

Subject **[Fwd: Town of Leeds sale of easement to Potter and Powell]**
 From Lynn Potter <lpotter@airbine.com>
 To <Clerk@leedstown.org>
 Date 06.03.2019 10:49



- map 1.pdf (~10 MB)
- map 2.pdf (~3.2 MB)
- 563587 Quit claim deed to Leeds.pdf (~349 KB)
- 565565 Diamond easement.pdf (~388 KB)
- 565564 Triangle piece.pdf (~376 KB)
- 567640 sale to spear of 1110.pdf (~493 KB)

----- Original Message -----
 Subject: Town of Leeds sale of easement to Potter and Powell
 From: "Lynn Potter" <lpotter@airbine.com>
 Date: Wed, March 6, 2019 11:41 am
 To: "Wayne Peterson" <mayor@leedstown.org>
 Cc: "dianna powell" <diannapowell42@gmail.com>

To: Town of Leeds

From: Lynn Potter And Dianna Powell
 295 S. Main St. St. George, UT 84770
 435-817-5947

Re: Reconsideration of Easement

In the summer of 2013, I tried to convince the town of Leeds that my wife and I were given access to our property by a notation in the middle of document number 563587, see attached, which is a Quit Claim Deed to the Town of Leeds from Paul and Afton Felt. That notation says "The purpose of this deed is to convey the above-described property to the town of Leeds for the purpose of a roadway". On map number one, see attached, our property is the land with the blue border, we had this map done by Rosenberg in May of 2013, our property number is L-3-1-7-1110 and is now known as 24 East Majestic Mountain Road. The Town of Leeds property is the green boarded area. I was unable last August to convince the town of this existing access and bought from the Town an easement. We have found additional evidence to Warrant a review of that decision and hopefully will allow us to get the \$1,460.75 back that we gave to the Town for that easement.

The parcel that the Town of Leeds currently owns was created by the Quit Claim Deed document number 563587, from Felt to Leeds, and is dated April 22nd 1997. The important part happens about 20 days later in May 1997 when Felt gives Lee this little diamond shaped easement, document number 565565, it's border is colored purple on map number 1. That diamond shaped easement connects our property, 1110, to the Town of Leeds property with enough width for a road, you see there wasn't enough width at this point for the road because of the drainage ditch on the west side, so Lee got this diamond shaped easement from Felt. On the same day May 12th 1997, Felt also sells Lee a triangular shaped piece of property, document number 565564 and it is colored orange on map number 2. Now the real important part on map number 2 is that this map was a survey done by LR Pope in March of 1997. This map is not recorded by the county but copies can be bought from Pope. The purpose of the survey as noted on the map was to "break off a part of the property and prepare a boundary description", underlined in red, this was done for Alberta Lee. Lee and Company at one time owned most of this quarter section and has sold most of it off so this parcel number L-3-1-7-1110 was left over, (now our property) and she wanted to sell it and so she had this survey done. There are a few important things to note on this map;

1) It's dated March of 1997, circled in red, a month before Leeds gets the parcel that was given to them by Felt;

2) The town of Leeds parcel is marked on it, before the town owned it, before Felt gave it to Leeds, along with a note "public right-of-way easement";

3) The diamond easement is on it with a note, "private right of way easement";

4) Here is the triangular piece of property Felt sold to Lee 2 months later, it's already on this map as part of our property number 1110.

All of these transactions were in escrow at the same time and these document numbers are just closing dates so all the folks knew what was going on cuz this map was made in March of 97 so the map shows intent of all parties involved to allow access of parcel 1110 through the Leeds parcel.

And on a side note, Lee sold 1110 to Spear 20 days later on June 2nd 1997, see attached document number 567640, and Spear would not have bought 1110 without an access road to it. Which is all described on this Pope survey and attached documents. This is the proof that the access easement always existed and is not limited to width or use.

In conclusion we ask for a review of this new information and a refund, please.

Sincerely, Lynn Potter and Dianna Powell

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BEGIN-ANTISPAM-VOTING-LINKS

Teach InfoWest Spam Trap if this mail (ID 07XIFNfqI) is spam:

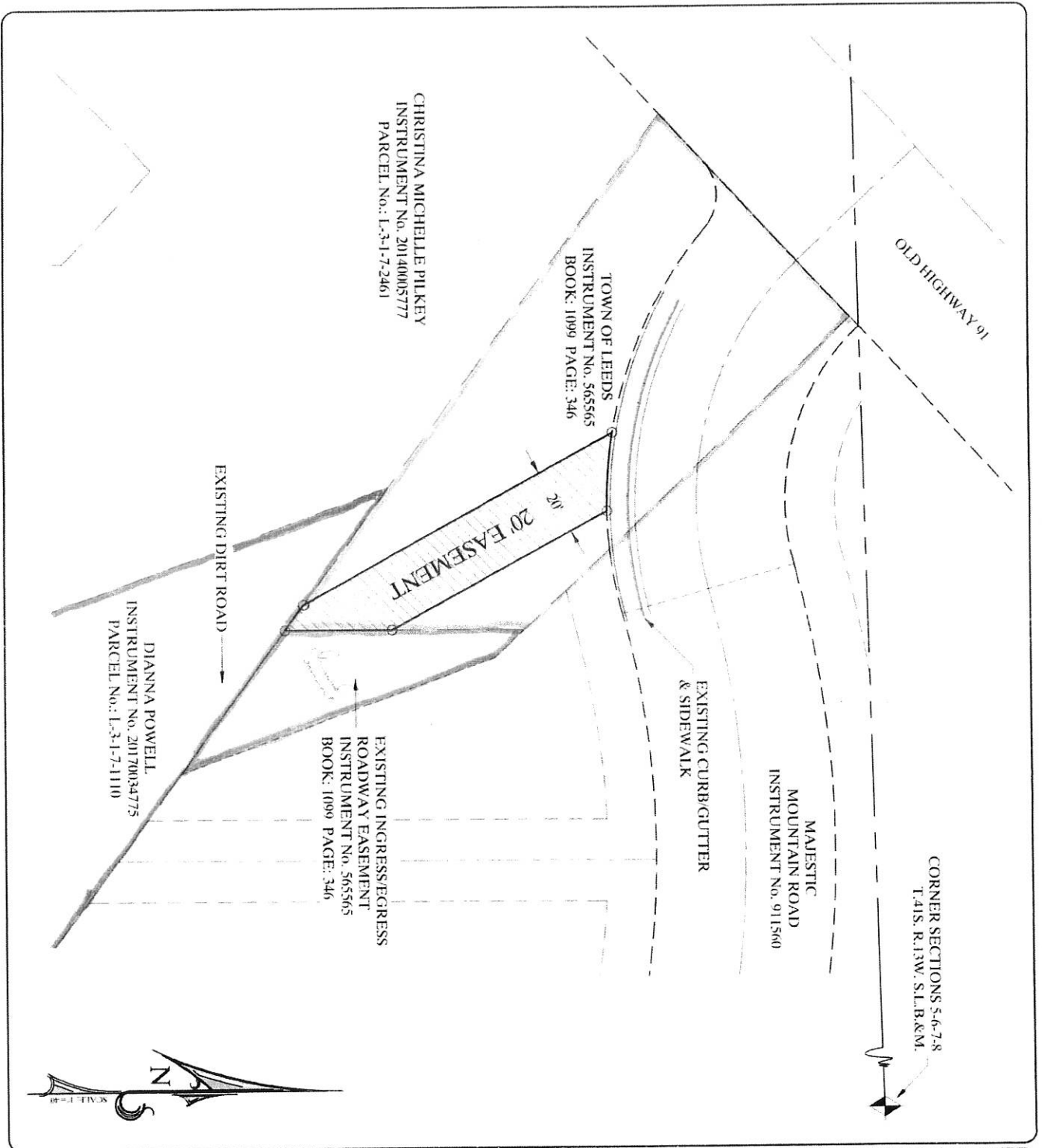
Spam: <https://spamtrap.infowest.com/canit/b.php?c=s&i=07XIFNfqI&m=2f9a3a3b45df&t=20190306>

Not spam: <https://spamtrap.infowest.com/canit/b.php?c=n&i=07XIFNfqI&m=2f9a3a3b45df&t=20190306>

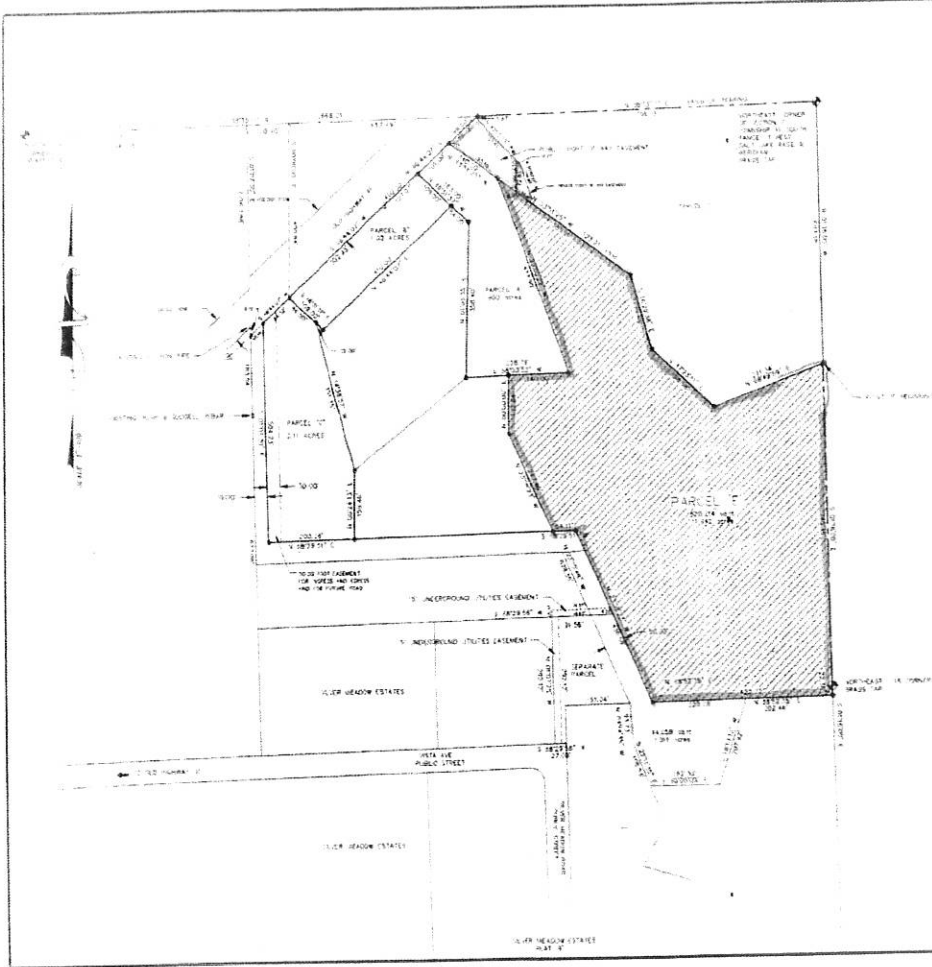
Forget vote: <https://spamtrap.infowest.com/canit/c.php?c=f&i=07XIFNfqI&m=2f9a3a3b45df&t=20190306>

REMEMBER: Never give out your account information, password, or other personal information over e-mail.

END-ANTISPAM-VOTING-LINKS



SHEET 1 1 OF 1 SHEETS	EASEMENT - EXHIBIT B PREPARED AT THE REQUEST OF DIANNA POWELL	ROSENBERG ASSOCIATES REAL ESTATE & SURVEYING	DATE: 11/11/11	DRAWN BY:
			SCALE: 1" = 40'	PROJECT: EXHIBIT B DWG.



SURVEYOR'S CERTIFICATE

I, the undersigned, being duly sworn, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner thereof, and that the same has been carefully examined and found to be correct in all particulars.

SURVEYOR'S CERTIFICATE

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

NARRATIVE

The purpose of this survey is to show the location of the several parcels shown on the attached plan and to determine the area of each parcel.

LOCATION OF SURVEY

SECTION 1, TOWNSHIP 4 NORTH, RANGE 1 WEST, COUNTY OF _____, STATE OF _____.

DATE OF SURVEY

MARCH 1971

CLIENT

QUESTA, INC.

LEGEND

- 1. EXISTING BOUNDARIES
- 2. SURVEYED BOUNDARIES
- 3. EXISTING WALKS AND DRIVES
- 4. SURVEYED WALKS AND DRIVES



Recorded at Request of.....

at M. Fee Paid \$.....

by Dep. Book..... Page..... Ref:.....

Mail tax notice to Town of Leeds Address P.O. Box 460879, LEEDS, UT
84110

QUIT-CLAIM DEED

Paul E. & Afton Felt
1455 Fir Circle
of Provo, County of Utah, State of Utah, hereby grantor
QUIT-CLAIM to

Town of Leeds
PO Box 460879
of Leeds, Washington County, Utah 1.00 DOLLARS, grantee
for the sum of

the following described tract of land in Washington County,
State of Utah:

Beginning at the Northeast Corner of Section 7, T 41 S, R 13 W, SLB&M;
thence S 88° 35' 11" W 796.10 ft. to a point on the Southeast Right of Way
Line of Old Highway 91; thence S 46° 44' 07" W 89.60 ft. along Old
Highway 91 Right of Way Line to the True Point of Beginning; thence S 53°
51' 25" E 193.85 ft.; thence N 0° 12' 05" E 72.83 ft.; thence N 43° 15' 53" W
137.61 ft.; thence S 46° 44' 07" W 85.73 ft. to True Point of Beginning.
Approximately 0.25 Acre.

The purpose of this deed is to convey the above described property to the
Town of Leeds for the purpose of a public roadway.

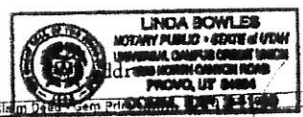
00563587 Br 1093 Pg 0510
RUSSELL SHIRTS & WASHINGTON CO RECORDER
1997 APR 22 10:47 AM FEE \$.00 BY JRB
FOR: TOWN OF LEEDS

WITNESS the hand of said grantor, this _____ day of _____
A. D. one thousand nine hundred and _____

Signed in the presence of } Paul E. Felt
} Afton Felt

STATE OF UTAH, } ss.
County of Utah }
On the 15th day of April A. D. one
thousand nine hundred and ninety-seven personally appeared before me
Paul E. Felt and Afton Felt
the signer of the foregoing instrument, who duly acknowledge to me that s he executed the
same.

My commission expires 2-11-99



Notary Public
Linda Bowles

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:

^{at}
ALBERTA LORENA LEE
Box 460571
Leeds, Utah 84746

Space Above This Line for Recorder's Use

Order No. 75018

QUIT-CLAIM DEED

PAUL E. FELT and M. AFTON FELT, grantor(s), of Provo, County of Utah, State of Utah, hereby

QUIT-CLAIM to

^{at}
ALBERTA LORENA LEE, grantee(s) of Leeds, County of Washington, State of Utah, for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

the following described EASEMENT in WASHINGTON County, State of UTAH:

A RIGHT OF WAY EASEMENT FOR INGRESS AND EGRESS AND ROADWAY OVER THE FOLLOWING DESCRIBED PROPERTY:

SEE EXHIBIT "A" ATTACHED HERETO FOR THE LEGAL DESCRIPTION.

00565565 Bk1099 Pg0346

RUSSELL SHIRTS * WASHINGTON CO RECORDER
1997 MAY 12 12:01 PM FEE \$12.00 BY SG
FOR: LEE ALBERTA LORENA

WITNESS the hand(s) of said grantor(s), this 22 of April, A. D. 1997.

Paul E. Felt

PAUL E. FELT
M. Afton Felt

M. AFTON FELT

NOTARY

STATE OF UTAH)
County of *Utah*) ss

On the 22 day of April, A. D. 1997 personally appeared before me, PAUL E. FELT and M. AFTON FELT, the signer(s) of the within instrument, who duly acknowledge to me that they executed the same.

Lorraine M. Capell

Notary Public
Notary Public residing at: *Utah County*

My Commission Expires: *2/4/01*

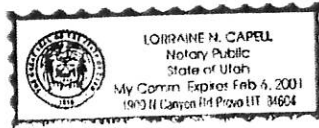
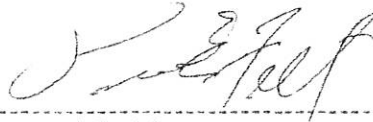


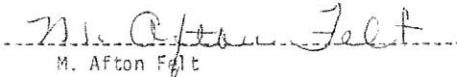
EXHIBIT 'A' - LEGAL DESCRIPTION

DESCRIPTION OF RIGHT OF WAY EASEMENT
FROM PAUL & AFTON FELT

Beginning at a point South 1°16'00" East 603.13 feet along the Section line and North 64°43'25" West 499.77 feet and North 53°51'25" West 275.50 feet from the Northeast Corner of Section 7, Township 41 South, Range 13 West, Salt Lake Base and Meridian and running thence North 53°51'25" West 53.86 feet; thence North 0°12'05" East 72.83 feet; thence South 43°15'53" East 12.27 feet; thence South 20°00'22" East 101.80 feet to the point of beginning.



Paul E. Felt



M. Afton Felt

00565565 Bk1099 Pg0347

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:

ALBERTA LORENA LEE
Box 460571
Leeds, Utah 84746

Order No. 75013

Space Above This Line for Recorder's Use

QUIT-CLAIM DEED

PAUL E. FELT and M. AFTON FELT, grantor(s), of Provo, County of Utah, State of Utah, hereby

QUIT-CLAIM to

^{GL}
ALBERTA LORENA LEE, grantees(s) of Leeds, County of Washington, State of Utah, for the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

the following described tract of land in WASHINGTON County, State of UTAH:

SEE EXHIBIT "A" ATTACHED HERETO FOR THE LEGAL DESCRIPTION.

TOGETHER WITH all improvements and appurtenances thereunto belonging.

SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

00565564 Bk 1099 Pg 0344

RUSSELL SHIRTS * WASHINGTON CO RECORDER
1997 MAY 12 12:01 PM FEE \$12.00 BY SG
FOR: LEE ALBERTA LORENA

WITNESS the hand(s) of said grantor(s), this 22 of April, A. D. 1997.

Paul E. Felt

PAUL E. FELT
M. Afton Felt

M. AFTON FELT

NOTARY

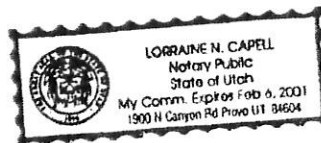
STATE OF UTAH)
County of *Utah*) ss

On the 22 day of April, A. D. 1997 personally appeared before me, PAUL E. FELT and M. AFTON FELT, the signer(s) of the within instrument, who duly acknowledge to me that they executed the same.

Lorraine N. Capell

Notary Public
Notary Public residing at: *Ut County*

My Commission Expires: *2/6/01*



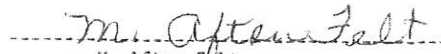
DESCRIPTION OF PAUL & AFTON FELT PROPERTY TO
BE DEEDED TO ALBERTA

Beginning at a point South $1^{\circ}16'00''$ East 603.18 feet along the Section line from the Northeast Corner of Section 7, Township 41 South, Range 13 West, Salt Lake Base and Meridian and running thence South $1^{\circ}16'00''$ East 118.62 feet; thence North $53^{\circ}51'25''$ West 134.87 feet; thence North $69^{\circ}49'59''$ East 113.24 feet to the point of beginning.

Containing 0.146 acres



Paul E. Felt



M. Afton Felt

00565564 8x1099 Pg0345

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:

JAMES SPEAR
1784 West 1400 North
Clinton, Utah 84015

Order No. 75018

Space Above This Line for Recorder's Use

WARRANTY DEED

ALBERTA LORENA LEE, grantor(s), of Leeds, County of Washington, State of Utah, hereby

CONVEY and WARRANT to

JAMES SPEAR and MARLA SPEAR, Husband and Wife, as Joint Tenants with Full Rights of Survivorship, grantees(s) of Clinton, State of Utah, for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

the following described tract of land in WASHINGTON County, State of UTAH:

SEE EXHIBIT "A" ATTACHED HERETO FOR THE LEGAL DESCRIPTION.

TOGETHER WITH all improvements and appurtenances thereunto belonging.

SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

TOGETHER with One (1) Share in the Leeds Domestic Water User's Association.

00567640 Bk1105 Pg0399

RUSSELL SHIRTS & WASHINGTON CO RECORDER
1997 JUN 02 16:21 PM FEE \$13.00 BY RS
FOR: SOUTHERN UTAH TITLE CO

WITNESS the hand(s) of said grantor(s), this 27th day of May, A. D. 1997.

Alberta Lorena Lee
ALBERTA LORENA LEE

NOTARY

STATE OF UTAH)

County of Washington)

) ss
)

On the *30th* day of May, A. D. 1997 personally appeared before me, ALBERTA LORENA LEE, the signer(s) of the within instrument, who duly acknowledge to me that she executed the same.

Jai Kehe
Notary Public

Notary Public residing at: St. George, Utah

My Commission Expires: *12-1-98*

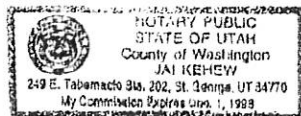



EXHIBIT "A" - LEGAL DESCRIPTION

PROOFREAD

Beginning at a point South 1°16'00" East 603.18 feet along the Section line from the Northeast Corner of Section 7, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence South 1°16'00" East 740.35 feet to the Northeast 1/16 Corner; thence South 1°16'00" East 22.38 feet along the Section line; thence South 88°52'35" West 422.72 feet; thence North 23°58'23" West 436.58 feet; thence South 88°29'51" West 54.11 feet; thence North 23°58'23" West 247.46 feet; thence North 0°00'00" East 132.84 feet; thence North 88°03'52" East 140.00 feet; thence North 20°00'22" West 477.90 feet; thence South 53°51'25" East 383.21 feet; thence South 16°29'38" East 179.89 feet; thence South 47°23'11" East 198.58 feet; thence North 69°49'59" East 271.34 feet to the point of beginning.

TOGETHER WITH a Right of Way Easement for Ingress and Egress and Roadway, as created by Quit-Claim Deed, recorded May 12, 1997, as Entry No. 565565, in Book 1099, at Pages 346-347, Official Washington County Records, over the following described property:

Beginning at a point South 1°16'00" East 603.18 feet along the Section line and North 64°43'25" West 499.77 feet and North 53°51'25" West 275.50 feet from the Northeast Corner of Section 7, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence North 53°51'25" West 53.86 feet; thence North 0°12'05" East 72.83 feet; thence South 43°15'53" East 12.27 feet; thence South 20°00'22" East 101.80 feet to the point of beginning.



Alberta Lorena Lee

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:

JAMES SPEAR
1784 West 1400 North
Clinton, Utah 84015

Order No. 75018

Space Above This Line for Recorder's Use

WARRANTY DEED

ALBERTA LORENA LEE, grantor(s), of Leeds, County of Washington, State of Utah, hereby

CONVEY and WARRANT to

JAMES SPEAR and MARLA SPEAR, Husband and Wife, as Joint Tenants with Full Rights of Survivorship, grantee(s) of Clinton, State of Utah, for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

the following described tract of land in WASHINGTON County, State of UTAH:

SEE EXHIBIT "A" ATTACHED HERETO FOR THE LEGAL DESCRIPTION.

TOGETHER WITH all improvements and appurtenances thereunto belonging.

SUBJECT TO assessments, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

TOGETHER with One (1) Share in the Leeds Domestic Water User's Association.

00567640 Bk 1105 Pg 0399

RUSSELL SHERTS * WASHINGTON CO RECORDER
1997 JUN 02 16:21 PM FEE \$13.00 BY RS
FOR: SOUTHERN UTAH TITLE CO

WITNESS the hand(s) of said grantor(s), this 27th day of May, A. D., 1997.

Alberta Lorena Lee
ALBERTA LORENA LEE

NOTARY

STATE OF UTAH

County of Washington

)
) ss
)

On the 27th day of May, A. D. 1997 personally appeared before me, ALBERTA LORENA LEE, the signer(s) of the within instrument, who duly acknowledge to me that she executed the same.

Jai Kehe
Notary Public

My Commission Expires: 12-1-98

Notary Public residing at: St. George, Utah

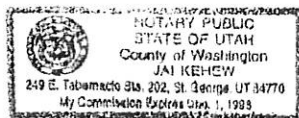


EXHIBIT "A" - LEGAL DESCRIPTION

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TOGETHER WITH a Right of Way Easement for Ingress and Egress and Roadway, as created by Quit-Claim Deed, recorded May 12, 1997, as Entry No. 565565, in Book 1099, at Pages 346-347, Official Washington County Records, over the following described property:

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Alberta Lorena Lee
Alberta Lorena Lee

ZONING ORDINANCE NO. _____ :
ORDINANCE ESTABLISHING STANDARDS FOR LEASING OF
RESIDENTIAL HOUSING FOR LESS THAN 30 CONSECUTIVE DAYS
“SHORT-TERM RENTALS”

WHEREAS, the Town is authorized by Chapter 10 of the Utah Code to enact ordinances necessary or appropriate for the use of land within the municipality, and

WHEREAS, a short-rentals term of fewer than 30 consecutive days falls under the current Virgin Transient Hotel Motel Room Tax standards, and is currently a permitted use allowed in the Town's two resort zones; and

WHEREAS, Short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, the impacts of this use is consistent with the general impacts of residential and rural residential zones; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals; and

WHEREAS, there is a seasonal market for short-term lodging in the area of Zion National Park and a lack of tourist based lodging within the Town of Virgin; and

WHEREAS, for purposes of this section, “Short-Term Rentals (STR)” means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient occupancy.; and

WHEREAS, Residential dwelling units rented to the same occupant for more than thirty (30) continuous days, Bed and Breakfast establishments, boarding houses, hotels, and motels shall not be considered STR; and

WHAREAS, the Town may issue permits for STR of rooms, parts of homes, or entire homes located in all zones. After a local property owner (who is a resident of the Town of Virgin, Utah), or a corporation, or LLC or partnership, (where the majority of the owners must be resident of the town of Virgin Utah, (majority for the purpose of this ordinance is defined as a resident or residents of the Town of Virgin owning more than 80% of the property), for said property, properly files a completed application (and pays any applicable application fees) and has been provided with and understands any current and applicable laws and ordinances of the Town of Virgin regarding this use; and

WHAREAS, for the purpose of this section mobile homes and RV's will not be allow to be used as a STR; and

WHAREAS, the purpose of this section is to establish regulations for the use of residential single family dwelling units as STR and to ensure the collection and payment of hotel/motel occupancy taxes; and

WHAREAS, for purposes of this section a STR, is defined as the use of a residential dwelling unit on a temporary or transient basis. A STR shall include a residential dwelling unit used as a short-term vacation rental, for any period less than thirty (30) consecutive days; and

WHAREAS, for Purposes of this section: An owner can designate an agent to comply with the requirements of this section on behalf of the owner. The owner and designated agent must be residents of the Town of Virgin Utah; and

WHAREAS, the Owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a STR unit, regardless of whether such noncompliance was committed by the owner's authorized agent or the occupants of the owner's short term rental unit or their guests; and

WHAREAS, this section is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants, and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for STR purposes as defined in this section; and

WHAREAS, this section is intended to help protect the property rights of homeowners in the residential neighborhoods; and

NOW THEREFORE, in order to provide for public safety and welfare while protecting individual property rights, the Town shall set standards for the leasing of residential housing that is less than 30 consecutive days also known as "Short-Term Rentals (STR)":

REGISTRATION

- A. No person or entity shall operate a STR or advertise a residential property for use as a STR without the owner of the property first having obtained a STR permit (STR business licenses) issued by the City of Virgin.
- B. The City of Virgin is the Administrative Agency for the application of STR and the collection of rental application fees.
- C. The Owner shall obtain a short-term rental application and any other required documents from The City of Virgin, town office located at Virgin City Hall at 114 South Mill Road, Virgin, Utah 84779. The City may be contacted at 435-635-4695 for additional information.
- D. The Owner must submit the following information on an application form:
 - a. The name, address, email address, and telephone number of the Owner of the subject STR unit;

- b. The name, address, email and twenty-four hour telephone number of the local agent, (if any), responsible for addressing all maintenance and other concerns;
 - c. The owner/agent shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of : (1) responding in person within one (1) hour to complaints regarding the condition, operation, or conduct of occupants of the STR unit; and (2) taking remedial action to resolve any such complaints;
 - d. The name and address of the proposed STR unit;
 - e. The number of bedrooms and the applicable overnight and daytime occupancy limits of the proposed short term rental unit;
 - f. Proof of insurance evidencing fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence;
 - g. If the STR unit shares a common driveway with another property owner, proof of written notification to such neighboring property owner prior to filing the application;
 - h. Owner's Tax Identification Number;
- E. Pay all application fee at time of application submittal

OTHER PROVISIONS OF AND STR

- A. Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STR is prohibited;
- B. All STR occupants shall abide by all applicable noise restrictions contained in the City Codes, and applicable waste management provisions of the City Codes;
- C. The STR shall have approved smoke alarms meeting the Underwriters Laboratory (UL) 217 standards installed as follows:
 - a. In all sleeping areas
 - b. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
 - c. In each story within the sleeping unit, including basements.
- D. No buses, recreational vehicles, or trailers shall be visible on the street or property in conjunction with the STR unit;
- E. The principal renter of a STR unit shall be at least twenty-one (21) years of age.
- F. The maximum number of paying adult and children guests permitted on a STR property at any one time shall not exceed more than twice the number of sleeping rooms. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STR unit;
- G. The STR owner shall not receive any compensation or remuneration to permit occupancy of a STR for a period of less than twenty four (24) hours. The maximum stay for any guest shall be thirty (30) consecutive days;
- H. The name and telephone number of the owner/agent shall be conspicuously posted within the STR unit. The owner/agent shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short term rental

period to address problems associated with the STR.

REGISTRATION AND FEES

- A. STR's are subject to an annual registration fee established by the City of Virgin;
- B. A registration is valid from the date the completed application is filed with the City of Virgin and applicable payment of the application fee has been made;
- C. STR permit is good for 365 days after it is issued, unless the ownership of the STR changes.;
- D. Permits may be renewed upon the payment of a renewal fee to be determined by the City of Virgin and an updated application is received;
- E. All entities must register each individual property, and pay applicable application fees, even if the tax payments are made under one taxpayer identification number;
- F. Each property shall be issued an application/permit number;
- G. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the City of Virgin code;
- H. Permits do not follow the STR, they follow the owner, a change of ownership results in the termination of a permit for a STR.

MINIMUM STANDARDS OF CONDUCT

- A. The Owner, or agent shall provide a brochure or other alternative publication to renters, of STR, with information which shall provide basic, minimum, standards of conduct during their visit to the City of Virgin.
- B. Additionally, renters can be directed to the City's website, www.virgininutah.org. or to the city offices for additional resources and or list of rules and regulations pertaining to the City.

COMPLIANCE

- A. Standards for number of guests, off-street parking, noise restrictions, and all other applicable standards already set by the local Health Department, local Fire District, and The Town of Virgin ordinances must be followed by property owners and all guests using the property in order to better protect the health, safety, and welfare of the town and neighboring property owners.
- B. Short-term rentals are subject to Virgin's Transient Hotel Motel Room Tax Ordinance, therefore Utah state sales tax regulations apply.
- C. This ordinance does not supersede the CC&R's established by private subdivisions. The Town also recognizes that it does not have the authority or should be encouraged to enforce CC&R's of private subdivisions within its jurisdiction.

- D. Property owners may be held liable for violation of town ordinances that happen on their property. Complaints about the property must be received in writing to the Town office and must be responded to by the Town within a reasonable time period. Complaints that violate Town ordinance and are not resolved in a timely manner by the property owner or manager may cause revocation of the permit and the “STR” use of that property until the violation is resolved.

AUTOMATIC TERMINATION OF STR OWNERS PERMIT

- A. The STR structure is devoted to a use other than a STR (Excluding the occupancy of the residence by the owner); or
- B. There is a change of ownership of the property; or a change of ownership of a corporation, LLC, or partnership or,
- C. The residence or structure fails to comply with applicable health, safety, or building codes; or
- D. There is repeated (repeated is defined as three or more times during a calendar year) violation of town ordinances, local Health Department ordinances, local Fire District ordinances and standards of The Town of Virgin or,
- E. Other activities have occurred at, or related to the STR property, which the city reasonably determines is clearly contrary to the purpose and intent of this section.

TOWN OF LEEDS

ORDINANCE NO. 2019-__

AN ORDINANCE ADOPTING UNIFORM AND STANDARD CRIMINAL PENALTIES FOR VIOLATIONS OF TOWN ORDINANCES

WHEREAS, Section 10-1-301 et. seq., Utah Code Annotated, 1953, as amended, grants the authority to municipalities to enact and establish uniform fines and penalties for offenses committed within the corporate limits of the Town of Leeds (the "Town"); and

WHEREAS, the Municipal Council of the Town of Leeds (the "Council") has considered the proposal to enact uniform fines and penalties for infractions and Class B and C misdemeanors; and

WHEREAS, the Council has received public comments regarding such proposed fines and penalties.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWN OF LEEDS, UTAH, THAT the attached Uniform and Standard Criminal Penalty Ordinance be adopted, and be effective upon adoption, posting and publication.

If any provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected hereby.

PASSED AND ADOPTED this __th day of _____, 2019.

TOWN OF LEEDS

By: _____
Wayne Peterson, Mayor

VOTING:

Mayor: Wayne Peterson	Yea ___ Nay ___ Absent ___
Councilmember: Nate Blake	Yea ___ Nay ___ Absent ___
Councilmember: Elliott Sheltman	Yea ___ Nay ___ Absent ___
Councilmember: Alan Roberts	Yea ___ Nay ___ Absent ___
Councilmember: Danielle Stirling	Yea ___ Nay ___ Absent ___

ATTEST:

_____,
Peggy Rosebush
Town Recorder

DEPOSITED in the office of the Town Recorder this _____ day of _____, 2019.

RECORDED this _____ day of _____, 2019.

Penalty For Violation Of Ordinance:

A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the town shall be guilty of an infraction unless the violation is made a misdemeanor by ordinance.

B. 1. Except in ordinances where a different punishment is prescribed by any ordinance of the town, any person convicted of a class B misdemeanor for violation of an ordinance of the town is punishable by a fine of one thousand dollars (\$1,000.00), or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment.

2. Except in ordinances where a different punishment is prescribed by any ordinance of the town, any person convicted of a class C misdemeanor for violation of an ordinance of the town is punishable by a fine of seven hundred fifty dollars (\$750.00), or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

C. Any person convicted of an infraction for violation of an ordinance of the town is punishable by a penalty of not more than seven hundred fifty dollars (\$750.00).

D. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the town is committed, continued or permitted by any such person, and such person shall be punishable accordingly.