



**Midway**

**CITY COUNCIL MEETING STAFF REPORT**

**DATE OF MEETING:** June 21, 2022

**NAME OF PROJECT:** Kim Bezzant and Reed Bezzant Subdivisions

**NAME OF APPLICANT:** Mark Eugene Whiting Trust  
Cheryl Lee Bezzant Whiting Trust

**AUTHORIZED REPRESENTATIVE:** Cheryl Lee Bezzant Whiting

**AGENDA ITEM:** Plat Amendments of Kim Bezzant “Remaining Parcel A” and Reed Bezzant Lot 11

**LOCATION:** Approximately 600 East and 100 South

**ZONING DESIGNATION:** R-1-11 & C-2 zones

**ITEMS: 10 & 11**

Cheryl Lee Bezzant Whiting is proposing plat amendments of the Kim Bezzant and Reed Bezzant subdivision plats. She is proposing to remove Lot 11 of Reed Bezzant subdivision and add it to “Remaining Parcel A” of the Kim Bezzant subdivision. The properties are located at approximately 600 East and 100 South which are both in the R-1-11 zone except for a minor section of “Remaining Parcel A” which is in the C-2 zone.

## **BACKGROUND:**

Cheryl Lee Bezzant Whiting is proposing plat amendments of the Kim Bezzant and Reed Bezzant subdivision plats. She is proposing to vacate Lot 11 of Reed Bezzant subdivision and add it to "Remaining Parcel A" of the Kim Bezzant subdivision. The reason for the request is based on taxing. Lot 11 (0.17 acres) of the Reed Bezzant subdivision was created for a future road, which would be the future 100 South. The plat was created in 1975 and since then, the lot has been taxed as a building lot when it clearly was created for a future road as it is labeled directly on the plat (it also appears that the lot never met the acreage of the zoning requirements for the lot to be a building lot). If the applicant is able to add the small parcel to her larger parcel ("Remaining Parcel A" - 3.15 acres) then she will receive some tax relief. The status of both lots will not change if the proposal is approved. "Remaining Parcel A" does not have a building right and the area of lot 11 is still planned for a future road, as per the Midway Street Master Plan. A note on the Kim Bezzant plat states the following regarding "Remaining Parcel A":

*Remaining Parcels "A" and "B" are not entitled building lots and must complete the planning and zoning process with Midway City before the building or other improvements are allowed to begin.*

The City has noticed the item and has not received and questions or comments regarding the proposal.

## **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."

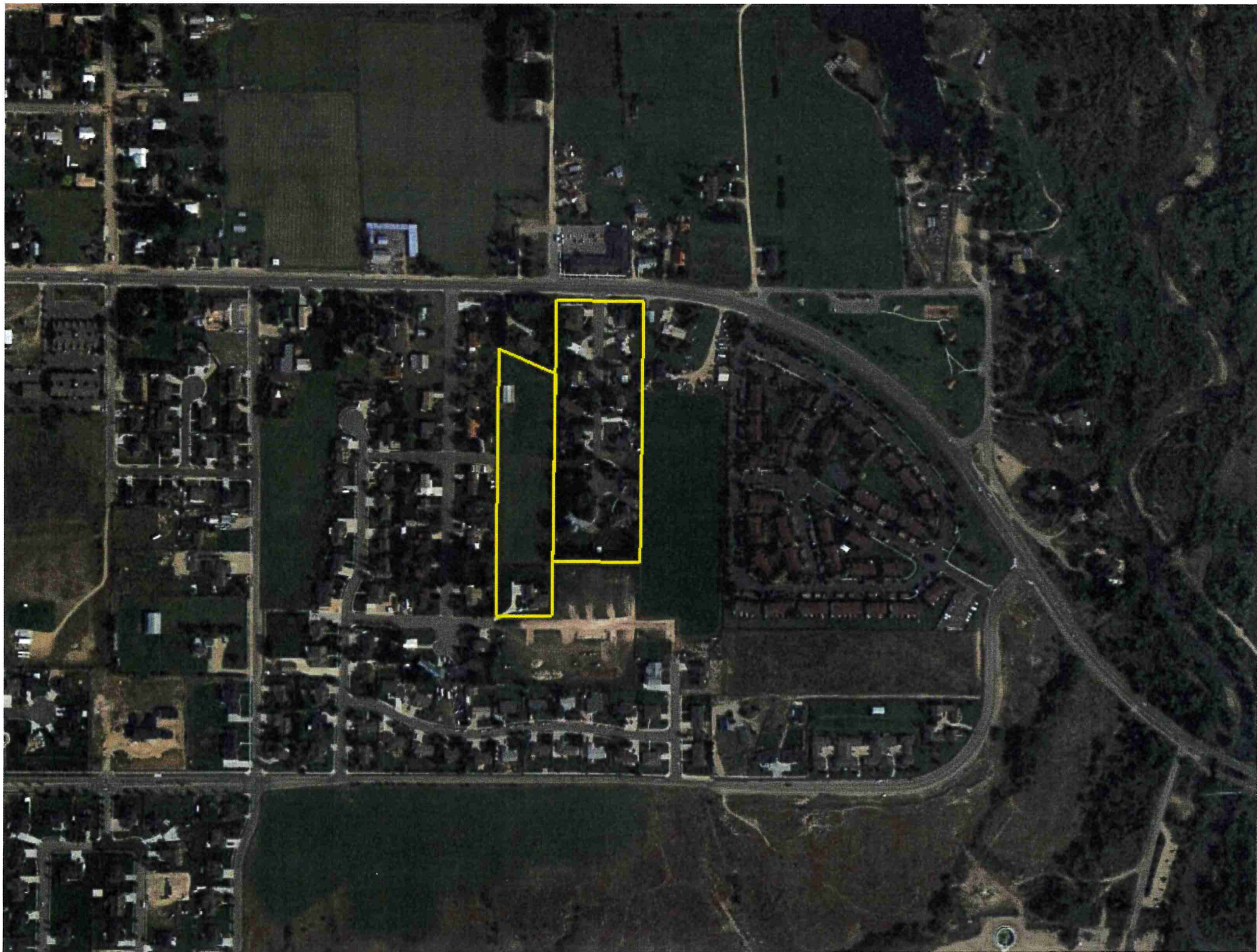
## PROPOSED FINDINGS:

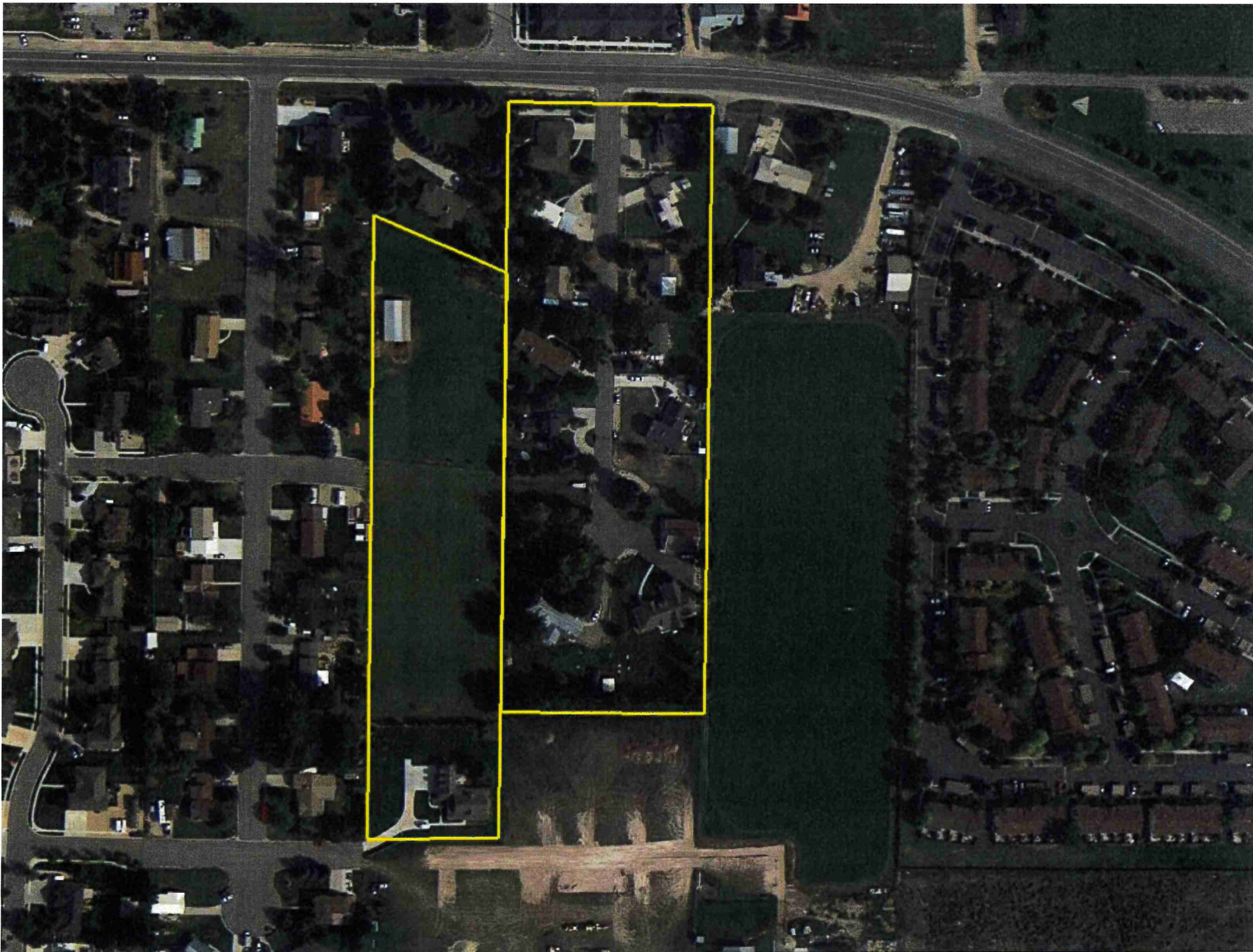
- Reed Bezzant Lot 11 was created to house a future road
- Kim Bezzant “Remaining Parcel A” does not have a building right until the lot receives entitlement through a subdivision process
- State law allows the adjustment of a lot line regardless of whether the lots are located in the same subdivision
- 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
- 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 finds there the proposal complies with the land use ordinance.
  - 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 finds 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 finds that the request does not comply with the ordinance.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

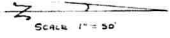




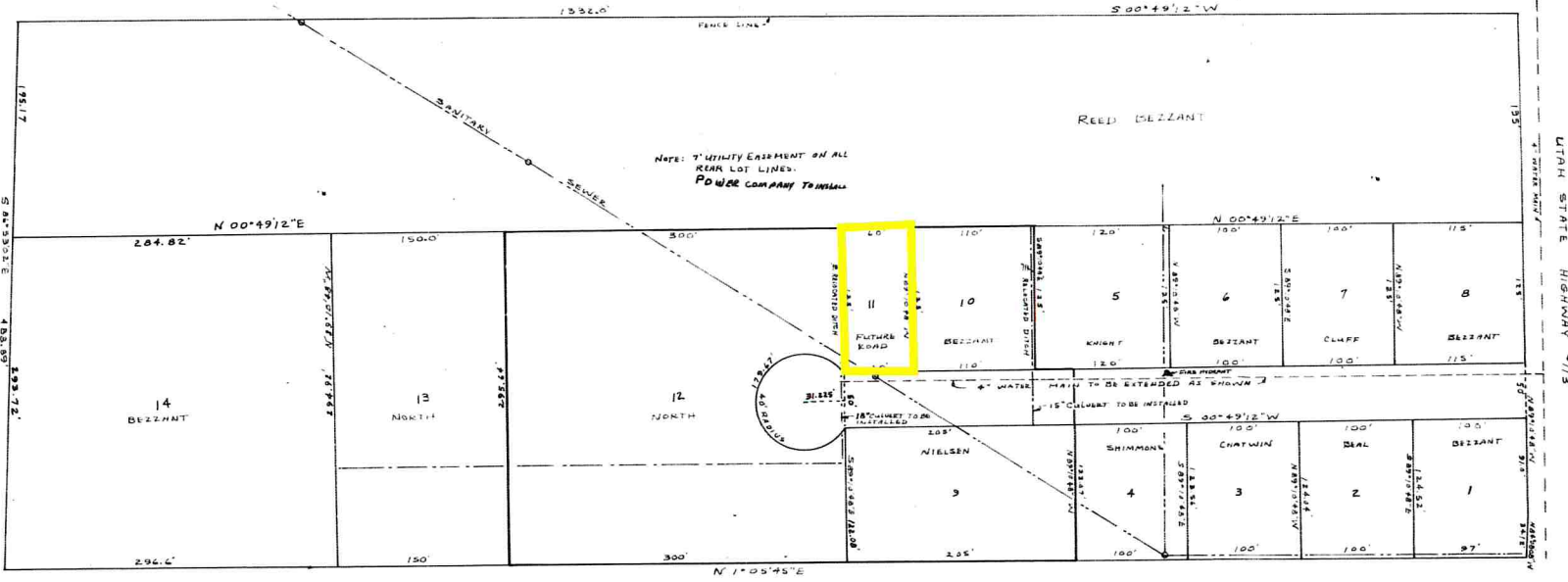




Area of Combined  
Parcels



REED BEZZANT PROPERTY  
MIDWAY, UTAH - MARCH 1975  
R. J. ELLIS SURVEYOR  
UTAH LICENSE #2597



PARCEL #5 (REVERSED)

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W, AND N1°05'45"E 936.6 FEET, AND N89°10'48"W 173.0 FEET, FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE S00°49'12"W 20.0 FEET, THENCE N89°10'48"W 125.0 FEET, THENCE N0°49'12"E 120.0 FEET, THENCE S89°10'48"E 125.0 FEET, THENCE S0°49'12"W 100.0 FEET, TO THE POINT OF BEGINNING.

PARCEL #9

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W, AND N1°05'45"E 746.6 FEET FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE N1°05'45"E 205.0 FEET, THENCE N89°10'48"W 123.07 FEET, THENCE S0°49'12"W 205.0 FEET, THENCE S89°10'48"E 122.08 FEET TO THE POINT OF BEGINNING.

PARCEL #10

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W, AND 293.72 FEET N86°53'02"W, AND 774.82 FEET N00°49'12"E FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE N00°49'12"E 110 FEET, THENCE S89°10'48"E 125 FEET, THENCE S00°49'12"W 110 FEET, THENCE N89°10'48"W 125 FEET TO THE POINT OF BEGINNING.

PARCEL #11

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W, AND 293.72 FEET N86°53'02"W, AND 734.82 FEET N00°49'12"E FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE N00°49'12"E 60.0 FEET, THENCE S89°10'48"E 125 FEET, THENCE S00°49'12"W 60.0 FEET, THENCE N89°10'48"W 125 FEET TO THE POINT OF BEGINNING.

PARCEL #12

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W, AND 434.82 FEET N00°49'12"E, AND N86°53'02"W 293.72 FEET FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE N00°49'12"E 300 FEET, THENCE S89°10'48"E 125 FEET, THENCE S00°49'12"W 300 FEET, THENCE N1°05'45"W 300 FEET, THENCE S89°10'48"E 122.08 FEET TO THE POINT OF BEGINNING.

PARCEL #13

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W, AND 296.6 FEET N1°05'45"E FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE N89°10'48"W 294.92 FEET, THENCE N00°49'12"E 150 FEET, THENCE S89°10'48"E 296.6 FEET, THENCE S1°05'45"W 150 FEET TO THE POINT OF BEGINNING.

PARCEL #14

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W, FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE N1°05'45"E 296.6 FEET, THENCE N89°10'48"W 294.92 FEET, THENCE S00°49'12"W 284.82 FEET, THENCE S86°53'02"E 293.72 FEET, TO THE POINT OF BEGINNING.

ROAD DEDICATION

BEGINNING AT A POINT DESCRIBED AS 4.63 CHAINS NORTH AND 18.67 CHAINS N88°10'W AND N1°05'45"E 951.6 FEET AND N89°10'48"W 123.07 FEET AND S00°49'12"W 15.0 FEET FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B. & M., AND RUNNING THENCE N89°10'48"W 50 FEET, THENCE S00°49'12"W 190 FEET, THENCE ALONG THE ARC OF A 40 FOOT RADIUS CURVE (RADIUS LIES S50°27'32"E 40 FEET) 179.67 FEET, THENCE N00°49'12"E 190 FEET TO THE POINT OF BEGINNING. CONTAINS 0.327 ACRES.

CERTIFICATE:

I, ROBERT J. ELLIS, DO HEREBY CERTIFY THAT I HAD WITH LAND SURVEY LICENSE #2597, AND THAT I HAVE MADE A SURVEY OF FENCES BOUNDING THE PROPERTY PLATED ABOVE, AND THAT THE DIMENSIONS SHOWN ARE TRUE AND CORRECT.  
R. J. Ellis 298-7887  
2476 WEST 4700 SOUTH, S.L.C., UTAH



104362 Date 9/11/15 4:15 P M 6/16/80  
R. J. Ellis  
Midway, Utah  
Madeline DeWitt

APPROVED THIS 16th DAY OF AUGUST AD 19 15  
BY: [Signature]  
CHAIRMAN OF MIDWAY SUNDAY DISTRICT

APPROVED THIS 16th DAY OF AUGUST AD 19 15  
BY: [Signature]  
MAYOR MIDWAY CITY

PLANNING COMMISSION APPROVED THIS 16th DAY OF AUGUST AD 19 15  
BY: [Signature]  
CHAIRMAN MIDWAY CITY PLANNING COMMISSION

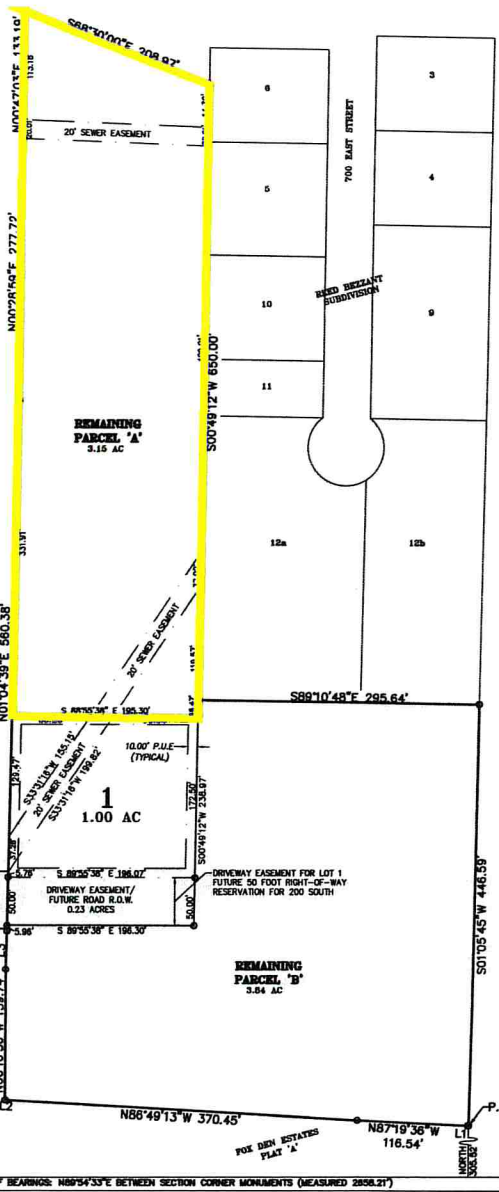


KIM BEZZANT SUBDIVISION PLAT - MARCH 27, 2009

SURVEYOR  
RING CHRISTENSEN, RLS  
P.O. BOX 176  
HEBER CITY, UTAH 84032  
PHONE: (435) 654-9229  
DATE OF SURVEY: OCT 2007

SOUTH 1/4 CORNER,  
SECTION 35, T35, R4E, S18&M,  
SL&M&M, FOUND 1995  
WASATCH COUNTY  
SURVEY MONUMENT  
(SEE ENTRY NO. 188936,  
BK 330 PG 53)

MIDWAY LANE  
PLAT 'A'  
(AMENDED)



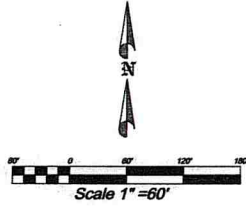
**ADDRESS TABLE**

LOT	ADDRESS
1	645 EAST 200 SOUTH

**LINE TABLE**

LINE	LENGTH	BEARING
L1	0.85'	N86°30'31"W
L2	0.36'	N87°07'34"W
L3	49.31'	N07°29'32"E

○ SET RB/CAP STAMPED PLS 145796



FOR PROVISIONS CONCERNING THE LOT 1 DRIVEWAY AND EASEMENT, SEE RECORDED DEVELOPMENT AGREEMENT AND EASEMENT FOR THE KIM BEZZANT SUBDIVISION.

**BUILDING ENTITLEMENT NOTE:**  
REMAINING PARCELS "A" AND "B" ARE NOT ENTITLED BUILDING LOTS AND MUST COMPLETE THE PLANNING AND ZONING PROCESS WITH MIDWAY CITY BEFORE BUILDING OR OTHER IMPROVEMENTS ARE ALLOWED TO BEGIN.

**SEWER NOTE:**  
SEWER EASEMENT FOUND IN BOOK 60, PAGE 365 OF THE WASATCH COUNTY RECORDER. NO STRUCTURES ARE ALLOWED TO BE BUILT OR PLACED WITH THE SEWER EASEMENT, 04-189-04.

COUNTY RECORDER  
ENTRY # 24707, DATE 4-21-09, TIME 10:31 AM  
FILE # 1550 BK 330 PG 53 FOR BEZZANT SUBDIVISION  
BY KIM BEZZANT, WASATCH COUNTY RECORDER ELIZABETH M PALMER  
PK 1550-1559

SOUTHEAST CORNER, SECTION 35, T35, R4E, S18&M,  
FOUND 1995 WASATCH COUNTY SURVEY MONUMENT  
(SEE ENTRY NO. 188936, BK 330 PG 53)

**BASIS OF BEARING**

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 89°54'33" EAST ALONG THE SECTION LINE BETWEEN THE 1995 WASATCH COUNTY SURVEY MONUMENTS LOCATED AT THE SOUTH ONE-QUARTER AND SOUTHEAST CORNERS OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

**SURVEYOR'S CERTIFICATE**

IN ACCORDANCE WITH SECTION 10-96-603 OF THE UTAH CODE, I, RING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 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: 3/27/09  
SURVEYOR: Ring Christensen  
DEK SEAL NUMBER

**BOUNDARY DESCRIPTION**

BEGINNING SOUTH 89°54'33" WEST 1236.12 FEET ALONG THE SECTION LINE AND NORTH 305.52 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;  
AND RUNNING THENCE ALONG THE NORTHERLY LINE OF THE FOX DEN ESTATES SUBDIVISION, PLAT A, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, WASATCH COUNTY, UTAH, THE FOLLOWING FOUR (4) COURSES: (1) NORTH 86°30'31" WEST 0.85 FEET; (2) THENCE NORTH 87°19'36" WEST 116.54 FEET; (3) THENCE NORTH 86°49'13" WEST 370.45 FEET; (4) THENCE NORTH 87°07'34" WEST 0.36 FEET;  
THENCE ALONG THE EASTERLY LINE OF THE MIDWAY LANE SUBDIVISION, PLAT A (AMENDED), ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, WASATCH COUNTY, UTAH, THE FOLLOWING FIVE (5) COURSES: (1) NORTH 00°10'36" WEST 139.74 FEET; (2) THENCE NORTH 01°29'32" EAST 40.31 FEET; (3) THENCE NORTH 01°04'39" EAST 560.38 FEET; (4) THENCE NORTH 00°29'56" EAST 277.72 FEET; (5) THENCE NORTH 00°47'03" EAST 133.19 FEET;  
THENCE ALONG THE SOUTHERLY BOUNDARY OF THE MARK WHITING PROPERTY SOUTH 88°30'00" EAST 208.97 FEET;  
THENCE ALONG THE BOUNDARY OF THE REED BEZZANT PROPERTY SUBDIVISION, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, WASATCH COUNTY, UTAH, THE FOLLOWING THREE (3) COURSES: (1) SOUTH 00°49'12" WEST 650.00 FEET; (2) THENCE SOUTH 09°10'48" EAST 235.64 FEET; (3) THENCE SOUTH 01°05'45" WEST 448.59 FEET TO THE POINT OF BEGINNING.  
CONTAINING 7.99 ACRES

**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 ONE LOT AND AN EASEMENT FOR A PUBLIC STREET, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE RECORDED DEVELOPMENT AGREEMENT AND EASEMENT.  
DATED THIS 4<sup>TH</sup> DAY OF April, A.D. 2009  
BY: Reed H. Bezzant, REED H. BEZZANT, BEZZANT HOLDINGS LLC  
BY: Bonnie L. Bezzant, BONNIE L. BEZZANT

**ACKNOWLEDGMENT**

STATE OF UTAH }  
COUNTY OF WASATCH } ss.  
ON THE 7<sup>TH</sup> DAY OF April, A.D. 2009, PERSONALLY APPEARED BEFORE ME, Reed H. Bezzant, Notary Public, who duly acknowledged to me that he/she did execute the same in the capacity indicated.  
MY COMMISSION EXPIRES Sept 29, 2010  
Notary Public

**ACKNOWLEDGMENT**

STATE OF UTAH }  
COUNTY OF WASATCH } ss.  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, who duly 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 6<sup>TH</sup> DAY OF APRIL, A.D. 2009  
APPROVED: Camille Tatten, MAYOR, ATTEST: Reed H. Bezzant, CLERK-RECORDER  
APPROVED: Kaye Powell, CITY ENGINEER, ATTEST: Kaye Powell, CITY ATTORNEY

**PLANNING COMMISSION APPROVAL**

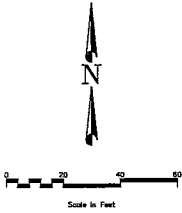
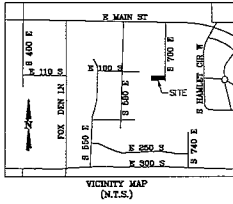
APPROVED THIS 7<sup>TH</sup> DAY OF April, A.D. 2009 BY THE  
MIDWAY CITY PLANNING COMMISSION  
DIRECTOR: \_\_\_\_\_ SECRETARY: \_\_\_\_\_

**KIM BEZZANT SUBDIVISION**

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH  
SCALE: 1" = 80' FEET

Professional seals for Surveyor, Notary Public, City Engineer, and Clerk-Recorder.

**REED BEZZANT PROPERTY  
SUBDIVISION LOT 11 AMENDED**  
(VACATING LOT 11 FROM THE REED BEZZANT PROPERTY SUBDIVISION)  
LOCATED IN THE SOUTHEAST CORNER OF  
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
MIDWAY, WASATCH COUNTY, UTAH



**LEGEND**

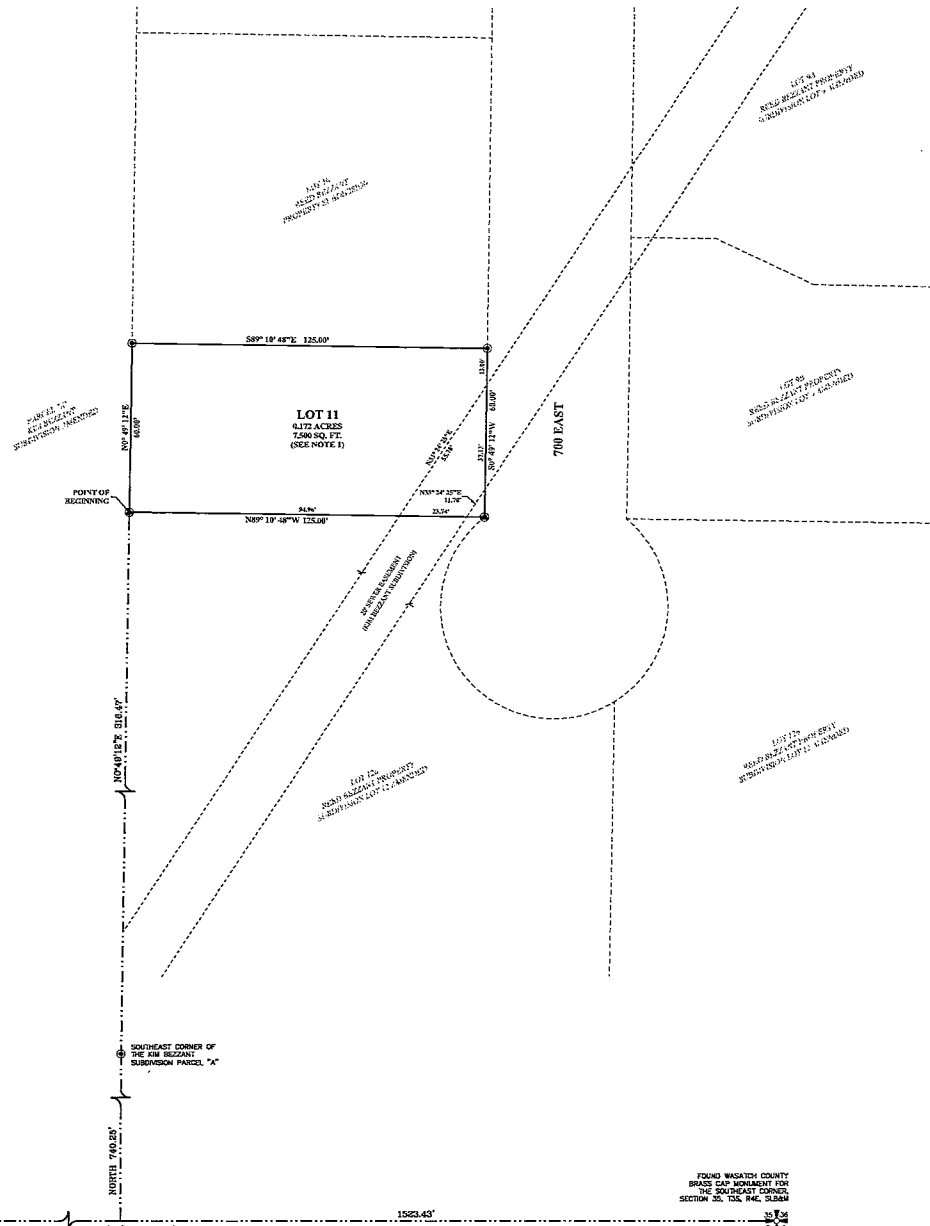
- ① SET REBAR/CAP MARKED  
LEGEND CHANGING PLS 2183780
- ② FOUND REBAR/CAP "PLS 142796"  
(UNLESS OTHERWISE NOTED)
- \_\_\_\_\_ BOUNDARY LINE
- TITLE LINES

**SUBDIVISION NOTES**

1. THIS SUBDIVISION PLAN WAS PREPARED TO VACATE LOT 11 FROM THE REED BEZZANT PROPERTY SUBDIVISION.
2. SINKER CEMENT FOUND IN HOOK #4, PAGE 141 OF THE WASATCH COUNTY RECORDS.

FOUND WASATCH COUNTY  
BRASS CAP MONUMENT FOR  
THE SOUTH QUARTER CORNER,  
SECTION 35, T3S, R4E, S1848

FOUND WASATCH COUNTY  
BRASS CAP MONUMENT FOR  
THE SOUTHEAST CORNER,  
SECTION 35, T3S, R4E, S1848



**ROTINARY DESCRIPTION**  
ALL OF THE REED BEZZANT PROPERTY SUBDIVISION LOT 11 ON FILE AND ON RECORD WITH THE WASATCH COUNTY RECORDERS OFFICE, BEING FURTHER DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 11, SAID FOOT BEING SOUTH 89°43'37" WEST 125.61 FEET ALONG THE SECTION LINE, NORTH 74.3 FEET AND NORTH 69°47' EAST 134.4 FEET FROM THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;  
THENCE S 88°18'48" WEST 125.60 FEET;  
THENCE SOUTH 89°47' EAST 125.61 FEET;  
THENCE SOUTH 89°47' WEST 125.61 FEET;  
THENCE NORTH 89°47' WEST 125.61 FEET TO THE POINT OF BEGINNING.

CONTAINS  
4.12 ACRES  
7,590 SQUARE FEET, MORE OR LESS.

**BASIS OF BEARINGS**  
THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 69°43' WEST 249.22 FEET BETWEEN THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

**SURVEYOR'S CERTIFICATE**  
IN ACCORDANCE WITH SECTION 66-6-6 OF THE UTAH CODE, I, CURT L. WHITING, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NO. 21418 IN AN AGREEMENT WITH THE BOARD OF SURVEYORS OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSED ACT IN THE STATE OF UTAH, THAT I HAVE CONDUCTED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 15-2-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS NECESSARY TO THE PLAT.

**OWNER'S DECLARATION**  
I, CURT L. WHITING, DO HEREBY CERTIFY THAT THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SURVEYED, HEREAFTER TO BE KNOWN AS THE  
**REED BEZZANT PROPERTY SUBDIVISION LOT 11 AMENDED**  
DO HEREBY INDICATE THAT THE PLAT IS FOR PUBLIC USE. ALL PARTS OF LAND, STREETS AND ADJACENT AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.  
CURT L. WHITING, SURVEYOR, LICENSE NO. 21418, FEBRUARY 2011.

PRINT NAME \_\_\_\_\_ PRINT NAME \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ SIGNATURE \_\_\_\_\_  
CURT L. WHITING, SURVEYOR MARK T. DEBARK, WRITING  
FIDELITY

**TRUSTEE'S ACKNOWLEDGEMENT**  
STATE OF UTAH )  
COUNTY OF WASATCH )  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF \_\_\_\_\_ IN SAID STATE OF \_\_\_\_\_, THE NUMBER OF THE ABOVE OWNERS' DECLARATION, WHO AFTER BEING DULY SWORN, DECLARED UNDER PENALTY OF PERJURY THAT THEY SIGNED THE OWNERS' DECLARATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC \_\_\_\_\_ COMMISSION NUMBER \_\_\_\_\_  
COMMISSIONED IN UTAH \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_  
PRINT NAME \_\_\_\_\_

**ACCEPTANCE BY MIDWAY CITY**  
THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION SUBJECT TO THE ORDINANCES AND REGULATIONS OF SAID CITY, AND HEREBY ACCEPTS THE DEDICATION OF ALL LOTS, STREETS, EASEMENTS, AND OTHER PARTS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

APPROVED: \_\_\_\_\_ MAYOR ATTEST: \_\_\_\_\_ CLERK/RECORDER  
CITY ENGINEER CITY ATTORNEY  
(SEE SEAL BELOW)

**PLANNING APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2021, BY THE MIDWAY CITY PLANNING COMMISSION.

PLANNING DIRECTOR \_\_\_\_\_ CHAIRMAN \_\_\_\_\_

MIDWAY SANITATION DISTRICT	DATE	APPROVED THIS _____ DAY OF _____ A.D. 2021.
MIDWAY IRRIGATION COMPANY	DATE	R.O.S. _____ COUNTY SURVEYOR

SURVEYOR SEAL	CITY ENGINEER SEAL	CLERK/RECORDER SEAL
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**LEGEND ENGINEERING**  
50 WEST 100 NORTH  
MIDWAY CITY, UT 84032  
PHONE: 435-856-4659  
www.legendengineering.com

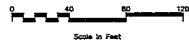
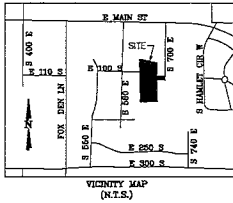
Recorder \_\_\_\_\_ DATE: 6/1/22  
SCALE: 1"=20'  
PAGE: 1 OF 1  
PROJECT: S22-032

REVIEW COPY

# KIM BEZZANT SUBDIVISION 2ND AMENDED

(COMBINE THE KIM BEZZANT SUBDIVISION AMENDED PARCEL "A"  
AND THE REED BEZZANT PROPERTY SUBDIVISION LOT 11)

LOCATED IN THE SOUTHEAST CORNER OF  
SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
MIDWAY, WASATCH COUNTY, UTAH



### LEGEND

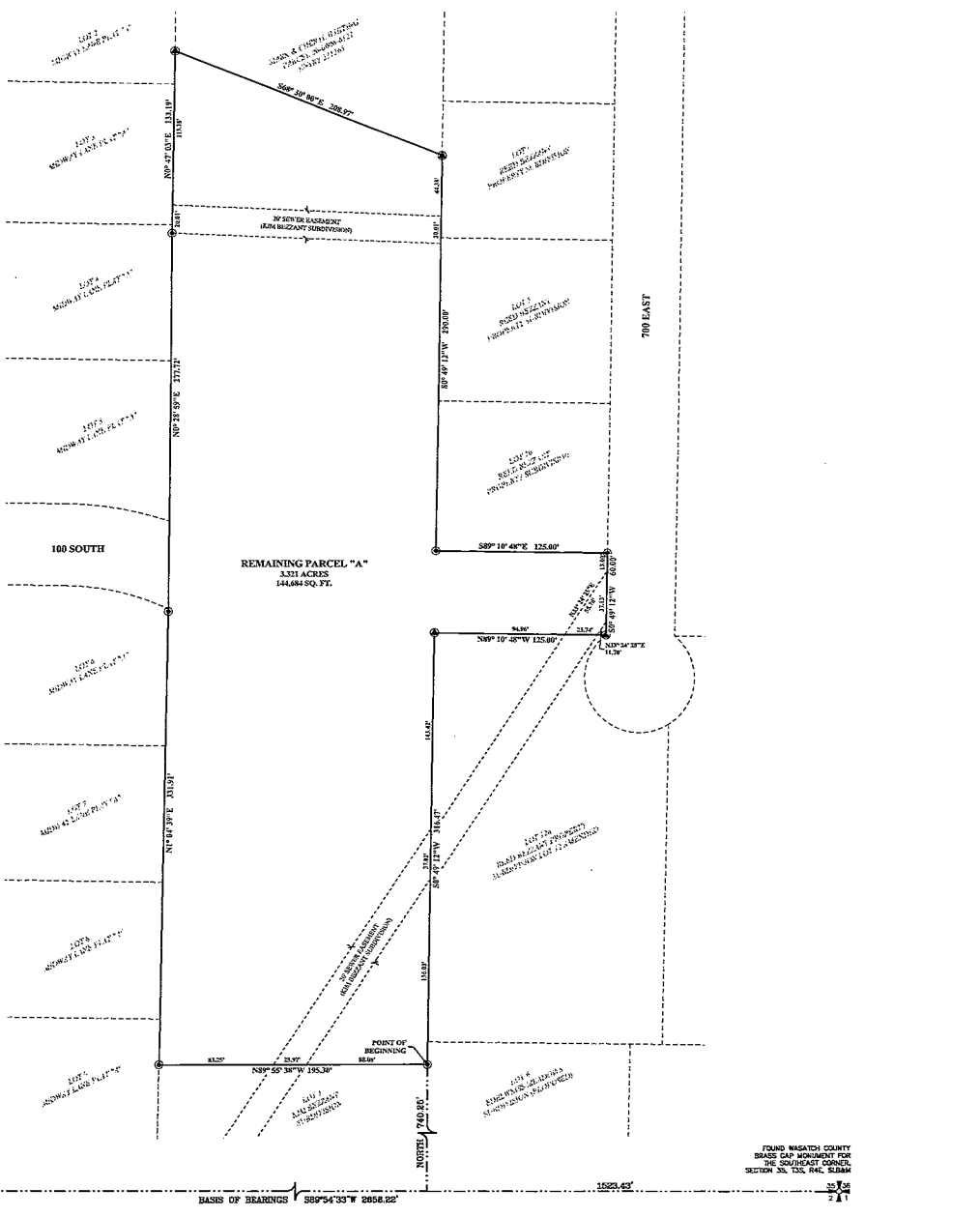
- SET REBAR/CAPI MARKED  
LEGEND ENGINEERING PLS 5183760
- FOUND REBAR/CAPI "PLS 147996"  
(UNLESS OTHERWISE NOTED)
- BOUNDARY LINE
- TITLE LINES

### SUBDIVISION NOTES

1. THIS SUBDIVISION PLAN WAS PREPARED TO COMBINE PARCEL "A" OF THE KIM BEZZANT SUBDIVISION AMENDED AND LOT 11 OF THE REED BEZZANT PROPERTY SUBDIVISION.
2. REMAINING PARCEL "A" IS NOT AN ENTITLED BUILDING LOT AND MUST COMPLETE THE PLANNING AND ZONING PROCESS WITH MIDWAY CITY. BEFORE BUILDING OR OTHER DEVELOPMENT IS ALLOWED TO BEGIN.
3. 1 BARRIER EASEMENT FOUND IN BOOK 46, PAGE 363 OF THE WASATCH COUNTY RECORDS.

FOUND WASATCH COUNTY  
BRASS CAP MONUMENT FOR  
THE SOUTH QUARTER CORNER,  
SECTION 35, T3S, R4E, S35M

FOUND WASATCH COUNTY  
BRASS CAP MONUMENT FOR  
THE SOUTHEAST CORNER,  
SECTION 35, T3S, R4E, S35M



<b>BOUNDARY DESCRIPTION</b>	
<p>ALL OF THE KIM BEZZANT SUBDIVISION PARCEL "A" AND THE REED BEZZANT PROPERTY SUBDIVISION LOT 11 ON FILE AND ON RECORD WITH THE WASATCH COUNTY RECORDS OFFICE, BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A" SAID POINT BEING NORTH 89° 04' WEST 533.47 FEET ALONG THE SECTION LINE AND NORTH 74° 25' WEST FROM THE SOUTHWEST CORNER OF SAID PARCEL "A" TO THE FOLLOWING POINTS: THENCE NORTH 89° 04' WEST (IN 10 FEET ALONG THE NORTH LINE OF LOT 11 OF THE KIM BEZZANT SUBDIVISION) THENCE ALONG THE SOUTHWEST CORNER OF SAID PARCEL "A" TO THE FOLLOWING POINTS:</p> <ol style="list-style-type: none"> <li>1. NORTH 89° 04' WEST 533.47 FEET;</li> <li>2. NORTH 74° 25' WEST 100.00 FEET;</li> <li>3. NORTH 89° 04' WEST 294.91 FEET;</li> <li>4. SOUTH 89° 04' WEST 100.00 FEET TO THE NORTH WEST CORNER OF SAID LOT 11;</li> <li>5. THENCE ALONG THE BOUNDARY OF SAID LOT 11 THE FOLLOWING THENCE COURSE:</li> <li>1. SOUTH 89° 04' WEST 12.00 FEET;</li> <li>2. SOUTH 89° 04' WEST 48.00 FEET;</li> <li>3. NORTH 89° 04' WEST 12.00 FEET TO THE EAST LINE OF SAID PARCEL "A";</li> <li>THENCE SOUTH 89° 04' WEST 164.47 FEET ALONG SAID PARCEL "A" TO THE POINT OF BEGINNING.</li> </ol> <p>CONTAINS 1 LOT 3.321 ACRES 144,684 SQUARE FEET, MORE OR LESS.</p>	
<b>BASIS OF BEARINGS</b>	
<p>THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 89° 04' WEST 264.22 FEET BETWEEN THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.</p>	
<b>SURVEYOR'S CERTIFICATE</b>	
<p>IN ACCORDANCE WITH SECTION 16-1-104 OF THE UTAH CODE, I, CURT B. BECKING, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 149768 IN ACCORDANCE WITH TITLE 16, CHAPTER 12 OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT AND THAT I AM THE SURVEYOR OF RECORD FOR THIS SURVEY. I HAVE PERSONALLY CONDUCTED THE SURVEY AND I HAVE PERSONALLY CHECKED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAN.</p>	
<b>OWNER'S DEDICATION</b>	
<p>I, THE UNDERSIGNED, HEREBY DEDICATE TO THE PUBLIC THE ABOVE DESCRIBED TRACT OF LAND, HAVING CALLED THE SAME TO BE SURVEYED, HEREAPTO BE KNOWN AS THE <b>KIM BEZZANT SUBDIVISION 2ND AMENDED</b> AND I HEREBY CERTIFY THAT I AM THE OWNER OF SAID TRACT OF LAND AND I HAVE PERSONALLY CHECKED THE PLAT IN ACCORDANCE WITH TITLE 16, CHAPTER 12 OF THE UTAH CODE AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAN.</p> <p>DATE: _____ 2012.</p> <p>CURT B. BEZZANT TRUST DATED 22 FEBRUARY 2011</p>	
<p>PRINT NAME _____ PRINT NAME _____</p> <p>SIGNATURE _____ SIGNATURE _____</p> <p>CURT B. BEZZANT TRUST MARY ELLEN BEZZANT TRUST</p>	
<b>TRUSTEE'S ACKNOWLEDGEMENT</b>	
<p>STATE OF UTAH ) COUNTY OF WASATCH )</p> <p>ON THIS _____ DAY OF _____ 2012, I, _____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF _____, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGES TO ME THAT THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.</p> <p>NOTARY PUBLIC _____ COMMISSION NUMBER _____ COMMISSIONED IN UTAH _____ MY COMMISSION EXPIRES _____</p> <p>PRINT NAME _____</p>	
<b>ACCEPTANCE BY MIDWAY CITY</b>	
<p>THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH HEREIN AND HEREBY ACCEPTS THE DEDICATION OF ALL LOTS, STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC, THIS _____ DAY OF _____ 2012.</p> <p>APPROVED: MAYOR _____ ATTEST: CLERK/RECORDER _____ (OFFICIAL SEAL)</p> <p>APPROVED: CITY ENGINEER _____ APPROVED: CITY ATTORNEY _____ (OFFICIAL SEAL)</p>	
<b>PLANNING APPROVAL</b>	
<p>APPROVED THIS _____ DAY OF _____ A.D. 2012, BY THE MIDWAY CITY PLANNING COMMISSION</p> <p>PLANNING DIRECTOR _____ CHAIRMAN _____</p>	
<b>COUNTY SURVEYOR</b>	
<p>SUBWAY SANITATION DISTRICT _____ DATE _____ APPROVED THIS _____ DAY OF _____ A.D. 2012.</p> <p>R.O.S. # _____ COUNTY SURVEYOR _____</p>	
<b>CITY ENGINEER SEAL</b>	
<p>SURVEYOR SEAL _____ CITY ENGINEER SEAL _____ CLERK/RECORDER SEAL _____</p>	
<b>LEGEND ENGINEERING</b>	
<p>LEGEND ENGINEERING 50 WEST 100 NORTH HERRIS CITY, UT 84038 PHONE: 435-434-4838 www.legendengineering.com</p>	
<p>Recorder _____ DATE 6/1/22</p> <p>SCALE 1"=40'</p> <p>PAGE 1 OF 1</p> <p>PROJECT: S22-032</p>	

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