

Midway City Council
6 April 2021
Regular Meeting

Dutch Canyon Subdivision,
Plat "A" /
Second Amendment



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: April 6, 2021

NAME OF PROJECT: Dutch Canyon Subdivision

NAME OF APPLICANT: Weston Whitman

AGENDA ITEM: Plat Amendment of Lots 3 and 5A

LOCATION: 713 East Dutch Mountain Drive (Lot 5A) & 761 East Dutch Mountain Way (Lot 3)

ZONING DESIGNATION: RA-1-43 zone

ITEM: 12

Berg Engineering, agent for Weston Whitman and Stephen Broadbent, is proposing a plat amendment of the Dutch Canyon Subdivision Plat “A” and Dutch Canyon Subdivision Plat “A” Lots 5 & 6 Amended. The proposal is to remove 0.427 acres from lot 5A and add that area to lot 3. The properties are located at 713 East Dutch Mountain Drive & 761 East Dutch Mountain Way in the RA-1-43 zone.

BACKGROUND:

Weston Whitman and Stephen Broadbent are proposing a plat amendment to Dutch Canyon Subdivision Plat “A” and Dutch Canyon Subdivision Plat “A” Lots 5 & 6 Amended. The property is located at 695 East Dutch Mountain Drive and is in the RA-1-43 zone. The property owners are proposing to adjust the common lot line between the two lots. The adjustment would remove 0.427 acres from lot 5A (currently 1.277 acres) which would then be added to lot 3

(currently 0.85 acres). If approved, lot 5A would be 0.85 acres and lot 3 would become 1.277 acres.

The proposal does not create any additional lots and therefore should not have an impact on traffic, water, or sewer. Lot 5A was part of a previous plat amendment that combined lots 4, 5 and 6, each 0.85 acres in size, into two 1.277 acre lots.

The applicant has indicated that the adjustments to the property lines should not impact existing sewer and water laterals that are installed to the lots.

ANALYSIS:

A plat amendment is a legislative item and City Council is not obligated to allow any changes even if they feel that the applicant met the requirements of the Code. Subsection 9a-608(5)(a) states “a land use authority may consider at a public meeting an owner’s petition to vacate or amend a subdivision plat if the petition seeks to:

- (iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;

With that being said, a lot line adjustment is an administrative action, according to state law, as long as both properties comply with the land use ordinance. Utah law states that “owners of record of adjacent parcels...may exchange title to portions of those parcels if the exchange of title is approved by the land use authority in accordance with Subsection (5)(b). Utah Code 10-9a-608(5)(a). Subsection (5)(b) states that “the land use authority shall approve an exchange of title under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance.”

No public street, right-of-way, or easements will be vacated. The 10’ public utility easements that run along both sides of the common boundary line will be adjusted so that it continues to run along the common boundary line.

When Dutch Canyon Subdivision was approved, it was approved with a minimum lot size of 0.85 acres, due to an open space commitment of 15%. The proposed adjustments would meet the minimum acreage and frontage requirements as allowed by code and would likely make lot 3 more conforming with the expansion of its frontage along Dutch Mountain Road.

The proposed plat includes an existing 20’ x 70’ landscape easement on the front of lot 3 near the intersection of Dutch Mountain Drive and Dutch Mountain Way.

The original Dutch Canyon Subdivision Plat A included a private 10’ horse trail easement along the north property boundary of lots 3-6. When the plat for lots 4-6 was previously amended, the horse trail easement that traversed the lots was removed. Additionally, the easement does not continue eastward into the Meadows at Dutch Canyon Subdivision, making the portion of

easement on lot 3 an island. Because of this, the applicant is proposing to vacate the easement from lot 3.

The duration of a plat amendment approval shall be for one year from the date of approval of the amendment by the City Council. Should the amended plat not be recorded by the County Recorder within the one-year period of time, the plat amendment's approval shall be voided, and approval must be re-obtained, unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or (b) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

PROPOSED FINDINGS:

- Both lot 3 and 5A will continue to conform to the requirements for lots in the RA-1-43 zone if the plat amendment is approved
- State law requires a land use authority to approve a lot line adjustment if the exchange will not result in a violation of any land use ordinance, no violations have been identified
- State law states a plat amendment may be considered by the land use authority at a public meeting
- No public street, right-of-way, or easement will be vacated or altered

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council feels there is good cause to approve the proposal.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed

2. Continuance. This action can be taken if the City Council feels that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

None

Exhibits

Exhibit 1 – Location Maps

Exhibit 2 – Original Subdivision Plat

Exhibit 3 – Subdivision Plat 1st Amended

Exhibit 4 – Proposed Amended Plat

Exhibit 1





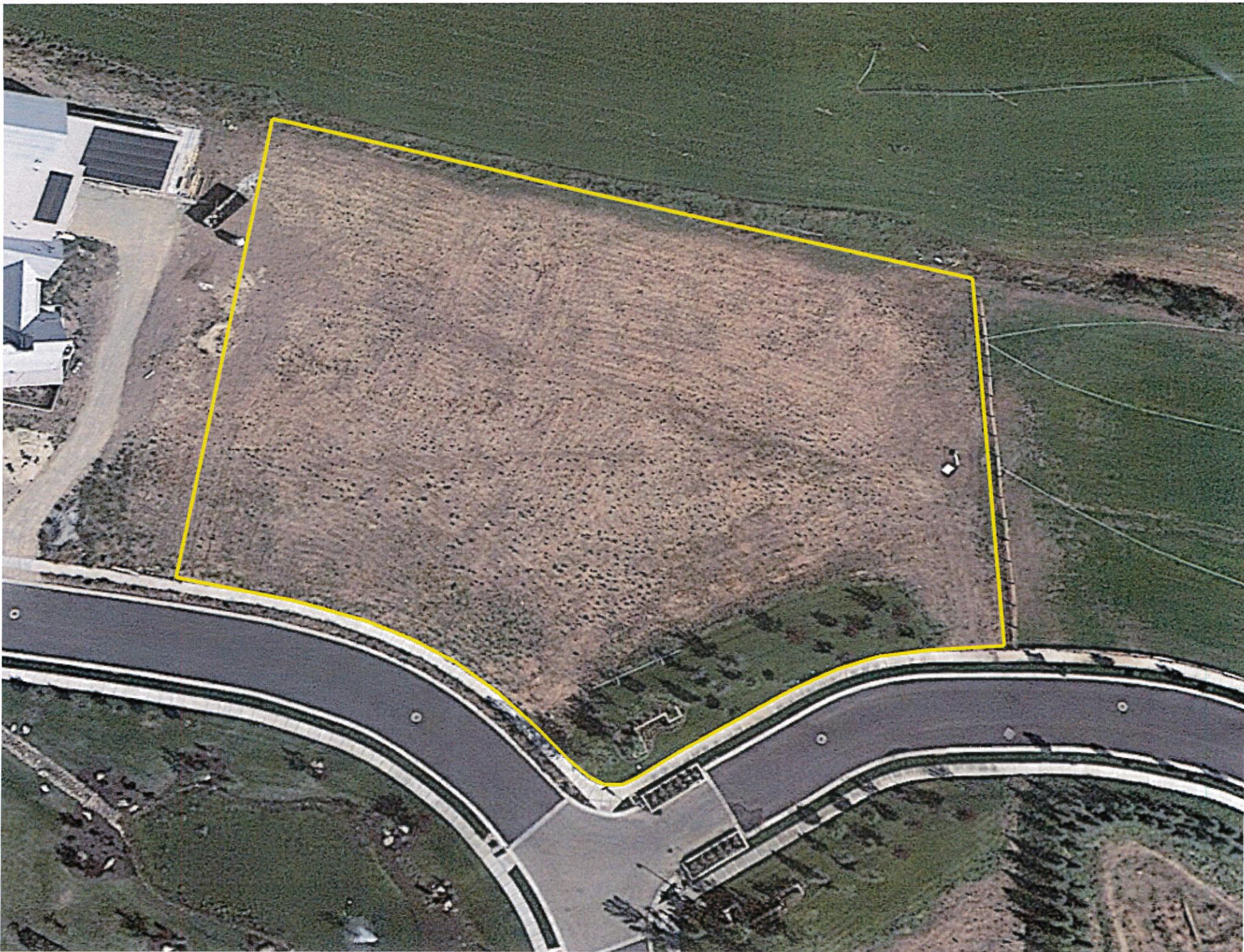
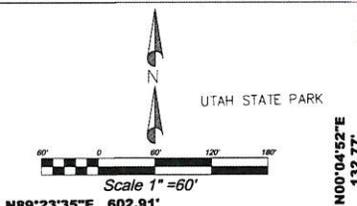


Exhibit 2



BASIS OF BEARINGS
 THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 89°39'47" EAST 2662.32 FEET (MEASURED) FROM A FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 23, T3S, R4E, AND A FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHWEST CORNER OF SECTION 23, T3S, R4E, SALT LAKE BASE AND MERIDIAN.

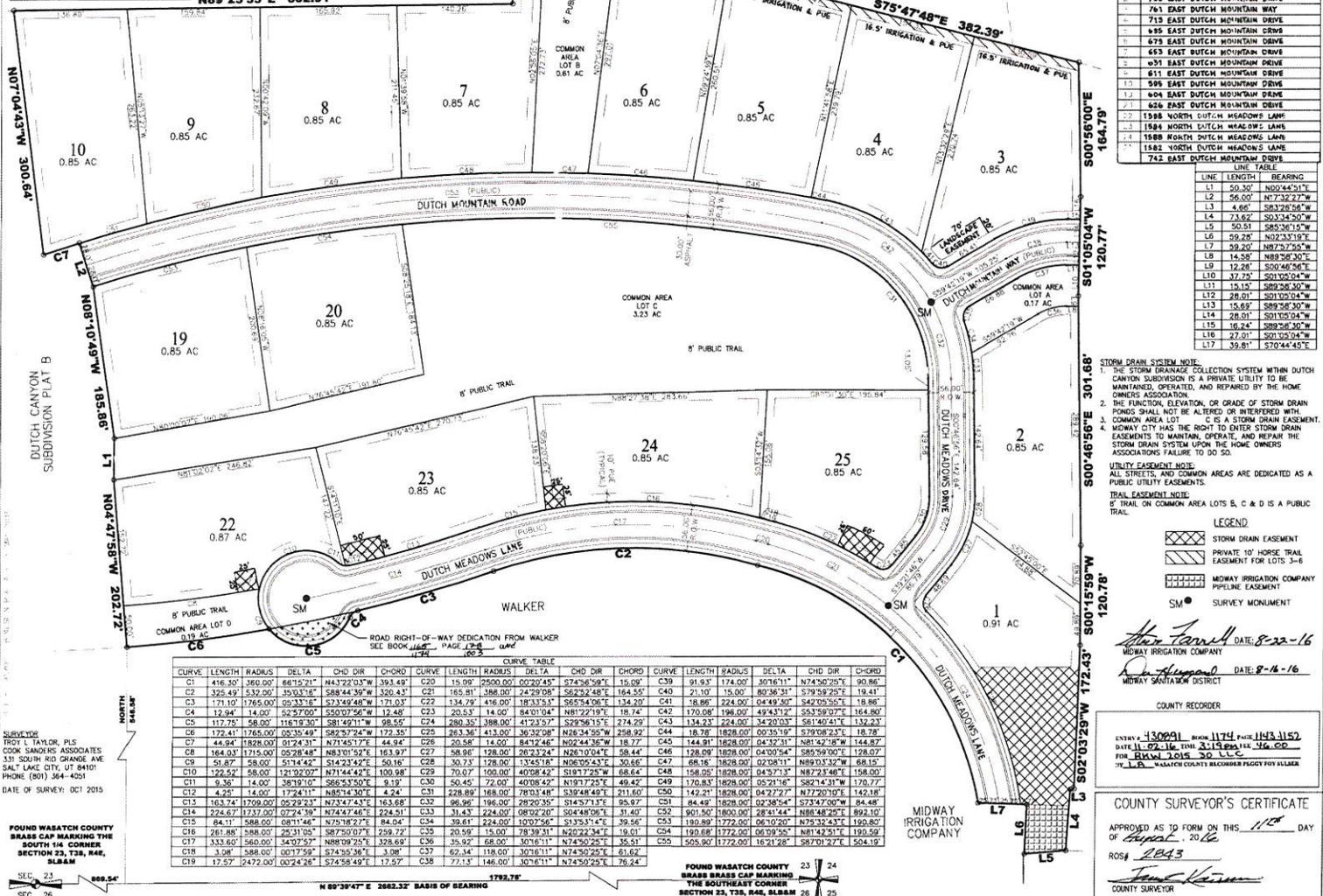
IRIGATION EASEMENT NOTE
 THE INSTALLATION OF PERMANENT STRUCTURES, FENCES, AND TREES IS PROHIBITED WITHIN THE RESERVATION EASEMENT. MIDWAY IRRIGATION COMPANY HAS THE RIGHT TO ENTER INTO THE EASEMENT AND REMOVE ANY STRUCTURES OR TREES, WITH NO DUTY TO REPLACE THEM.

SURVEYOR'S CERTIFICATE
 IN ACCORDANCE WITH SECTION 10-30-803 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 688412 IN ACCORDANCE WITH TITLE 58, CHAPTER 23, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
 I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTIONS 17-23-17 OF THE UTAH CODE AND HAVE VERTICALLY ALIGNED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.
 Troy L. Taylor
 DATE: Aug 16, 2016
 SURVEYOR (SEE SEAL)

BOUNDARY DESCRIPTION
 BEGINNING AT THE SOUTHWEST CORNER OF THE DUTCH CANYON PLAT A, SAID POINT BEING LOCATED NORTH 89°39'47" EAST ALONG THE SECTION LINE 1669.54 FEET AND NORTH 246.50 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 23, T3S, R4E, S&B&M TO THE POINT OF BEGINNING.
 THENCE NORTH 04°47'58" WEST 202.72 FEET; THENCE NORTH 00°44'51" EAST 50.30 FEET; THENCE NORTH 08°10'48" WEST 188.98 FEET; THENCE NORTH 17°32'27" WEST 56.00 FEET; THENCE ALONG THE ARC OF A 1026.00 RADIUS CURVE TO THE LEFT 44.94 FEET (CENTRAL ANGLE OF 07°47'31" AND A CHORD BEARING SOUTH 71°45'17" WEST 44.84 FEET); THENCE NORTH 07°04'31" WEST 302.84 FEET; THENCE NORTH 89°23'35" EAST 602.91 FEET; THENCE NORTH 00°04'52" EAST 132.77 FEET; THENCE NORTH 70°14'48" EAST 335.71 FEET; THENCE NORTH 79°47'48" EAST 382.39 FEET; THENCE SOUTH 00°56'00" EAST 164.78 FEET; THENCE SOUTH 01°05'04" WEST 120.77 FEET; THENCE SOUTH 00°46'26" EAST 306.68 FEET; THENCE SOUTH 00°15'09" WEST 120.78 FEET; THENCE SOUTH 02°33'39" WEST 172.43 FEET; THENCE NORTH 83°26'56" WEST 4.86 FEET; SOUTH 03°34'50" WEST 73.62 FEET; THENCE SOUTH 85°36'15" WEST 50.51 FEET; THENCE NORTH 02°33'39" WEST 172.43 FEET; THENCE NORTH 83°26'56" WEST 50.51 FEET; THENCE ALONG THE ARC OF A 3600.00 FOOT RADIUS CURVE TO THE LEFT 476.30 FEET (CENTRAL ANGLE OF 86°15'21" AND A CHORD BEARING NORTH 43°22'01" WEST 362.49 FEET); THENCE ALONG THE ARC OF A 330.00 FOOT RADIUS CURVE TO THE LEFT 325.40 FEET (CENTRAL ANGLE OF 35°03'18" AND A CHORD BEARING SOUTH 88°44'59" WEST 350.43 FEET); THENCE ALONG THE ARC OF A 1765.00 FOOT RADIUS CURVE TO THE RIGHT 171.10 FEET (CENTRAL ANGLE OF 05°33'16" AND A CHORD BEARING SOUTH 73°49'48" WEST 171.03 FEET); THENCE ALONG THE ARC OF A 14.00 FOOT RADIUS CURVE TO THE LEFT 12.04 FEET (CENTRAL ANGLE OF 52°57'00" AND A CHORD BEARING SOUTH 50°57'56" WEST 12.48 FEET); THENCE ALONG THE ARC OF A 58.00 FOOT RADIUS CURVE TO THE RIGHT 117.75 FEET (CENTRAL ANGLE OF 116°19'30" AND A CHORD BEARING SOUTH 81°46'11" WEST 85.55 FEET); THENCE ALONG THE ARC OF A 1765.00 FOOT RADIUS CURVE TO THE RIGHT 172.43 FEET (CENTRAL ANGLE OF 05°33'16" AND A CHORD BEARING SOUTH 82°57'24" WEST 172.35 FEET);

ADDRESS TABLE

LOT	ADDRESS
1	1858 NORTH DUTCH MEADOWS LANE
2	745 EAST DUTCH MOUNTAIN DRIVE
3	738 EAST DUTCH MOUNTAIN DRIVE
4	761 EAST DUTCH MOUNTAIN WAY
5	715 EAST DUTCH MOUNTAIN DRIVE
6	695 EAST DUTCH MOUNTAIN DRIVE
7	678 EAST DUTCH MOUNTAIN DRIVE
8	653 EAST DUTCH MOUNTAIN DRIVE
9	631 EAST DUTCH MOUNTAIN DRIVE
10	611 EAST DUTCH MOUNTAIN DRIVE
11	598 EAST DUTCH MOUNTAIN DRIVE
12	604 EAST DUTCH MOUNTAIN DRIVE
13	626 EAST DUTCH MOUNTAIN DRIVE
14	1988 NORTH DUTCH MEADOWS LANE
15	1884 NORTH DUTCH MEADOWS LANE
16	1888 NORTH DUTCH MEADOWS LANE
17	1582 NORTH DUTCH MEADOWS LANE
18	742 EAST DUTCH MOUNTAIN DRIVE



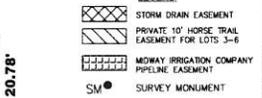
RESERVATION OF COMMON AREA
 THE OWNER, HAS DESIGNATED HEREIN CERTAIN COMMON AREAS INTENDED FOR THE USE BY THE OWNERS, THEIR GUESTS, AND INVITEES, AND AREA HEREBY RESERVED FOR THEIR COMMON USE AND ENJOYMENT AS PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF THE DUTCH CANYON SUBDIVISION RECORDED AS ENTRY NO. _____ IN BOOK _____ BEGINNING AT PAGE _____ (THE "DECLARATION")

OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, EASEMENTS, AND COMMON AREA, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS, EASEMENTS, AND COMMON AREA, FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS 17 DAY OF August, A.D. 2016
 BY: Russ Watts Wm. J. McArthur
 Russ Watts Wm. J. McArthur
 (Signature) (Signature)
 (Name) (Name)
 (Address) (Address)
 (City) (City)
 (State) (State)
 (Zip) (Zip)

STORM DRAIN SYSTEM NOTE:
 1. THE STORM DRAINAGE COLLECTION SYSTEM WITHIN DUTCH CANYON SUBDIVISION IS A PRIVATE UTILITY TO BE MAINTAINED, OPERATED, AND REPAIRED BY THE HOME OWNERS ASSOCIATION.
 2. THE FUNCTION, ELEVATION, OR GRADE OF STORM DRAIN PONDS SHALL NOT BE ALTERED OR INTERFERED WITH.
 3. COMMON AREA LOT 1 IS A STORM DRAIN EASEMENT TO MAINTAIN, OPERATE, AND REPAIR THE STORM DRAIN SYSTEM UPON THE HOME OWNERS ASSOCIATIONS FAILURE TO DO SO.

UTILITY EASEMENT NOTE:
 ALL STREETS AND COMMON AREAS ARE DEDICATED AS A PUBLIC UTILITY EASEMENTS.
TRAIL EASEMENT NOTE:
 8' TRAIL ON COMMON AREA LOTS B, C & D IS A PUBLIC TRAIL.



COUNTY RECORDER
 Troy L. Taylor
 DATE: 8-22-16
 MIDWAY IRRIGATION COMPANY
 MIDWAY SANITATION DISTRICT
 DATE: 8-16-16

COUNTY SURVEYOR'S CERTIFICATE
 APPROVED AS TO FORM ON THIS 11th DAY OF August, 2016
 Ross Watts
 COUNTY SURVEYOR

ACKNOWLEDGMENT
 STATE OF UTAH }
 COUNTY OF WASATCH } SS
 ON THE 17 DAY OF August, A.D. 2016 PERSONALLY APPEARED BEFORE ME, Russ Watts, A Notary Public duly and lawfully acknowledged to me that he/she do execute the same in the capacity indicated.
 MY COMMISSION EXPIRES 3/1/2020
Russ Watts
 (Signature)
 NOTARY PUBLIC

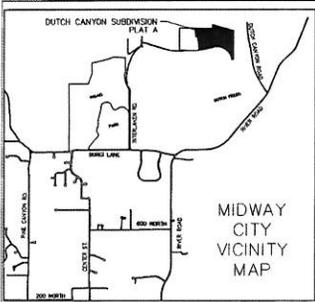
ACCEPTANCE BY MIDWAY CITY
 THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

THIS 22nd DAY OF August, A.D. 2016
 APPROVED Colleen O'Connor ATTEST Carol Wilson
 MAYOR CLERK-RECORDER
 APPROVED Russ Watts APPROVED Kathy A. Howell
 CITY ENGINEER CITY CLERK
 (Signature) (Signature)
 (Name) (Name)
 (Address) (Address)
 (City) (City)
 (State) (State)
 (Zip) (Zip)

PLANNING COMMISSION APPROVAL
 APPROVED THIS 16th DAY OF August, A.D. 2016 BY THE
 MIDWAY CITY PLANNING COMMISSION
Michelle R. Baker John D. Blum
 DIRECTOR - SECRETARY CHAIRMAN, PLANNING COMMISSION

DUTCH CANYON SUBDIVISION PLAT A
 MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S&B&M
 SCALE: 1" = 60 FEET

Exhibit 3



DUTCH CANYON SUBDIVISION PLAT A- LOTS 5&6 AMENDED

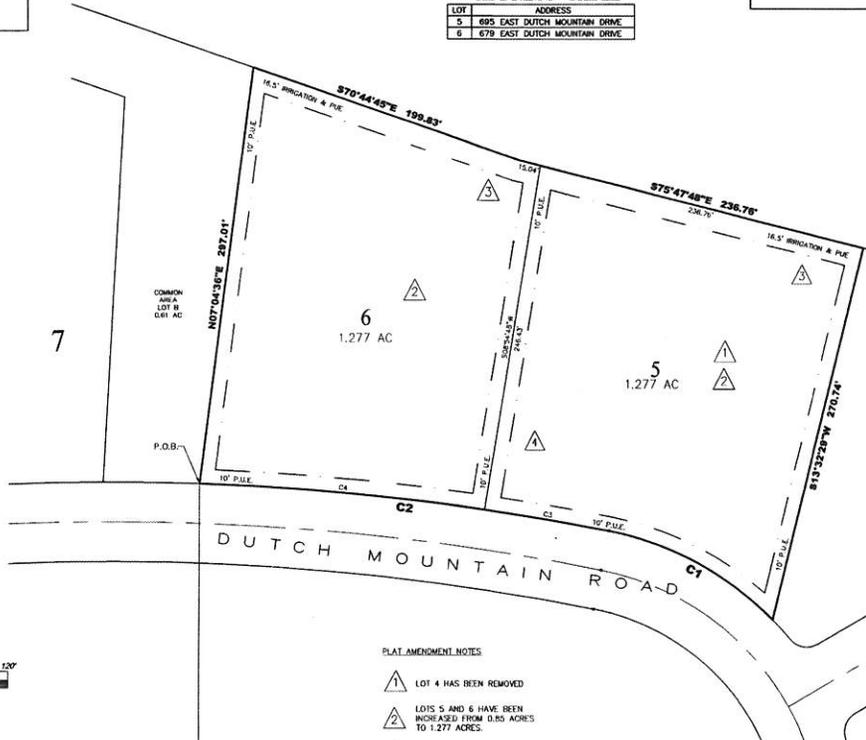
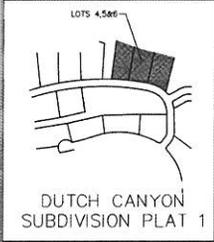
IRRIGATION, EASEMENT, NOTE:

THE INSTALLATION OF PERMANENT STRUCTURES, FENCES, AND TREES IS PROHIBITED WITHIN THE IRRIGATION EASEMENT. MIDWAY IRRIGATION COMPANY HAS THE RIGHT TO ENTER INTO THE EASEMENT AND REMOVE ANY STRUCTURES OR TREES, WITH NO DUTY TO REPLACE THEM.

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING	TANGENT
C1	134.23'	224.00'	34°20'02"	132.23'	N61°40'41"W	69.20'
C2	291.78'	1828.00'	9°08'44"	291.47'	N83°25'04"W	146.20'
C3	89.21'	1828.00'	7°47'46"	89.20'	N80°14'35"W	44.61'
C4	202.57'	1828.00'	6°20'57"	202.47'	N84°48'57"W	101.39'

ADDRESS TABLE

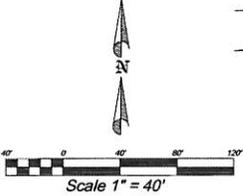
LOT	ADDRESS
5	695 EAST DUTCH MOUNTAIN DRIVE
6	679 EAST DUTCH MOUNTAIN DRIVE



PLAT AMENDMENT NOTES

- 1. LOT 4 HAS BEEN REMOVED
- 2. LOTS 5 AND 6 HAVE BEEN INCREASED FROM 0.85 ACRES TO 1.277 ACRES.
- 3. PRIVATE HORSE TRAIL FOR LOTS 4-6 REMOVED
- 4. PUBLIC UTILITY EASEMENT

DUTCH CANYON SUBDIVISION PLAT A, LOTS 5&6 AMENDED - 24 JANUARY 2019



SURVEYOR
TROY L. TAYLOR, PLS
ELEMENT LAND SURVEYING
2296 SOUTH 270 EAST
HEBER CITY, UT 84032
PHONE (801) 657-8748

FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER SECTION 23, T3S, R4E, S188M

1424.95' 1237.37'
N 89°39'47" E BASIS OF BEARING

FOUND WASATCH COUNTY BRASS BRASS CAP MARKING THE SOUTHEAST CORNER SECTION 23, T3S, R4E, S188M

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-99-603 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

FEB 4 2019 DATE
Troy Taylor SURVEYOR (SEE SEAL BELOW)

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 89°39'47" EAST 2662.32 FEET (MEASURED) FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 23, AND THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 6 OF THE DUTCH CANYON PLAT A SUBDIVISION, SAID POINT BEING LOCATED NORTH 89°39'47" EAST ALONG THE SECTION LINE 1424.95 FEET AND NORTH 1116.87 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 07°04'36" EAST 297.01 FEET; THENCE SOUTH 70°44'45" EAST 199.83 FEET; THENCE SOUTH 75°47'48" EAST 236.78 FEET; THENCE SOUTH 13°32'29" WEST 270.74 FEET; THENCE ALONG THE ARC OF A 224.00 FOOT RADIUS CURVE TO THE RIGHT 134.23 FEET (CENTRAL ANGLE OF 34°20'02" AND A CHORD BEARING NORTH 61°40'41" WEST 132.23 FEET); THENCE ALONG THE ARC OF A 1828.00 FOOT RADIUS CURVE TO THE RIGHT 291.78 FEET (CENTRAL ANGLE OF 09°08'44" AND A CHORD BEARING NORTH 83°25'04" WEST 291.47 FEET); TO THE POINT OF BEGINNING.

CONTAINING: 2.55 ACRES

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF WASATCH } ss.
ON THE 19th DAY OF February, A.D. 2019, PERSONALLY APPEARED BEFORE ME, Shirley Broadbent, Notary Public, State of Utah, My Commission Expires 1/9/2023, Shirley Broadbent, NOTARY PUBLIC.

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF WASATCH } ss.
ON THE 19th DAY OF February, A.D. 2019, PERSONALLY APPEARED BEFORE ME, Shirley Broadbent, Notary Public, State of Utah, My Commission Expires 1/9/2023, Shirley Broadbent, NOTARY PUBLIC.

RESERVATION OF COMMON AREA

THE OWNER, HAS DESIGNATED HEREIN CERTAIN COMMON AREAS INTENDED FOR THE USE BY THE OWNERS, THEIR GUESTS, AND INVITEES, AND ARE HEREBY RESERVED FOR THEIR COMMON USE AND ENJOYMENT AS PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF THE DUTCH CANYON SUBDIVISION AND AS ENFORCED BY THE HOME OWNERS ASSOCIATION.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, EASEMENTS, AND COMMON AREA, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS, EASEMENTS, AND COMMON AREA, FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.
DATED THIS 19th DAY OF February, A.D. 2019

Shirley Broadbent, Jr.
SHIRLEY BROADBENT
Shirley Broadbent, Jr.
SHIRLEY BROADBENT
Shirley Broadbent
SHIRLEY BROADBENT

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF WASATCH } ss.
ON THE 19th DAY OF February, A.D. 2019, PERSONALLY APPEARED BEFORE ME, Shirley Broadbent, Notary Public, State of Utah, My Commission Expires 12-21-2021, Shirley Broadbent, NOTARY PUBLIC.

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
THIS 16th DAY OF March, A.D. 2019.
APPROVED: Troy Taylor ATTEST: Shirley Broadbent
CITY ENGINEER CITY CLERK-RECORDER
APPROVED: Shirley Broadbent APPROVED: Shirley Broadbent
CITY ENGINEER CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS 14th DAY OF February, A.D. 2019, BY THE MIDWAY CITY PLANNING COMMISSION
DIRECTOR - SECRETARY: Shirley Broadbent JOURNALISM, PLANNING COMMISSION

DUTCH CANYON SUBDIVISION PLAT A

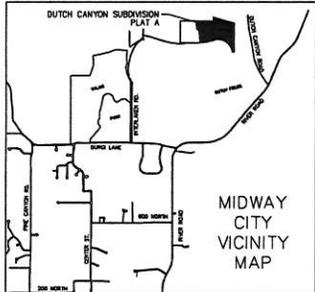
LOTS 5&6 AMENDED
MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S188M
SCALE: 1" = 40' FEET

461323 1246 12/130
DATE: 3-06-19 TIME: 3:40PM PER: SD
FOR: BROADBENT - SANTIAGO
BY: T.L. TAYLOR COUNTY RECORDER REGISTRY FEE \$15.00

COUNTY SURVEYOR'S CERTIFICATE
APPROVED AS TO FORM ON THIS DAY OF February, 2019.
ROS# 2843
Troy Taylor
COUNTY SURVEYOR

SEALS: SURVEYOR'S SEAL, CITY ENGINEER SEAL, CITY CLERK-RECORDER SEAL, CITY ATTORNEY SEAL, PLANNING COMMISSION SEAL, MIDWAY CITY SEAL.

Exhibit 4



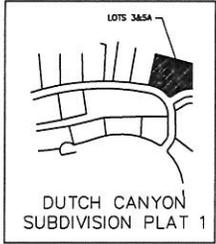
DUTCH CANYON SUBDIVISION PLAT A- LOTS 3&5A AMENDED

IRRIGATION EASEMENT NOTE:
 THE INSTALLATION OF PERMANENT STRUCTURES, FENCES, AND TREES IS PROHIBITED WITHIN THE IRRIGATION EASEMENT. MIDWAY IRRIGATION COMPANY HAS THE RIGHT TO ENTER INTO THE EASEMENT AND REMOVE ANY STRUCTURES OR TREES, WITH NO DUTY TO REPLACE THEM.

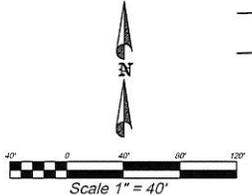
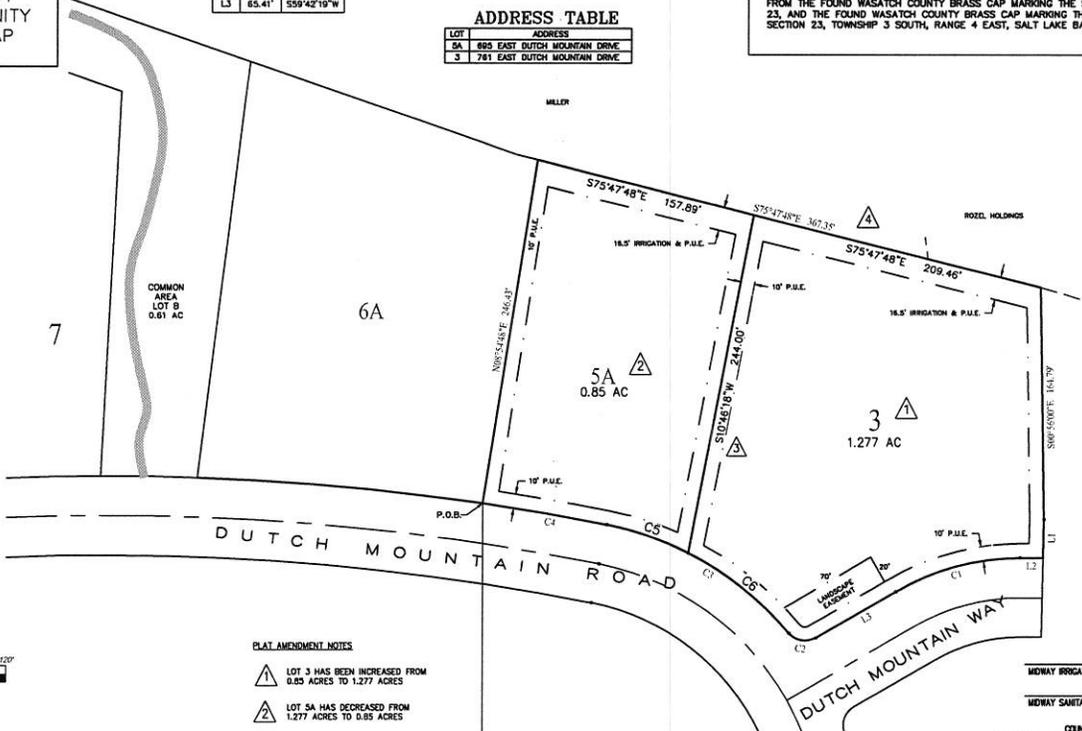
LINE	LENGTH	DIRECTION
L1	27.01'	S01°05'04"W
L2	18.24'	S89°36'30"W
L3	65.41'	S59°42'19"W

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	91.93'	174.00'	30°16'11"	90.86'	S74°50'25"W
C2	21.10'	15.00'	80°36'31"	19.41'	S79°58'25"E
C3	133.10'	223.97'	39°09'54"	130.13'	N89°13'57"W
C4	89.21'	1828.00'	2°47'47"	89.20'	N80°14'35"W
C5	61.24'	224.00'	15°39'55"	61.05'	N71°00'44"W
C6	92.07'	224.00'	23°32'59"	91.42'	N51°24'17"W

LOT	ADDRESS
5A	695 EAST DUTCH MOUNTAIN DRIVE
3	781 EAST DUTCH MOUNTAIN DRIVE



DUTCH CANYON SUBDIVISION PLAT A, LOTS 3&5A AMENDED - 24 MARCH 2021



- PLAT AMENDMENT NOTES**
- ▲ LOT 3 HAS BEEN INCREASED FROM 0.85 ACRES TO 1.277 ACRES
 - ▲ LOT 5A HAS DECREASED FROM 1.277 ACRES TO 0.85 ACRES
 - ▲ PUBLIC UTILITY EASEMENTS HAVE BEEN REVISED PER THE NEW LOT CONFIGURATION
 - ▲ PRIVATE HORSE TRAIL ON LOT 3 HAS BEEN REMOVED

SURVEYOR
 TROY L. TAYLOR, PLS
 ELEMENT LAND SURVEYING
 2206 SOUTH 275 EAST
 HEBER CITY, UT 84032
 PHONE (801) 657-8748
 DATE OF SURVEY: OCT 2015

FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER SECTION 23, T3S, R4E, S18&M

FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHEAST CORNER SECTION 23, T3S, R4E, S18&M

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-86-803 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
 I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE _____ SURVEYOR (SEE SEAL BELOW)

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 89°39'47" EAST 2862.32 FEET (MEASURED) FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 23, AND THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 6 OF THE DUTCH CANYON PLAT A SUBDIVISION, SAID POINT BEING LOCATED NORTH 89°39'47" EAST ALONG THE SECTION LINE 1626.80 FEET AND NORTH 1097.59 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 03°44'48" EAST 246.43 FEET; THENCE SOUTH 75°47'48" EAST 367.35 FEET; THENCE SOUTH 00°56'00" EAST 164.70 FEET; THENCE SOUTH 01°05'04" WEST 27.01 FEET; THENCE SOUTH 89°58'30" WEST 18.24 FEET; THENCE ALONG THE ARC OF A 174.00 FOOT RADIUS CURVE TO THE LEFT 91.93 FEET (CENTRAL ANGLE OF 30°16'11" AND A CHORD BEARING SOUTH 74°50'25" WEST 80.86 FEET); THENCE SOUTH 89°42'19" WEST 65.41 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT 21.10 FEET (CENTRAL ANGLE OF 80°36'31" AND A CHORD BEARING SOUTH 79°58'25" EAST 19.41 FEET); THENCE ALONG THE ARC OF A 223.97 FOOT RADIUS CURVE TO THE LEFT 133.10 FEET (CENTRAL ANGLE OF 39°09'54" AND A CHORD BEARING NORTH 59°13'57" WEST 130.13 FEET); THENCE ALONG THE ARC OF A 1828.00 FOOT RADIUS CURVE TO THE LEFT 89.21 FEET (CENTRAL ANGLE OF 02°47'47" AND A CHORD BEARING NORTH 80°14'35" WEST 89.20 FEET) TO THE POINT OF BEGINNING

CONTAINING: 3.40 ACRES

RESERVATION OF COMMON AREA

THE OWNER, HAS DESIGNATED HEREIN CERTAIN COMMON AREAS INTENDED FOR THE USE BY THE OWNERS, THEIR GUESTS, AND INVITEES, AND ARE HEREBY RESERVED FOR THEIR COMMON USE AND ENJOYMENT AS PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF THE DUTCH CANYON SUBDIVISION AND AS ENFORCED BY THE HOME OWNERS ASSOCIATION.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SURVEYED INTO LOTS, PUBLIC STREETS, EASEMENTS, AND COMMON AREA, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS, EASEMENTS, AND COMMON AREA, FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.
 DATED THIS _____ DAY OF _____, A.D. 20__

WESLON W WHITMAN TRUST

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
 COUNTY OF WASATCH }
 ON THE _____ DAY OF _____, A.D. 20__, PERSONALLY APPEARED BEFORE ME _____ WHO FULLY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
 THIS _____ DAY OF _____, A.D. 20__

APPROVED _____ MAYOR ATTEST _____ CLERK-RECORDER (SEE SEAL)
 APPROVED _____ CITY ENGINEER (SEE SEAL) APPROVED _____ CITY ATTORNEY

PLANNING COMMISSION APPROVAL

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

DUTCH CANYON SUBDIVISION PLAT A LOTS 3&5A AMENDED

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S18&M
 SCALE: 1" = 40 FEET

MIDWAY IRRIGATION COMPANY DATE: _____

MIDWAY SANITATION DISTRICT DATE: _____

COUNTY RECORDER

COUNTY SURVEYOR'S CERTIFICATE

APPROVED AS TO FORM ON THIS DAY OF _____, 20__
 ROS# _____
 COUNTY SURVEYOR

RECORDER SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL