRIBED PARCELS ARE BOUNDARY LINES AS SHOWN ON THE PLAT, AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE SURVEY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

NOTES

- THE SURVEY AND THIS AMENDMENT TO THE SURVEY OF PROPERTY WILL BE FILED IN THE OFFICE OF THE PLANNING COMMISSION, THE COUNTY ENGINEER, THE TOWN ENGINEER, AND THE TOWN COUNCIL.
- NO DIMENSIONS WERE FOUND ON SET AS PART OF THIS BOUNDARY LINE.
- CITY, COUNTY AND/OR STATE APPROVALS MAY BE REQUIRED FOR CERTAIN LAND USES AND/OR OTHER REGULATIONS PERTAINING HERETO.

LEGEND

POINT NOT FOUND OR SET

CENTER SECTION LINE

BASES OF BOUNDARY LINES

POB. POINT OF BEGINNING

POB. POINT OF BEGINNING

POB. POINT OF BEGINNING

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PETITION FOR BOUNDARY LINE ADJUSTMENT BETWEEN SOUTH PINE RENTALS, LLC & J.M. SCHWEER

APPROVAL AND ACCEPTANCE BY TOWN OF LEEDS

WE, THE MAYOR AND TOWN COUNCIL OF THE TOWN OF LEEDS, UTAH, HAVE READ AND APPROVED THE ABOVE BOUNDARY LINE ADJUSTMENT AND BY AUTHORIZATION OF SAID TOWN COUNCIL, WE HEREBY ACCEPT THE SAME PLAT WITH ALL OBLIGATIONS PERTAINING HERETO.

DATE: _____ A.D. 2008

ATTEST: TOWN RECORDER _____

PLANNING COMMISSION CHAIRMAN, LEEDS TOWN _____

APPROVAL AS TO FORM

THE ABOVE BOUNDARY LINE ADJUSTMENT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE A.D. 2008.

DATE: _____ TIME: _____

ENGINEER, TOWN OF LEEDS _____

APPROVAL AS TO FORM

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ENGINEER, TOWN OF LEEDS _____

APPROVAL AS TO FORM

THE ABOVE BOUNDARY LINE ADJUSTMENT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE A.D. 2008.

DATE: _____ TIME: _____

ENGINEER, TOWN OF LEEDS _____

RECORDED No.

STATE OF UTAH, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE REQUEST OF:

DATE: _____ TIME: _____

RECORDER: _____

WASHINGTON COUNTY RECORDER

RECORDED No.

STATE OF UTAH, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE REQUEST OF:

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RECORDER: _____

WASHINGTON COUNTY RECORDER

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WASHINGTON COUNTY RECORDER

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STATE OF UTAH, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE REQUEST OF:

DATE: _____ TIME: _____

RECORDER: _____

WASHINGTON COUNTY RECORDER

Oct. 4, 2006

Dear Property Owner,

In compliance with Section 21.13.7 et seq. of the Leeds Utah Land Use and Subdivision Ordinance, your neighbors South Pine Rentals, LLC and Wm. Wood & J. M. Schweer have been requested to send a letter informing you of a Boundary Line Adjustment they are presenting to the town for formal approval.

The Boundary Line Adjustment affects the property owned by Ms. Schweer and South Pine Rentals, LLC by changing the lines within their existing combined boundaries. In compliance with the ordinance the property starts and ends with 3 separate legal parcels, leaves no remnant land that did not previously exist and it does not result in the violations of applicable zoning requirements.

As a matter of compliance and courtesy we are informing you of our intention to adjust these boundaries which will result in clear title for Ms. Schweer's home, pool, driveway and barn. As her neighbors and friends we anticipate your acceptance and consent. To indicate your agreement, please sign this letter and mail in the SASE enclosed by October 10th, 2006.

If there are further questions or concerns, please feel free to contact Jenae Westhoff, an agent of South Pine Rentals, LLC.

Thank you,

Jenae Westhoff
435-313-2214

Enclosure:

Before Map
After Map

Cc: Leeds Town Council, Leeds Town Planning Commission, Dwight W. & Cynthia M. Burch, Donald L. & Florence N. Wolfram, Richard K. & Shirley P. Perry and Hamilton Land & Livestock Ltd.



Acceptance



Oct. 4, 2006

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In compliance with Section 21.13.7 et seq. of the Leeds Utah Land Use and Subdivision Ordinance, your neighbors South Pine Rentals, LLC and Wm. Wood & J. M. Schweer have been requested to send a letter informing you of a Boundary Line Adjustment they are presenting to the town for formal approval.

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Jenae Westhoff
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Enclosure:

Before Map
After Map

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Jenae Westhoff
435-313-2214

Enclosure:

Before Map
After Map

Cc: Leeds Town Council, Leeds Town Planning Commission, ~~Dwight W. & Cynthia M. Burch~~, Donald L. & Florence N. Wolfram, Richard K. & Shirley P. Perry and Hamilton Land & Livestock Ltd.

Richard J. Williams & Shelly A. Williams

Richard J. Williams

Acceptance

Shelly A. Williams

U.S. Postal Service Delivery Confirmation Receipt

Postage and Delivery Confirmation fees must be paid before mailing.

Article Sent To: (to be completed by mailer)

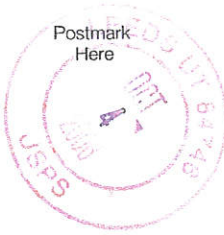
(Please Print Clearly)

Richard + Shirly Perry
2855 Canonita Dr. Fall Brook CA 92028-8770

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

Postmark
Here



CHECK ONE (POSTAL USE ONLY)

- Priority Mail®
- Package Services

DELIVERY CONFIRMATION NUMBER:

0301 0120 0004 7122 7014

South Pine Rentals, LLC

334 W Tabernacle, Unit D
St. George, UT 84770

Sept. 27, 2006

City of Leeds,
218 North Main Street
Leeds, Utah 84746

To Whom It May Concern:

Hyrum Lefler has authority to act for and if behalf of the Joint Venture Partnership of South Pine Rentals, LLC regarding the Boundary Line Adjustment for Parcels L-3-1-6-3112, L-3-1-6-3113, L-100-A

Sincerely,



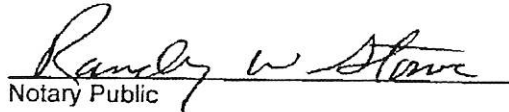
Jared Westhoff
Manager

State of UTAH)

:ss

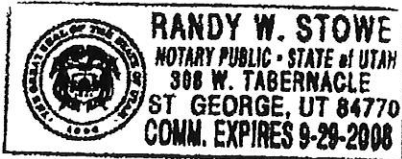
County of Washington)

On the 27 day of Sept, 2006 personally appeared before me, JARED WESTHOFF, Manager of SOUTH PINE RENTALS, LLC, a Limited Liability Company, known to me to be members or designated agents of the limited liability company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the limited liability company.


Notary Public

My Commission Expires: 9-29-08

Residing at: St. George, UT



Jenae Westhoff

From: Jenae Westhoff [jenaewesthoff@egifinancial.net]
Sent: Wednesday, September 06, 2006 10:40 PM
To: 'Heath Snow'
Cc: 'trudy_law@blm.gov'
Subject: Leeds Boundary Line Adjustment

Heath,

I represented South Pine Rentals and took the Schweer/South Pine Rentals, LLC (SPR) Boundary Line Adjustment to the Planning Commission tonight. They requested a letter from the town attorney stating that it fit the definition of a *Boundary Line Adjustment*. *There seemed to be some confusion that it could be a Minor Subdivision and not a Boundary Line Adjustment.* It is SPR's intention to clean up the boundary lines for Schweer's, SPR and the towns benefit. It starts and ends with 3 parcels. The planning commission wanted to make sure that this could be considered as a Boundary Line Adjustment. The surveyor is preparing the title block to be attached for the appropriate signatures and I am requesting a letter in behalf of the Planning Commission. I found it a little odd that they asked me to request a letter from you in their behalf, my guess is that they want me to pay the bill. Whether they request the letter or I do, I am fine paying the bill so that the town does not have to bear the expense. You may bill me at P.O Box 460730 Leeds, Utah 84746.

Please call me with any questions.

Jenae Westhoff
435-313-2214

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No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.405 / Virus Database: 268.12.0/439 - Release Date: 9/6/2006

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No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.405 / Virus Database: 268.12.0/439 - Release Date: 9/6/2006

9/19/2006