

CRAIG W BUTTARS
COUNTY EXECUTIVE / SURVEYOR

199 NORTH MAIN
LOGAN, UTAH 84321
TEL: 435-755-1850
FAX: 435-755-1981



COUNTY COUNCIL
KATHY ROBISON, COUNCIL CHAIR
GREG MERRILL, COUNCIL VICE CHAIR
DAVID L. ERICKSON
VAL K. POTTER
JON WHITE
CORY YEATES
GORDON A. ZILLES

April 24, 2015

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **REGULAR MEETING** in the Cache County Historic Courthouse, County Council Chambers, 199 North Main, Logan, Utah 84321 at **5:00 p.m.** on **TUESDAY, APRIL 28, 2015**

AGENDA

- 5:00 p.m.**
1. **CALL TO ORDER**
 2. **OPENING / PLEDGE** – Craig W Buttars
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (April 14, 2015)
 5. **REPORT OF COUNTY EXECUTIVE**
 - a. Appointments
 - b. Warrants
 - c. Other Items
 6. **CONSENT AGENDA**
 - a. **Funk Subdivision Amendment** – Matthew Funk requesting an addition of one non-buildable lot to an existing subdivision on 53.3 acres in the Agricultural (A10) Zone located at 1075 South State, Richmond
 7. **ITEMS OF SPECIAL INTEREST**
 8. **UNIT OR COMMITTEE REPORTS**
 - a. School Contracts – Sheriff Chad Jensen
 - b. Audit Committee Report – Greg Merrill, Chairman
 9. **BUDGETARY MATTERS**
 10. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
 - a. **Set Public Hearing** for May 12, 2015 at 5:30 p.m. – **Proposed Changes to the Vehicle Emissions I/M Program**
 - b. **Set Public Hearing** for May 12, 2015 at 5:45 p.m. – **Disposition of Real Property**
 - c. **Public Hearing – Open 2015 Budget**
- 6:00 p.m.***
11. **PENDING ACTION**

12. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**
 - a. **Resolution 2015-07 – Amendments to 2015 Budget**
 - b. **Resolution 2015-08 –Authorizing the Amendment of an Interlocal Agreement with Weber County for the Partial Development of Powder Mountain within Cache County**
 - c. **Paradise Horizon Subdivision** – Ray Balls requesting a 3-lot subdivision on 20.19 acres in the Agricultural (A10) Zone located approximately 800 East 8600 South, Paradise
 - d. Property Tax Deferral Requests

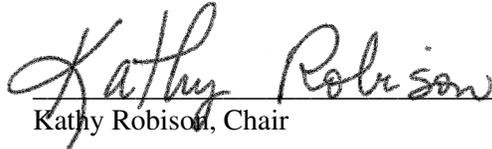
13. **OTHER BUSINESS**
 - a. 2015 UAC Management Conference – April 29, 30, May 1, 2015 – Utah Valley Convention Center
Craig Buttars, Cory Yeates, Cory Wood

 - b. Health Days Parade – Saturday, May 9, 2015 at 10:00 a.m.
Val Potter, Greg Merrill, Kathy Robison, David Erickson

 - c. Black & White Days Parade – Saturday, May 16, 2015 at 5:00 p.m.
Craig Buttars

14. **COUNCIL MEMBER REPORTS**

15. **ADJOURNMENT**


Kathy Robison, Chair

***Citizens desiring to be heard at a public hearing are encouraged to submit their messages in writing prior to or during the hearing**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen at 755-1850 at least three working days prior to the meeting.

STAFF REPORT: FUNK SUBDIVISION AMENDMENT

09 APRIL 2015

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Matthew Funk

Parcel ID#: 08-002-0017

Staff Determination: Approval

Type of Action: Administrative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:

1075 South State, Richmond

Surrounding Uses:

North – Agricultural/Residential/Richmond City

South – Agricultural/Residential

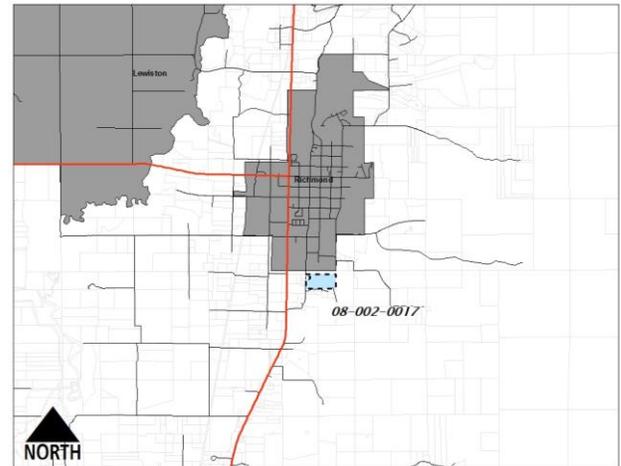
East – Agricultural/Residential

West – Agricultural/Residential

Current Zoning:

Agricultural (A10) Zone

Acres: 53.3



PURPOSE AND SUMMARY

Purpose:

To review and make a decision regarding the proposed amendment of the Funk Subdivision Amendment.

Summary:

This proposal is to amend the existing Funk Subdivision that was approved via conditional use permit on 08 July 1994. The current amendment proposal reflects the creation of a new lot for a pumping station that will provide water for Lower Foods. This new lot shall not be eligible for development. The proposed amendments meet the current density requirements as provided in §17.09.080.

Access:

- Access to these lots is from 1075 South State Street in Richmond and is adequate, as this is not a buildable lot.

Service Provision:

- Water supply for fire suppression will be provided by the Richmond Fire Department. Access for emergency services is adequate.

Sensitive Areas:

- Wetlands and moderate slopes may be located within the subdivision boundary, but do not appear to be located on the proposed development lots.

Public Comment:

Notices were mailed to the property owners located within 300 feet and municipalities within one mile of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (4)

It is staff's determination that the Funk Subdivision Amendment with parcel number(s) 08-002-0017 is in conformance with the Cache County Ordinance requirements and should be approved. This determination is based on the following findings of fact:

1. The Funk Subdivision Amendment has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Funk Subdivision Amendment has been revised and amended to conform to the requirements of the Cache County Code, State Code, and the requirements of various departments and agencies.
3. The Funk Subdivision Amendment conforms to the subdivision amendment requirements of the Cache County Subdivision Ordinance.
4. The Funk Subdivision Amendment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

NORTH

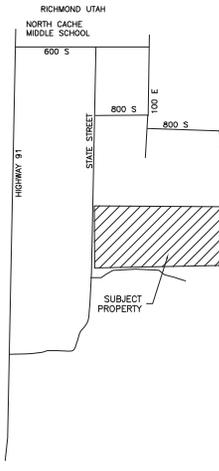


0 200 400ft. SCALE 1" = 200'-0"

FUNK SUBDIVISION Part of the North Half of Section 2, Township 13 North, Range 1 East, Salt Lake Baseline & Meridian Cache County, Utah

- LEGEND: BOUNDARY LINE, FENCE, EASEMENT, SETBACK, SET REBAR W/ PLASTIC CAP MARKED PELS 275617, FOUND REBAR, DEED RECORD DISTANCE (120' B.R.), SECTION CORNER

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Brian G. Lyon, a Registered Land Surveyor, hold Certificate No. 275617, as prescribed by the laws of the State of Utah, and do hereby certify that by authority of the owners, I have made a survey of the tract of land shown on this plat, which is accurately described hereafter, and have subdivided said tract of land into lots and private accessways to be hereafter known as FUNK SUBDIVISION and that the same has been surveyed and staked on the ground as shown on this plat.

SURVEYOR'S NOTES/NARRATIVE

- 1. The purpose of this survey was to divide one lot from Parcel 08-002-0017 recorded in Book 1729 Page 1051. Parcel 08-002-0042 was included on Lot 1 to meet Cache County Subdivision ordinance. The survey was requested by Matt Funk.
2. The Basis of Bearing is the west right of way line of State Highway 91 from right of way markers found at Engineers P.C. Station 346+41.921 62.00 feet left and the right of way marker found at Engineers P.C. Station 358+80.896 62.00 feet left which bears N 01°08'19"E per U.D.O.T. Highway Plans for Project RSP-009(0330).
3. 5/8" rebar to be set at property corners as shown.
4. Lot 2 is not a residential building lot.
5. Line was established along the north line of Nebo Estates Subdivision using found rebar as shown. It also follows an existing fence line.
6. Re-establish along the east right of way of State Street being 33' from the center of the road.
7. This line as established along an old fence line runs along over 70% of the length of the line. Several found rebar were found north of the fence which were not held. According to Matt Funk that fence has been there for over 45 years and it is also within 9 inches from record distance from the deed. Therefore, I believe it to be the original surveyed line.

SUBDIVISION BOUNDARY DESCRIPTIONS

Part of the North Half of Section 2, Township 13 North, Range 1 East of the Salt Lake Base and Meridian described as follows: Beginning at the Southeast Corner of Lot 2 (Northeast 1/18 Corner), Section 2, Township 13 North, Range 1 East of the Salt Lake Baseline and Meridian monumented with a 5/8" Rebar at a fence intersection and running thence S89°24'15"W 2209.07 feet (S89°40'0"W 2211.94 feet, By record) along the north line of Nebo Creek Estates recorded August 14, 2006 under Entry No. 923259 to the east line of State Street; thence N01°22'07"E 1075.74 feet along east side line; thence S89°39'10"E 2182.91 feet (East 132 rods/2178 feet, By Record); thence S00°01'14"E 1038.24 feet (South 63-1/23 rods/1039.24 feet, By Record) to the point of beginning, containing 53.30 acres.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERIGNED OWNERS OF THE TRACT OF LAND DEPICTED AND DESCRIBED HEREON, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, THE WHOLE TO BE HEREAFTER KNOWN AS THE "FUNK SUBDIVISION", FURTHER WE DEDICATE AND/OR QUIT CLAIM AS APPROPRIATE TO CACHE COUNTY, FOR THE USE OF THE PUBLIC FOREVER, AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY AND ALL IMPROVEMENTS FOR THE CONSTRUCTION, MAINTENANCE, AND REPAIR OF SAID ROADWAY AND ALSO DEDICATE THE PUBLIC UTILITY EASEMENT AS SHOWN TO CACHE COUNTY.

MATTHEW G. FUNK JANET M. FUNK

ACKNOWLEDGEMENT

STATE OF UTAH, COUNTY OF CACHE. THE FOREGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME, THE UNDERIGNED NOTARY PUBLIC THIS ____ DAY OF ____ 20____ BY ____ WHO PROMISED ON BASIS OF SUFFICIENT EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL. NOTARY PUBLIC

COUNTY COUNCIL APPROVAL AND ACCEPTANCE

THIS PLAT WAS APPROVED BY THE CACHE COUNTY COUNCIL BY MAJORITY VOTE ON THE ____ DAY OF ____

DATED THIS ____ DAY OF ____ 2015

CACHE COUNTY COUNCIL

BY: CHAIRMAN

ATTESTED TO: CHAIRMAN

CACHE COUNTY CLERK

COUNTY RECORDER

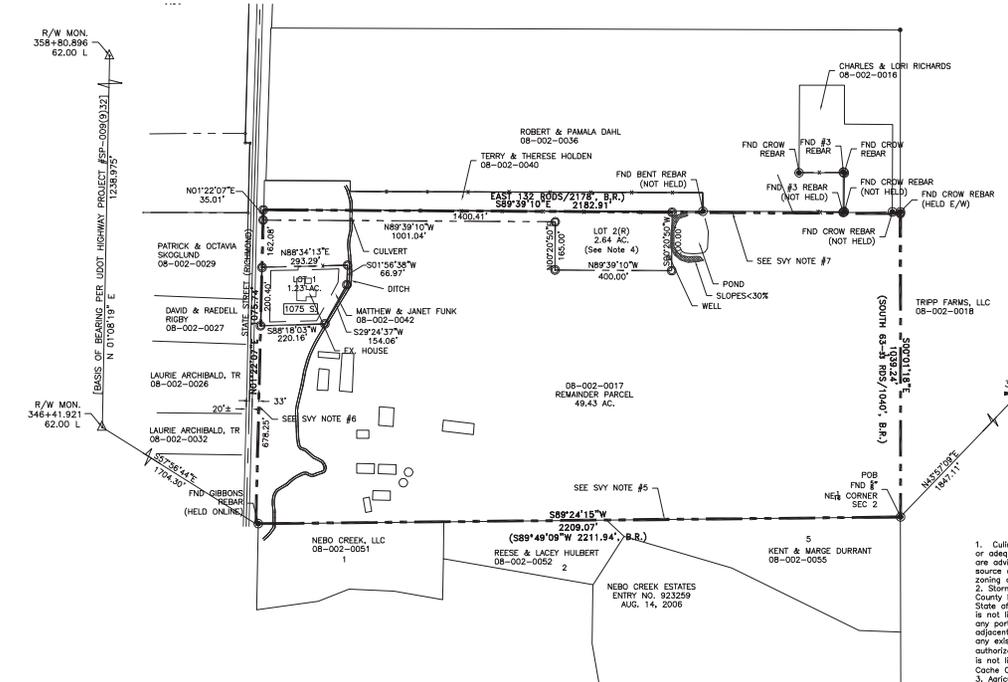
State of Utah, County of Cache, recorded and filed of the request of

Date: ____ Time: ____ Fee: ____

Entry: ____

Index: ____

Filed in: File of plats County Recorder



NOTES AND PROTECTIVE COVENANTS

- 1. Cullinary Water: Cache County has not determined the availability or adequacy of cullinary water to any of the lots identified. All owners are advised of the requirements to obtain an approved cullinary water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of a building permit.
2. Storm Water Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards and State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the effected party or entity (may include but is not limited to: adjacent property owner(s), ditch or canal company, Cache County, or the State Water Engineer's Office.)
3. Agricultural Uses: Current and future property owners must be aware that they will be subject to the sights, sounds, and smells associated with agricultural activities which are permitted uses in the Agricultural Zone and Forest Recreation Zone.
4. Setback: 30' Front Rebar 12' Side Setback setback lines are for primary buildings only

Professional stamps and forms including: ALLIANCE CONSULTING ENGINEERS, FUNK SUBDIVISION, DEED RECORD DISTANCE, and COUNTY RECORDER information.

DEPUTY COUNTY SURVEYOR I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE COUNTY SURVEYOR'S OFFICE AND FURTHER THAT IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW. DATE DEPUTY COUNTY SURVEYOR

CACHE COUNTY PLANNING COMMISSION THIS PLAT WAS REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON THE ____ DAY OF ____ 2015. IT IS THE RECOMMENDATION OF THIS BOARD TO APPROVE/DENY THIS SUBDIVISION BASED ON ITS FINDINGS. CACHE COUNTY PLANNING COMMISSION BY: CHAIRMAN

BEAR RIVER HEALTH DEPARTMENT APPROVAL THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS ____ DAY OF ____ 2015. BEAR RIVER HEALTH DEPARTMENT BY: TITLE:

CACHE COUNTY ATTORNEY I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE THIS ____ DAY OF ____ 2015. CACHE COUNTY ATTORNEY

PROJECT TITLE: FUNK SUBDIVISION Part of the North Half of Section 2, Township 13 North, Range 1 East, Salt Lake Baseline and Meridian Cache County, Utah. DATE: JAN. 22, 2015. DRAWING NO: 1 of 1

STAFF REPORT: PARADISE HORIZON SUBDIVISION

09 April 2015

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Ray Balls

Parcel ID#: 01-093-0014

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson - Planner I

Project Address:

800 East 8600 South
Paradise, Utah 84302

Current Zoning:

Agricultural (A10)

Acres: 20.19

Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

Purpose:

To review and make a recommendation to the County Council regarding the proposed Paradise Horizon Subdivision.

Ordinance:

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per two (2) acres for the first three lots, then one (1) unit per ten (10) acres thereafter.

Summary:

This proposal is to divide parcel number 01-093-0014 into three (3) developable lots. The total developable acreage for this subdivision is 20.19 acres. The maximum development potential is four (4) lots.

Access:

- Access to this property is from county road 8600 South, and is adequate except for the portion at the canal crossing and the private road point of access to 8600 South. These substandard portions are 18' wide.
- The location of the private road access onto 8600 South must be moved to the west, to the portion of 8600 South that meets the minimum county road standards.
- Staff proposes that a design exception be granted to allow the narrow crossing of the 8600 South bridge. At present, this sub-standard bridge serves a number of homes within the Charlieville area. The addition of two more buildable lots does not justify the expansion of the bridge, as ingress/egress function with this single choke point for emergency equipment.
- The access road to the proposed lots must meet the minimum county requirements, specifically, a 22' wide paved surface with 1' wide gravel shoulders from 8600 South. The throat of access must be paved within the county right-of-way.
- The Cache County Manual of Roadway Design and Construction Standards §2.5 specifies that the maximum length of terminal roads shall not be longer than 500 feet from the centerline of the adjoining road to the center of the cul-de-sac. The proposed private road Paradise Horizon Drive is 326' long.
- As this roadway will only service three single family dwellings it is not required that it be considered a county road.
- Dedication of right-of-way for the portion within 38' of centerline of 8600 South.

Water & Septic:

- An adequate, approved, domestic water right must be in place for all buildable lots prior to final plat recordation.
- Only one dry lot is permitted per subdivision. This lot is not buildable until an approved, domestic water right, in the owner's name is in place.
- The proposed lots are feasible for an on-site septic tank system. Additional review and permitting by the Bear River Health Department may be required prior to placement of a septic system.

Service Provision:

- The proponent must provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 8600 South.
- A school bus stop is located at the intersection of 8600 South 800 East.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum county standards, and any other applicable codes.
- Water supply for fire suppression will be provided by the Paradise Fire Department. Access for emergency services will require further review following the construction of the private road.

Sensitive Areas:

- Moderate slopes, and to a minimal degree steep slopes, are located within the subdivision boundary. Any development within moderate slope areas shall require further geotechnical review.
- A geotechnical report was submitted to determine the location of said fault line. The report's conclusions and recommendations stated that earthquake ground shaking is the only geologic hazard posing a high relative risk to the site. A moderate risk may also exist from problem soils. The site is suitable for the proposed development and additional geotechnical engineering studies should be conducted prior to construction.

Public Comment:

Notices were mailed to the property owners located within 300 feet and municipalities within one mile of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (5)

It is staff's determination that the Paradise Horizon Subdivision, a 3-lot subdivision for property located at approximately 800 East 8600 South with parcel number 01-093-0014, is in conformance with the Cache County Ordinance requirements and should be forwarded to the County Council with a recommendation of approval. This determination is based on the following findings of fact:

1. The Paradise Horizon Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Paradise Horizon Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Paradise Horizon Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Paradise Horizon Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. A design exception is granted to allow the 18' wide narrow bridge, as service provision and fire protection can be accommodated with a one lane bridge and fully improved roadway.

CONDITIONS OF APPROVAL (8)

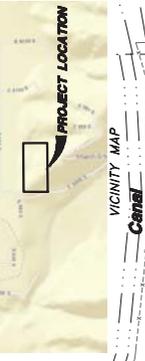
The following conditions must be met prior to recordation for the developments to conform to the County Ordinance and the requirements of county service providers.

1. The proponent shall meet all applicable standards of the Cache County Ordinance.
2. An adequate, approved, domestic water right shall be in place for all building lots within the subdivision.
3. The proponent must provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 8600 South.
4. The design of the private road providing access to the development shall be reviewed and approved by the Cache County Engineer for compliance with applicable codes. A full set of engineered design and construction plans shall be submitted and shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. Fees for any engineering review of the private road shall be borne by the proponent.
5. 8600 South must be fully improved to the point of access.
6. The right-of-way for the private road Paradise Horizon Drive shall be built to meet and/or exceed county roadway standards, including but not limited to:
 - a. 22' wide paved surface with 1' wide gravel shoulders to the specifications of the Cache County Roadway Construction Manual.
 - b. The throat of access must be paved within the county right-of-way.
7. The applicant shall post MUTCD compliant signage to indicate that the road is private and there shall be no county maintenance or snow removal on Paradise Horizon Drive.
8. It is recommended, as identified in the geotechnical report, that additional geotechnical engineering studies should be conducted prior to construction.

Paradise Horizon Subdivision

Cache County, Utah
A Part of the Northeast Quarter of Section 27,
Township 10 North, Range 1 East, Salt Lake Base & Meridian

Lot 1, 2 and 3 are shown. This does not affect subject property.



Highline
890

South

PROJECT LOCATION

VICINITY MAP

Canal

Highway 890

Highline

South

PROJECT LOCATION

VICINITY MAP

Canal

Highway 890

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PROJECT LOCATION

VICINITY MAP

Canal

Highway 890

Highline

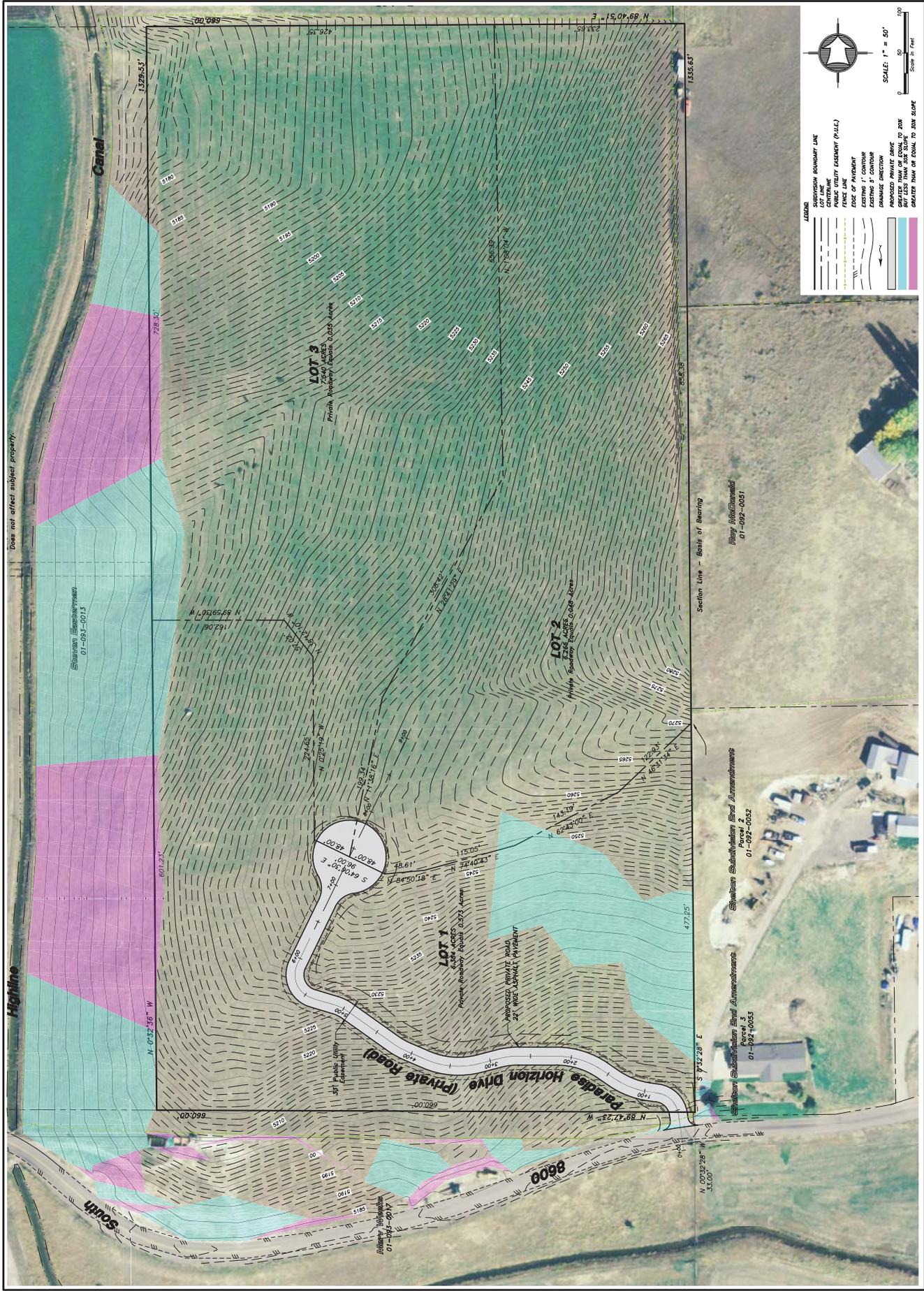
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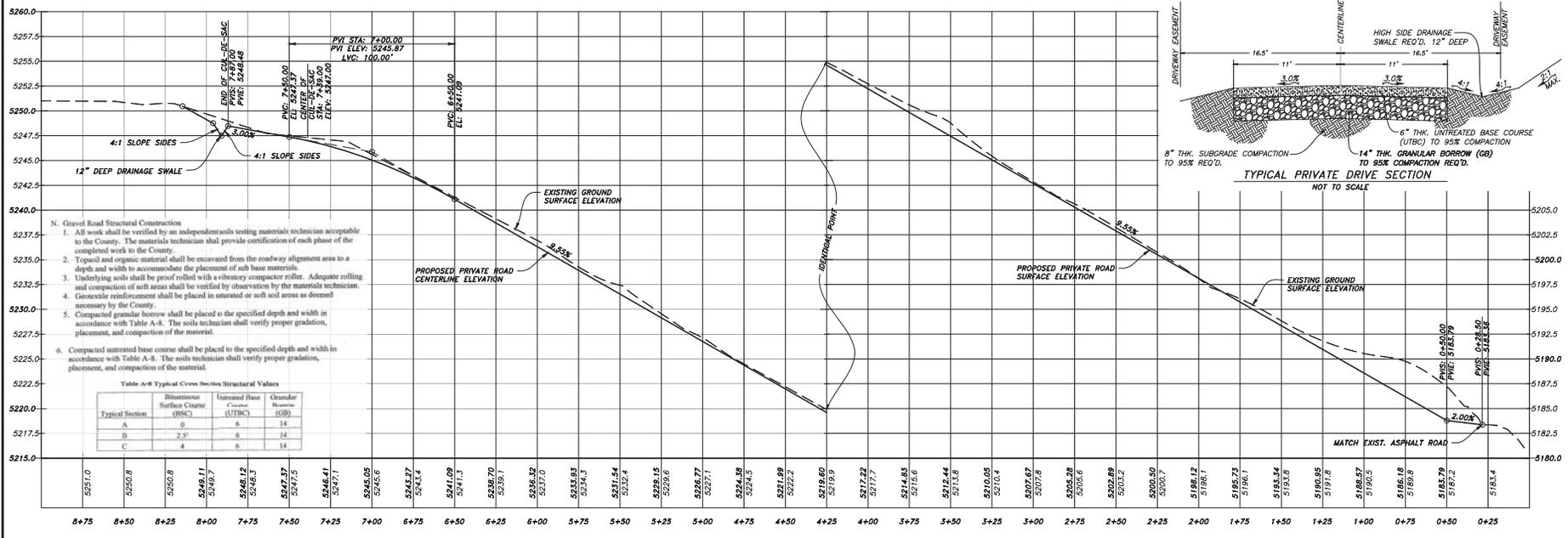
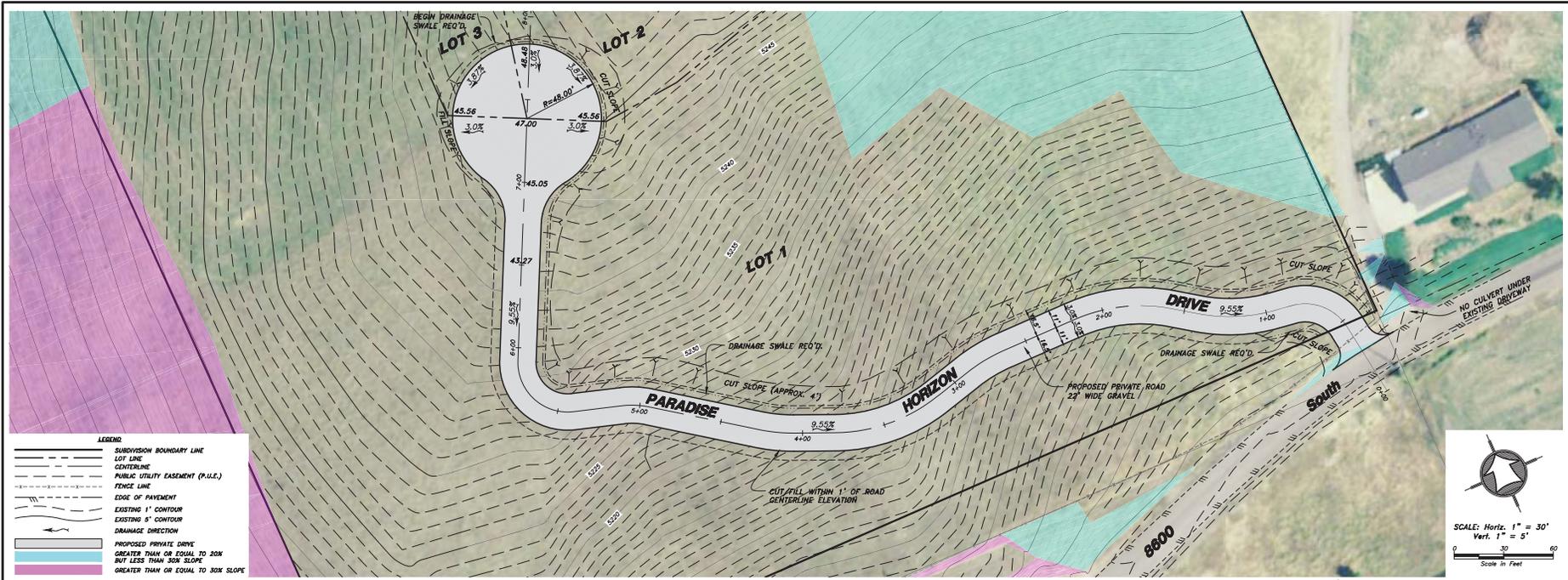
PROJECT LOCATION

VICINITY MAP

Canal

Highway 890





HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 West Valley Street, Suite 207
Bingham City, Utah 84302
(435) 733-3661 (cell) 388-4665 (cell) 732-4672
www.hanseninc.com

HAI

Drawn By: MEJ Date: 2/18/2015
Designed By: MEJ
Checked By: MEJ
Scale: 1" = 30'
Drawing File: 14-153 V12.DWG
JOB NUMBER: 14-153

PARADISE HORIZON SUBDIVISION
A Part of the Paradise Horizon Subdivision, Section 27 Township 10 North, Range 1 East, S11E, R1E

Revision

No.	Date	By

Sheet **2** of **2** Sheets