

Midway City Council
1 December 2020
Regular Meeting

The Reserve at Midway
Subdivision, Phase 1 /
Final Approval



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: December 1, 2020

NAME OF PROJECT: The Reserve at Midway (formerly known as Midway Vistas)

NAME OF APPLICANT: Kirk Malmrose

PROPERTY OWNER: John Zenger Trust

AGENDA ITEM: Final

LOCATION OF ITEM: 285 Luzern Road

ZONING DESIGNATION: RA-1-43

ITEM: 10

Kirk Malmrose, agent for John Zenger Trust, is proposing final approval of phase 1 of The Reserve at Midway (formerly known as Midway Vistas). The Reserve at Midway contains 27 lots on 46.89 acres, of which, there are 13.63 acres of open space. The property is located at 285 Luzern Road and is in the RA-1-43 zone.

BACKGROUND:

Kirk Malmrose is proposing final approval of phase 1 of The Reserve at Midway (formerly known as Midway Vistas). Phase 1 contains 27 lots on 46.89 acres, of which, 13.63 acres is open space. The master plan contains three phases and was approved on July 7, 2020 and contains 49 lots. The project is a large-scale standard subdivision but, unlike most standard subdivisions where the roads are public, the roads in The Reserve at Midway will be private but there will be a public access easement.

LAND USE SUMMARY:

- 46.89 acres in phase 1
 - Entire master plan 83.19 acres
- 13.63 acres of open space in phase 1
- RA-1-43 zoning
- Proposal contains 27 lots
 - Entire master plan contains 49 lots
- Project is a standard subdivision
- Private roads and sidewalks maintenance will be the responsibility of the HOA
 - Public access easement on all roads and sidewalks
- The lots will connect to the Midway Sanitation District sewer and to the City’s culinary water line.
- Paved public trails and a public trail easement for a back-country trail
 - Project will participate in an off-site trail about 300’ in length along Homestead Drive

ANALYSIS:

Open Space – The code requires that with each phase there is enough open space to comply with the 15% requirement. If phase 1 has 75% open space, then phase 2 only needs to have 25% open space if both phases are equal in acreage. The proposed plans do comply with the open space requirements. Open space per phase is the following:

	Total Acreage	Open Space	%
Phase 1	46.89	13.63	29.1%
Phase 2	19.66	8.32	43.9%
Phase 3	16.64	3.08	18.5%
	<u>83.19</u>	<u>25</u>	<u>30%</u>

Part of the open space will not be irrigated for a couple of reasons. Some of the areas that will not be irrigated are in sloped areas and some are areas that historically have never been irrigated. The City tries to anticipate what areas future lot owners will irrigate and what common areas that the HOA may want to irrigate in the future when

determining to allow areas without water rights. The Water Board recommended to allow some areas that will not be irrigated, and those areas will be noted on the plat. All lots, except lot 30, have water rights that allow the entire lots to be irrigated.

Density – The annexation agreement limits density to 49 lots and phase 1 will contain 27 of the allowed lots.

Access – Each phase of the subdivision must meet the access requirements. Phase 1 does have three points of access. The three access points for the development are Canyon View Road (public), Interlaken Drive (private), and Luzern Road (Interlaken public road). Because Interlaken Drive is a private road the developer arrived at an agreement with owners of the road that will allow use of Interlaken Drive.

Traffic Study – A traffic study was submitted to the City on May 27, 2020. The study has been reviewed by Horrocks Engineers. More information can be found in Horrocks' review letter that is part of this report.

Geotechnical Study – The developers have submitted a geotechnical study to the City as part of the application. Horrocks Engineers has reviewed the study to determine if any special requirements are needed for construction of the roads and future structures in the development. The report is available for viewing in the planning office or by request.

Lot acreage – The land use code allows the area of lots to reduce in size based on the amount of open space in the subdivision. The code requires 15% open space for this proposal and the developer has provided 30%. Because the developer has 15% extra open space, the lots may reduce in size by 15%, therefore the minimal size lot allowed is 0.85 acres, of which there are several in the proposed master plan. Likewise, required street frontage for lots may also reduce by the amount of extra open space provided. Because of the extra 15% open space that is being provided, the minimum lot frontage is 127.5' except on the bulb of a cul-de-sac where the minimum is 60'.

Sensitive Lands – The property does contain slopes greater than 25%. Dwellings are not allowed on areas of slope greater than 25%. The proposed plan complies with this requirement.

Trails – The Trails Master Plan contains two trails that cross the property. One trail runs north from Canyon View Road to Interlaken and the other runs from the center of the property to Interlaken Drive. These trails will be paved. Because of our recent experience with the public trail maintained by the HOA of Dutch Fields, the City has proposed to maintain the trail with an annual fee from the HOA. Staff would like to propose the same arrangement for the public trails in The Reserve at Midway. Public trails need to be maintained to a standard that allows the public to safely use the trail, otherwise, the trail becomes a liability issue. The resolution to this issue is the City maintains the public trails but the HOA contributes annually to the maintenance. The developer has proposed that the HOA maintain the trails and has proposed language

that would be included in the CCRs and development agreement that requires maintenance. Staff has reviewed the proposed language (see attached) and feels that it is sufficient to cover City needs. The City Council may approve the proposed plan or require the HOA to pay the City for maintenance.

The annexation agreement also requires an offsite trail along Burgi Lane. The City completed that trail several years ago, as approved in the amended master plan, the developer will pay for the cost of installing a 300' section of trail along Homestead Drive.

The proposal will also dedicate a public trail easement for a backcountry trail that will take the place of an existing similar trail that currently crosses the northern end of the property. The easement for the trail will be 10' wide and will be located in the 50' common area along the north end of the property running from Interlaken's pump station heading east all the way to the entrance of The Reserve at Midway on Interlaken Drive. It will be the responsibility of the City to build the trail and it is anticipated that volunteers will complete the construction.

The developer is proposing to remove a redundant trail that is south of lots 6 and 7 and is about 500' in length. The main public trail runs north of lots 6 and 7 through common area. In return for removing the redundant trail from the plans, the developer will grant a 10' public trail easement that will run from the Interlaken pump house to the southwest corner of the development and will connect to the existing backcountry trail. Don Taylor, County Trail Planner, has scouted the area and feels a backcountry trail can be built and would create a better trail experience because it would create a continuous soft surface trail instead of requiring trail users to use the paved Luzern Road for part of the route. The addition of the easement would create a backcountry trail that would run from the west side of the development to the east side. The trail would be built by volunteers and constructed in the same manner that many of the existing trails in the area have been built.

Setbacks – All structures in the proposed development will need to comply with the RA-1-43 standards.

Height of structures – All structures in the proposed development will be no taller than 35' to the roof measured from natural grade.

All three phases will be one HOA – The three phases of the master plan will all be one Homeowners' Association, and this has been memorialized in the master plan agreement. The HOA is responsible for maintenance of the streets, private trails, and any amenities, such as the tennis court, that is provided.

Interlaken dumpster location –The development will provide a location for the dumpsters for Interlaken town. The site will be located on the east side of the development in the location of Edelweiss Lane. Originally, the dumpsters for Interlaken were located on Interlaken Drive. When Burgi Hill Ranches PUD was

proposed in 2006, it was determined that Interlaken Drive would need to be widened to City standards to provide access to the proposed development. The widening of Interlaken Drive also made development of other parcels possible since all would need access from a road built to City standards. Jack Zenger, owner of The Reserve at Midway, was a signer on the agreement that moved the dumpsters to Valais Park and has benefited from that action by now having access to a road that complies with City requirements for access. In the years since the dumpsters were moved to the park, there have been problems which, include illegal dumping, so an alternative site was sought and one of the options that was considered was in The Reserve at Midway development. As part of the annexation amendment, it was required that the dumpsters would be in phase 1 of The Reserve at Midway.

Roads and sidewalks - The proposal is a standard subdivision, which usually has public roads, but the annexation agreement specifies that the roads will be private. The recently approved annexation agreement amendment requires that a public access easement is granted for the roads and sidewalks in the subdivision. The easement will be noted on the plats of all three phases.

Edelweiss Lane – Edelweiss Lane, which is a road that accesses three lots in Interlaken, crosses part of the proposed development. The road will be rerouted with the construction of phase 1. Originally, the proposal was to have direct access from the eastern entry road for The Reserve at Midway. The developer has now modified that plan to relocate Edelweiss Lane in the common area so that it maintains its current access on Interlaken Drive.

Secondary water meters - The developer will provide secondary water meters to Midway Irrigation Company and the secondary water meters will be installed by the irrigation company at the time of construction of dwellings on those lots. The developer will also construct a water storage tank that will supply the lots with irrigation water.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Simons: I make a motion that we recommend approve the final approval of phase 1 of The Reserve at Midway (formerly known as Midway Vistas). The Reserve at Midway contains 27 lots on 46.89 acres, of which, there are 13.63 acres of open space. The property is located at 285 Luzern Road and is in the RA-1-43 zone. With the conditions and findings in the staff reports with the omission of condition number three (3) as it has already addressed with Midway Irrigation Company. Condition one (1) of The developer will pay the cost of building a 300' section of trail along Homestead Drive that will take the place of the trail that the City built along Burgi Lane that was originally required of the developer. Payment is required before the phase 1 plat is recorded. Condition two (2) that All approved non-irrigated areas will be noted on the plats. Condition four (4) that private roads and sidewalks in the development will have a public access easement which will be noted on the plats and in the development

agreement. And condition five (5) stating that private trails with public trail easements will be maintained by the City with an annual maintenance fee paid by the HOA. This condition will be modified by the developer and the city.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Garland, Whitney, Simons, Cliften and Crawford

Nays: None

Motion: Passed

WATER BOARD RECOMMENDATION:

The Water Board has reviewed the master plan and has determined that 191.24-acre feet are required for the entire project. Phase 1 would dedicate 120.18-acre feet, Phase 2 would dedicate 32.7-acre feet, and phase 3 would dedicate 38.36-acre feet. All the required water rights will be held in escrow before the master plan agreement is recorded.

POSSIBLE FINDINGS:

- The proposal complies with the requirements of the code for standard subdivisions.
- The proposal does meet the vision of the area as described in the General Plan for the RA-1-43 zone.
- The public trails will be built by the developer that will be an amenity to the entire community.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds the proposal complies with the requirements of the Land Use Code.
 - a. Accept staff report
 - b. List accepted 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 meet the requirements of the code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

1. The developer will pay the cost of building a 300' section of trail along Homestead Drive that will take the place of the trail that the City built along Burgi Lane that was originally required of the developer. Payment is required before the phase 1 plat is recorded.
2. All approved non-irrigated areas will be noted on the plats.
3. Private roads and sidewalks in the development will have a public access easement which will be noted on the plats and in the development agreement.
4. Private trails with public trail easements will be maintained by the City with an annual maintenance fee paid by the HOA.
5. A 10' public trail easement will be dedicated on the plats that will run from the Interlaken pump house to the southwest corner of the development and will connect to the existing backcountry trail.

November 10, 2020

Midway City
Attn: Michael Henke
75 North 100 West
Midway, Utah 84049

Subject: The Reserve at Midway Subdivision – Final Approval

Dear Michael:

Horrocks Engineers recently reviewed The Reserve at Midway subdivision plans for final approval. The proposed subdivision borders Interlaken to the North, the Scotch Fields Subdivision to the South and Interlaken Drive to the East. The proposed subdivision consists of 49 lots. The following items should be addressed.

General Comments

- Each phase within the Master Plan appears to be a stand-alone phase.
- There are 28 lots in Phase 1.
- All drawings and standards should meet the Midway City updated 2020 specifications.
- Street lights will not be maintained by Heber Light and Power but will be maintained by The Reserve at Midway HOA.

Water

- The proposed development will be served from the Cottages on the Green pressure zone.
- The proposed development will connect to the existing 8" culinary water line in Interlaken Drive to the east of the subdivision and to a 10" culinary water line in Dutch Fields subdivision to the South of the proposed subdivision.
- Lots / homes higher in elevation will be required to have internal private booster pumps for adequate water pressure. A design / plan must be submitted and approved prior to City Council final approval.

Roads

- The proposed roads within development will be private and have right-of-way widths of 56' with a 6' trail on one side of the road.
- As part of the annexation agreement all roads within the subdivision will be private with a public use easement.

Pressure Irrigation

- Midway Irrigation Company will provide water to a storage tank built as part of the development. From that tank a private system will service each lot with pressurized irrigation.
- All removal, additions, or revisions to the pressure irrigation system must be approved by Midway Irrigation Company.

Trails

- A 6" public trail system is shown throughout the development. This should be shown as a private trail with public use easement.
- The development agreement needs to address an annual trail maintenance fee. The trails will be maintained by Midway City from the funds collected as part of this annual trail maintenance fee.
- The trails will connect with Scott Fields development on Canyon View Road.

Storm Drain

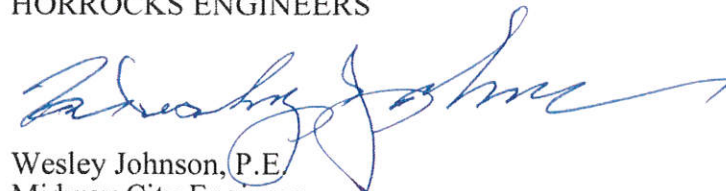
- The storm drain system will be private and will be collected within the proposed curb and gutter and discharged to a series of catch basins, sumps, and detention basins with the development.
- The Reserve at Midway HOA will be responsible for maintenance of the storm drain system including all detention basins.
- Due to the proposed slope and depth of the proposed detention basins, detailed construction drawings and landscaping plans shall be submitted prior to Final approval by the City Council.

Sewer

- Sewer will be provided by Midway Sanitary Sewer District.

Please feel free to call our office with any questions.

Sincerely,
HORROCKS ENGINEERS



Wesley Johnson, P.E.
Midway City Engineer

cc: Berg Engineering



Google Earth

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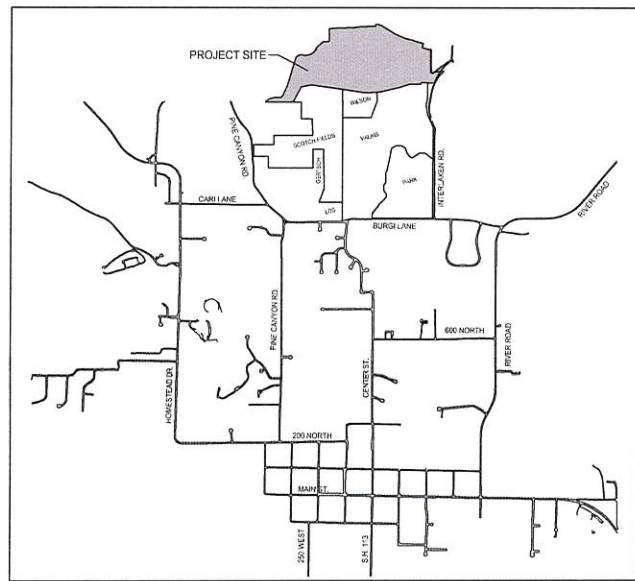


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THE RESERVE AT MIDWAY - PHASE 1

FINAL APPLICATION



MIDWAY CITY
VICINITY MAP

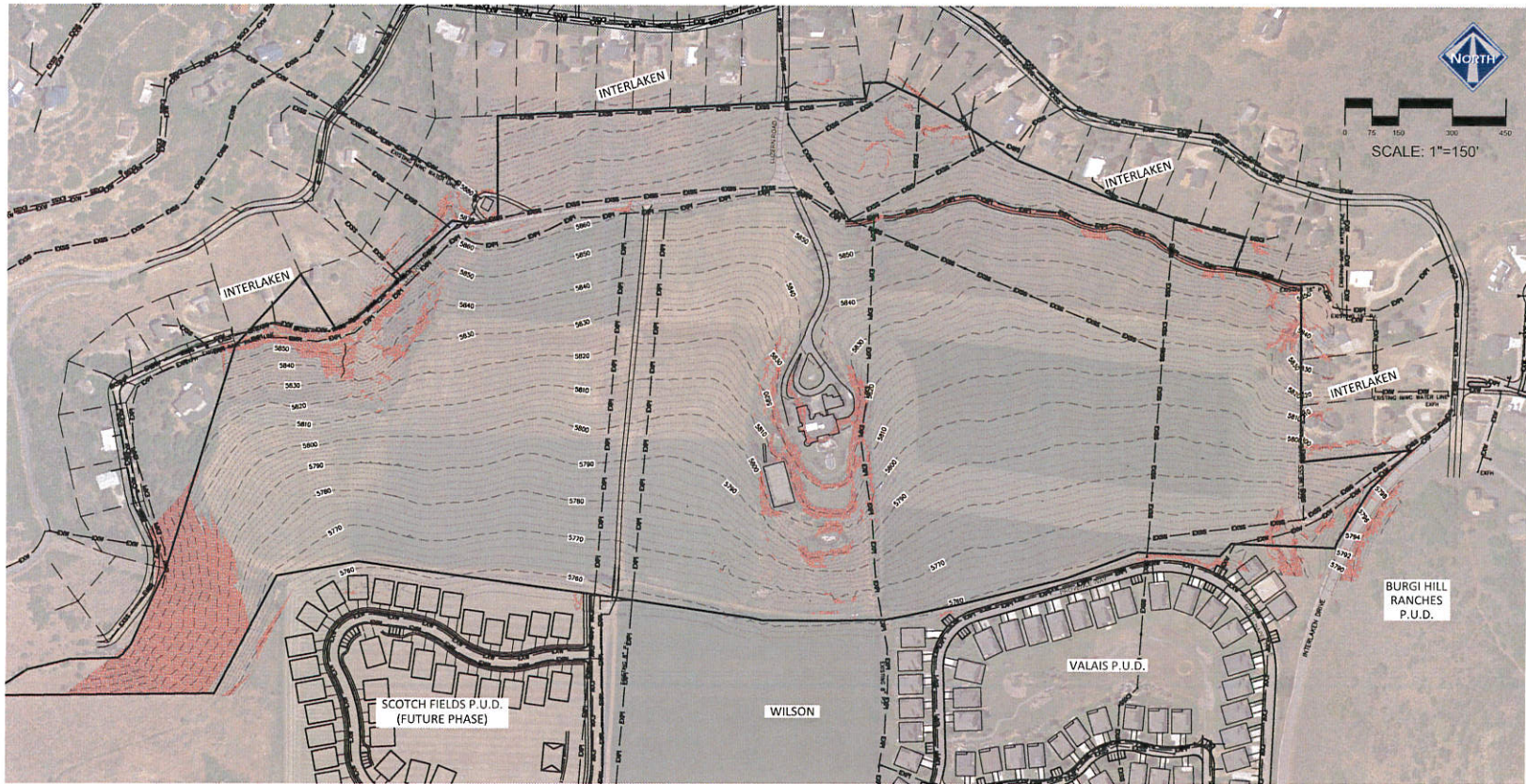
SHEET INDEX

1. EXISTING CONDITIONS PLAN
2. SENSITIVE LANDS PLAN
3. APPROVED MASTER PLAN
4. APPROVED PHASING PLAN
5. PHASE 1 PLAT
6. STREETS AND TRAIL PLAN
7. CANYON VIEW ROAD PLAN & PROFILE
8. LOWER ROAD PLAN & PROFILE STA 0+00 - 10+00
9. LOWER ROAD PLAN & PROFILE STA 10+00 - 20+00
10. UPPER ROAD PLAN & PROFILE STA 0+00 - 10+00
11. UPPER ROAD PLAN & PROFILE STA 10+00 - 20+00
12. LUZERN ROAD PLAN & PROFILE STA 0+00 -
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14. TRASH AREA TURNAROUND PLAN
15. ROAD CONSTRUCTION PLANS
16. PHASE 1 UTILITY PLAN
17. PHASE 1 SEWER PLAN
18. CANYON VIEW ROAD SEWER PLAN & PROFILE STA 0+00 - 10+00
19. LOWER ROAD PLAN & PROFILE STA 0+00 - 10+00
20. LOWER ROAD PLAN & PROFILE STA 10+00 - 20+00
21. UPPER ROAD PLAN & PROFILE STA 0+00 - 10+00
22. UPPER ROAD PLAN & PROFILE STA 10+00 - 20+00
23. LUZERN ROAD PLAN & PROFILE STA 0+00 -
24. LOT 2 SEWER TO VALAIS PLAN & PROFILE 0+00
25. LOT 37 SEWER TO INTERLAKEN
26. LOT 32 SEWER TO LINTERLAKEN
27. SEWER CONSTRUCTION DETAILS
28. PHASE 1 WATER PLAN
29. PHASE 1 PRESSURIZED IRRIGATION PLAN
30. WATER AND PRESSURIZED IRRIGATION CONSTRUCTION DETAILS
31. STORM DRAIN MASTER PLAN
32. LOWER ROAD STORM DRAIN PLAN & PROFILE STA 0+00 - 10+00
33. LOWER ROAD STORM DRAIN PLAN & PROFILE STA 10+00 - 20+00
34. UPPER ROAD STORM DRAIN PLAN & PROFILE STA 0+00 - 10+00
35. UPPER ROAD STORM DRAIN PLAN & PROFILE STA 10+00 - 20+00
36. CANYON VIEW ROAD STORM DRAIN & POND C
37. TRASH AREA STORM DRAIN PLAN
38. STORM DRAIN CONSTRUCTION DETAILS
39. LANDSCAPE PLAN

THIS DOCUMENT IS RELEASED
FOR REVIEW ONLY. IT IS NOT
INTENDED FOR CONSTRUCTION
UNLESS SIGNED AND SEALED.
PAUL D. BERG P.E.
LICENSE NO. 200090
DATE: 13 OCT 2020

KIRK MALMROSE MIDWAY VISTAS	
COVER SHEET	
	
DESIGN BY: CNB	DATE: 13 OCT 2020
DRAWN BY: CNB	REV: 0

THE RESERVE AT MIDWAY PHASE 1 FINAL PLAN APPLICATION - 13 OCT 2020



- LEGEND:**
- EXISTING CONTOURS
 - EXISTING PRESSURIZED IRRIGATION
 - EXISTING OVERHEAD POWER
 - EXISTING SANITARY SEWER
 - SLOPES GREATER THAN 25%
 - EXISTING SEWER MANHOLE
 - EXISTING WATER LINE
 - EXISTING GAS LINE

EXISTING UTILITIES SHOWN ON PLANS ARE APPROXIMATE LOCATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR BLUE STAKING OF ALL ON-SITE UTILITIES. CONTRACTOR SHALL NOTIFY ENGINEER OF DIFFERENCES BETWEEN BLUE STAKED LOCATIONS AND THOSE SHOWN ON THIS PLAN.

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

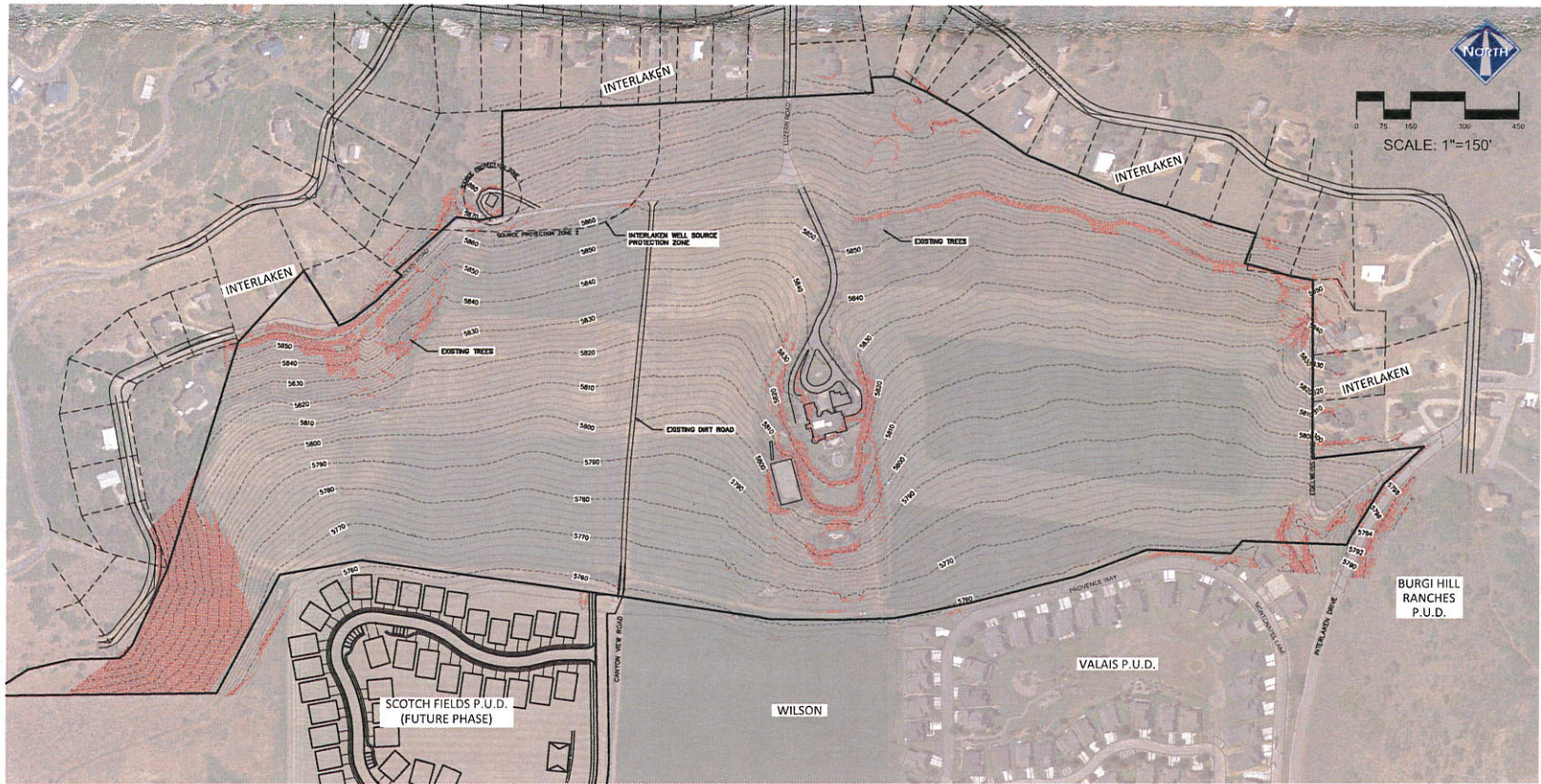
PAUL D. BORG, P.E.
 SERIAL NO. 238025
 DATE: 13 OCT 2020

KIRK MALMROSE
THE RESERVE AT MIDWAY
 EXISTING CONDITIONS



BERG ENGINEERING
 280 E. Main St. Suite 204
 Midway, UT 84049
 ph 435.657.9749

DESIGN BY: PDB DATE: 13 OCT 2020 SHEET
 DRAWN BY: DBJ REV: 1



0 75 150 300 450
SCALE: 1"=150'

LEGEND:

- EXISTING CONTOURS
- SLOPES GREATER THAN 25%

THIS PLAN IDENTIFIES SENSITIVE LANDS ON THE PROPERTY PER SECTION 16.14 OF THE MIDWAY CITY CODE.

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SHOWN AND SCALED.
DAN S. BERG, P.E.
SERIAL NO. 285590
DATE: 13 OCT 2020

KIRK MALMROSE
THE RESERVE AT MIDWAY
SENSITIVE LANDS PLAN



DESIGN BY: PFB	DATE: 13 OCT 2020	SHEET: 2
DRAWN BY: DBJ	REV:	



ALLOWED LOT SIZE
 LOT SIZE AND FRONTAGE MAY BE REDUCED 15% DUE TO THE EXTRA 15% OPEN SPACE THAT IS BEING DEDICATED FOR THIS SUBDIVISION.
 ALLOWED MINIMUM LOT SIZE = 0.85 ACRES
 ALLOWED MINIMUM FRONTAGE = 127.50 FEET

LOT 30:
 IRRIGATED AREA = 1.63 ACRES
 NON-IRRIGATED AREA = 1.24 ACRES
 IMPERVIOUS AREA = 1.00 ACRES

ROAD ROW IRRIGATED AREA FOR SWALES = 1.91 ACRES

LUZERN ROAD NOTE:
 LUZERN ROAD WILL BE ABANDONED THROUGH LOTS 27-29. LUZERN ROAD WILL CONNECT TO THE NEW ROAD IN THE SUBDIVISION BETWEEN THE WELL PUMP HOUSE AND LOT 27 TO CONNECT TO THE NEW ROAD IN THE SUBDIVISION.

LEGEND

- COMMON AREA WITH TRAILS & TENNIS COURT (12.03 ACRES)
- IRRIGATED COMMON AREA (11.15 ACRES)
- NON-IRRIGATED COMMON AREA/OPEN SPACE (13.48 ACRES)
- LOTS
- PUBLIC ASPHALT TRAILS (4,100 LF)
- PUBLIC BACKCOUNTRY TRAIL
- SLOPES GREATER THAN 25%

TOTAL AREA	63.19 AC
OPEN SPACE REQUIREMENT	12.48 AC (15.00%)
OPEN SPACE (PROPOSED)	25.42 AC (30.56%)
NUMBER OF LOTS	48 NEW LOTS
	1 ZENGER LOT
	49 TOTAL LOTS
NUMBER OF LOTS MATCHES ANNEXATION AGREEMENT.	

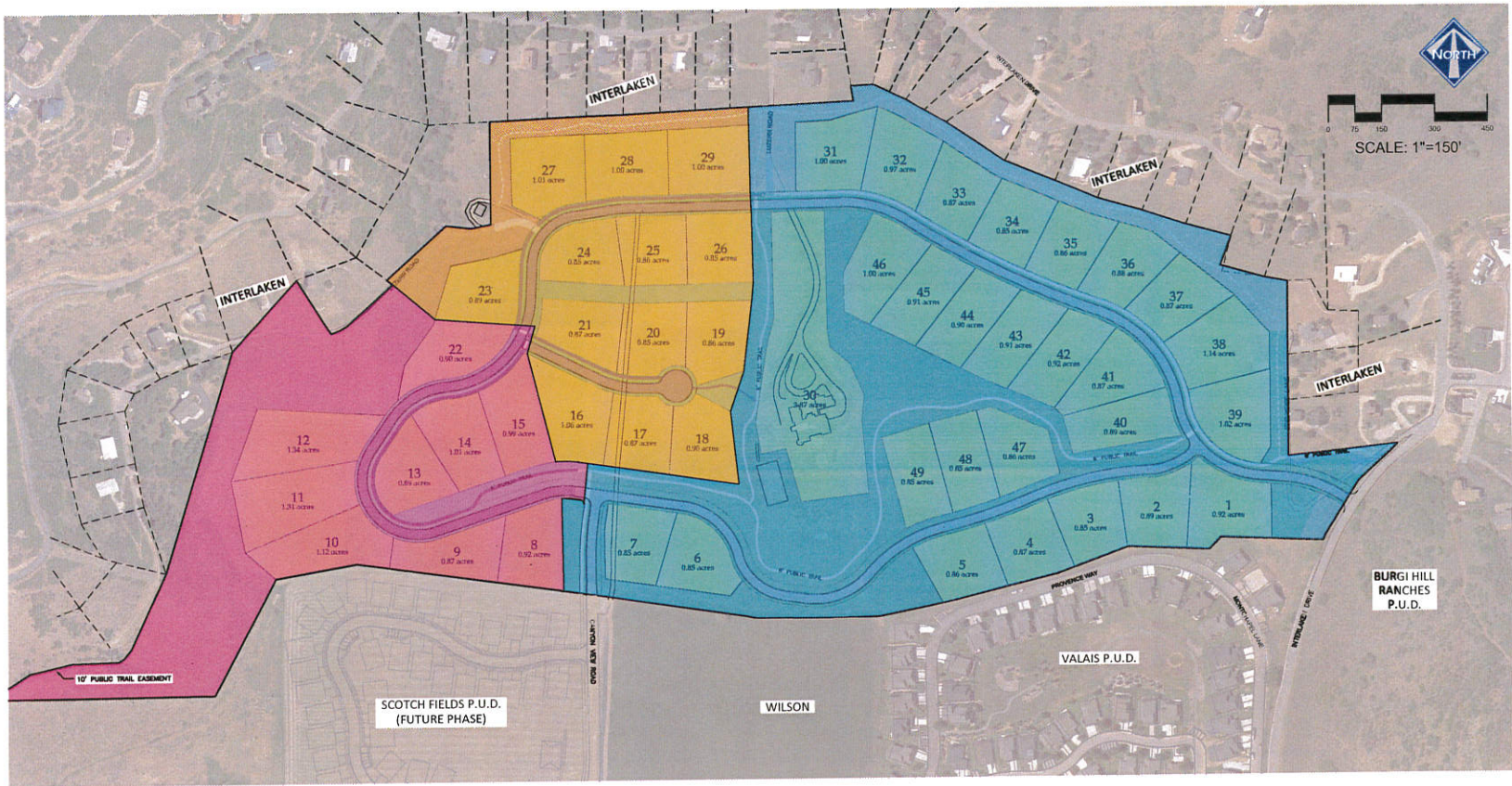
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THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.
 P.E. & S.E. NO. _____ P.E.
 SERIAL NO. 200205 _____
 DATE 13 OCT 2020 _____

KIRK MALMROSE
THE RESERVE AT MIDWAY
 MASTER PLAN



DESIGN BY: PEB
 DRAWN BY: DSJ
 DATE: 11/16/17 2020
 REV: 3



PHASE	TOTAL LOTS	LOTS#	TOTAL AREA	OPEN SPACE		CUMULATIVE	
				IN PHASE	OPEN SPACE %	OPEN SPACE %	NON-IRRIGATED OPEN SPACE
1	27	1-7, 30-49	46.89 AC	13.63 AC	29.06%	29.06%	3.36 AC
2	9	8-15, 22	19.66 AC	8.32 AC	43.90%	32.98%	7.70 AC
3	13	16-21, 24-29	16.64 AC	3.05 AC	18.33%	30.05%	2.17 AC
			83.19 AC				

LEGEND

- PHASE 1
- PHASE 2
- PHASE 3

NOTES:
 15% REQUIRED PER CITY ORDINANCE.
 30% REQUIRED FOR REDUCE LOT SIZES PROPOSED WITH THIS PROJECT.

LAND USE TABLE

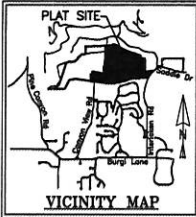
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 PAUL D. BERG, P.E.
 SERIAL NO. 280291
 DATE: 13 OCT 2020

KIRK MAIMROSE
 THE RESERVE AT MIDWAY
 PHASING PLAN

BERG ENGINEERING
 280 E Main St, Suite 204
 Midway, UT 84059
 ph: 435.657.9749

DESIGN BY: PDB	DATE: 13 OCT 2020	SHEET
DRAWN BY: DEJ	REV:	4



- UTILITY EASEMENT NOTES:**
1. ALL PRIVATE STREETS AND COMMON AREAS ARE DESIGNATED AS A PUBLIC UTILITY EASEMENTS. PRIVATE STREETS HAVE A 30 FOOT RIGHT-OF-WAY.
 2. A 10 FOOT PUBLIC UTILITY EASEMENT IS PROVIDED BETWEEN ADJACENT LOTS AND ALONG LOT BOUNDARIES NOT ADJACENT TO OTHER LOTS.
 3. THE STORM DRAINAGE COLLECTION SYSTEM WITH MURANO IS A PRIVATE UTILITY TO BE MAINTAINED, OPERATED, AND REPAIRED BY THE HOME OWNERS ASSOCIATION.
 4. THE FUNCTION, ELEVATION OR GRADE OF STORM DRAIN PONDS SHALL NOT BE ALTERED OR INTERFERED WITH.
 5. MIDWAY CITY HAS THE RIGHT TO ENTER STORM DRAIN EASEMENTS TO MAINTAIN, OPERATE, AND REPAIR THE STORM DRAIN SYSTEM UPON THE HOME OWNERS ASSOCIATIONS FAILURE TO DO SO.

PUBLIC TRAIL EASEMENT:
COMMON AREAS ARE A PUBLIC TRAIL EASEMENT.

UTILITY EASEMENT:
COMMON AREA E IS A PUBLIC UTILITY EASEMENT INCLUDING SEWER AND PRESSURIZED IRRIGATION.

BASIS OF BEARING
THE BASIS OF BEARING IS SOUTH 89°20'00" WEST ALONG THE SECTION LINE FROM THE FOUND 1976 ASPEN MONUMENT MARKING THE SOUTHEAST CORNER OF SECTION 22 TO THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

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.

PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE
MIDWAY CITY PLANNING COMMISSION

DIRECTOR - SECRETARY

CHAIRMAN, PLANNING COMMISSION

SURVEYOR'S CERTIFICATE
IN ACCORDANCE WITH SECTION 10-96-603 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.

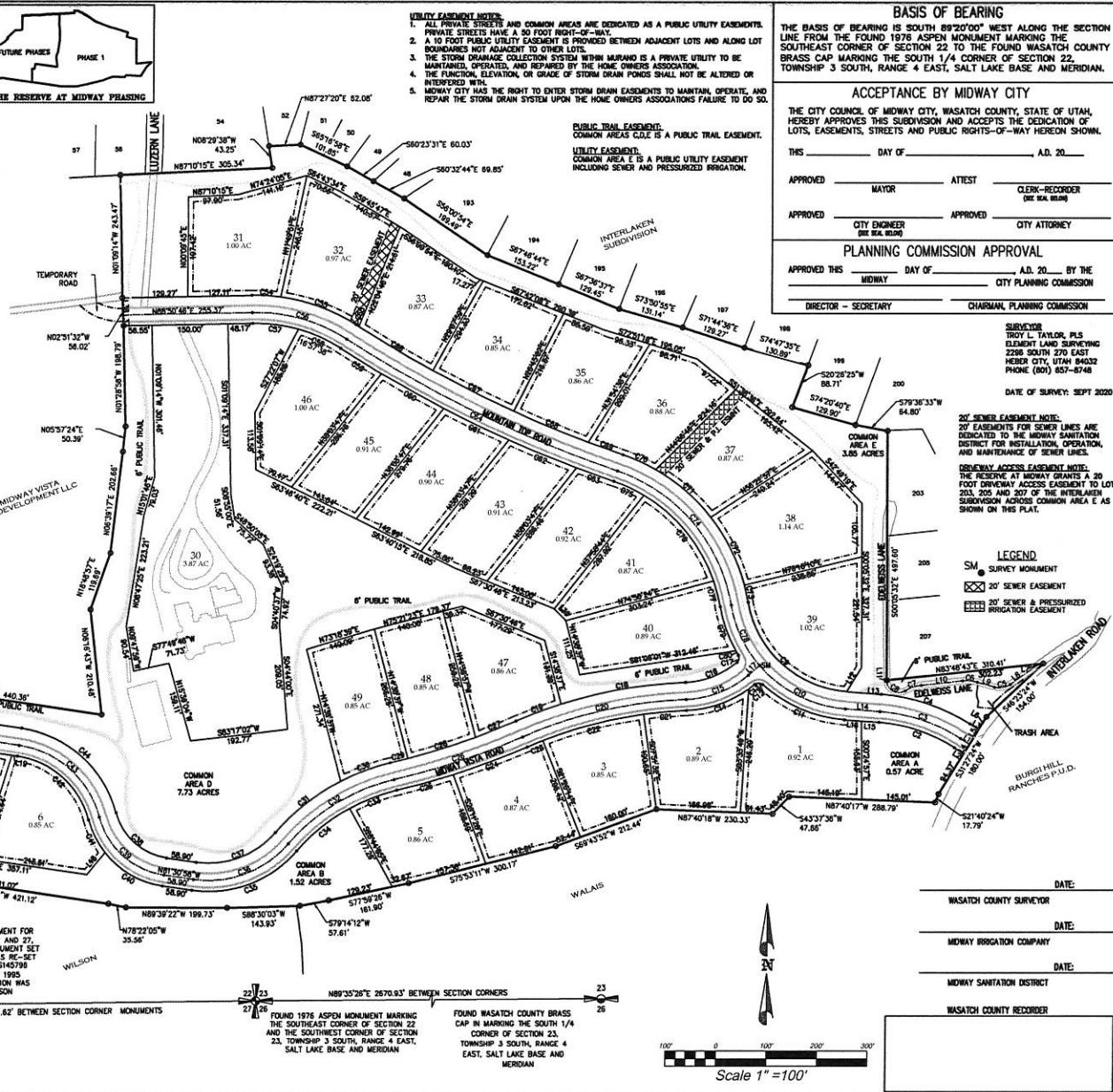
I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE _____ SURVEYOR (SEE SEAL BEHIND)

ADDRESS TABLE

LOT	ADDRESS
1	XXXX MIDWAY VISTA ROAD
2	XXXX MIDWAY VISTA ROAD
3	XXXX MIDWAY VISTA ROAD
4	XXXX MIDWAY VISTA ROAD
5	XXXX MIDWAY VISTA ROAD
6	XXXX MIDWAY VISTA ROAD
7	XXXX MIDWAY VISTA ROAD
31	XXXX MOUNTAIN TOP ROAD
32	XXXX MOUNTAIN TOP ROAD
33	XXXX MOUNTAIN TOP ROAD
34	XXXX MOUNTAIN TOP ROAD
35	XXXX MOUNTAIN TOP ROAD
36	XXXX MOUNTAIN TOP ROAD
37	XXXX MOUNTAIN TOP ROAD
38	XXXX MOUNTAIN TOP ROAD
39	XXXX MOUNTAIN TOP ROAD
40	XXXX MOUNTAIN TOP ROAD
41	XXXX MOUNTAIN TOP ROAD
42	XXXX MOUNTAIN TOP ROAD
43	XXXX MOUNTAIN TOP ROAD
44	XXXX MOUNTAIN TOP ROAD
45	XXXX MOUNTAIN TOP ROAD
46	XXXX MOUNTAIN TOP ROAD
47	XXXX MIDWAY VISTA ROAD
48	XXXX MIDWAY VISTA ROAD
49	XXXX MIDWAY VISTA ROAD

ADDRESSING TO BE COMPLETED BY WASATCH COUNTY GIS DEPARTMENT



BOUNDARY DESCRIPTION

BEGINNING AT A POINT LOCATED NORTH 89°20'00" EAST ALONG THE SECTION LINE 282.08 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE NORTH 02°02'17" WEST 282.88 FEET; THENCE ALONG THE ARC OF A 1720.00 FOOT RADIUS CURVE TO THE NORTH 34.25 FEET (CENTRAL ANGLE OF 11°02'02" AND A CHORD BEARING SOUTH 87°08'14" EAST 33.40 FEET); THENCE SOUTH 81°30'38" WEST 18.58 FEET; THENCE NORTH 02°02'17" EAST 108.00 FEET; THENCE SOUTH 81°30'38" EAST 440.38 FEET; THENCE NORTH 02°02'17" WEST 210.48 FEET; THENCE NORTH 18°46'53" EAST 118.88 FEET; THENCE NORTH 02°02'17" EAST 202.88 FEET; THENCE NORTH 02°02'17" WEST 62.88 FEET; THENCE NORTH 02°02'17" WEST 188.78 FEET; THENCE NORTH 81°30'38" WEST 84.22 FEET; THENCE NORTH 01°04'14" WEST 243.47 FEET; THENCE ALONG SAID INTERLAKEN SUBDIVISION THE FOLLOWING 17 (SEVENTEEN) CALLS, NORTH 87°01'18" EAST 308.34 FEET, NORTH 02°02'38" WEST 43.25 FEET, NORTH 87°27'20" EAST 82.08 FEET, SOUTH 80°19'56" EAST 101.88 FEET, SOUTH 80°27'31" EAST 88.00 FEET, SOUTH 80°27'44" EAST 88.00 FEET, SOUTH 80°20'14" EAST 188.48 FEET, SOUTH 87°02'44" EAST 153.22 FEET, SOUTH 74°27'56" EAST 128.40 FEET, SOUTH 73°09'56" EAST 131.14 FEET, SOUTH 71°43'30" EAST 128.27 FEET, SOUTH 74°07'56" EAST 130.88 FEET, SOUTH 80°20'38" WEST 88.71 FEET, SOUTH 74°27'56" EAST 128.40 FEET, SOUTH 73°09'56" EAST 148.80 FEET, SOUTH 02°02'32" EAST 487.80 FEET, NORTH 82°48'43" EAST 38.88 FEET TO THE BURGH HILL RANCHES SUBDIVISION; THENCE ALONG SAID BURGH HILL RANCHES THE FOLLOWING 3 (THREE) CALLS, SOUTH 48°32'41" WEST 154.00 FEET, SOUTH 31°27'24" WEST 180.00 FEET, SOUTH 31°40'24" WEST 17.78 FEET TO THE NORTH LINE OF THE VALIAS PHASE P&U; THENCE ALONG SAID VALIAS IN THE FOLLOWING 3 (THREE) CALLS, SOUTH 48°32'24" WEST 154.00 FEET, SOUTH 31°27'24" WEST 180.00 FEET, SOUTH 31°40'24" WEST 17.78 FEET TO THE NORTH LINE OF THE VALIAS PHASE P&U; THENCE ALONG SAID NORTH LINE OF THE VALIAS PHASE IN THE FOLLOWING 3 (THREE) CALLS, NORTH 87°40'17" WEST 17.78 FEET, SOUTH 33°27'24" WEST 47.88 FEET, NORTH 87°01'18" WEST 230.33 FEET TO THE NORTH LINE OF THE VALIAS PHASE P&U; THENCE ALONG SAID NORTH LINE OF THE VALIAS PHASE IN THE FOLLOWING 4 (FOUR) CALLS, SOUTH 86°43'28" WEST 212.44 FEET, SOUTH 78°17'11" WEST 300.17 FEET, SOUTH 77°02'28" WEST 181.80 FEET, SOUTH 79°11'12" WEST 87.81 FEET TO THE JAMES AND KURT NELSON FARM LLC PROPERTY; THENCE ALONG THE NORTH LINE OF SAID NELSON FARM PROPERTY THE FOLLOWING 4 (FOUR) CALLS, NORTH 86°30'03" WEST 143.83 FEET, NORTH 86°39'22" WEST 188.73 FEET, NORTH 78°27'00" WEST 25.25 FEET, NORTH 80°26'28" WEST 42.18 FEET TO THE RAY PROPERTY; THENCE ALONG SAID RAY PROPERTY THE FOLLOWING 4 (FOUR) CALLS, NORTH 82°50'41" WEST 542.38 FEET, NORTH 81°07'41" WEST 147.18 FEET, SOUTH 78°04'18" WEST 238.00 FEET, SOUTH 27°30'18" WEST 24.64 FEET TO THE SOUTHEAST CORNER OF SECTION 22; THENCE SOUTH 89°20'00" WEST 916.23 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 46.830 ACRES

SEWER EASEMENT NOTE:
20' SEWER EASEMENT FOR 20' SEWER LINES ARE DEDICATED TO THE MIDWAY SANITATION DISTRICT FOR INSTALLATION, OPERATION, AND MAINTENANCE OF SEWER LINES.

DRIVEWAY ACCESS EASEMENT NOTE:
THE RESERVE AT MIDWAY GRANTS A 20 FOOT DRIVEWAY ACCESS EASEMENT TO LOTS 203, 205 AND 207 OF THE INTERLAKEN SUBDIVISION ACROSS COMMON AREA E AS SHOWN ON THIS PLAT.

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 COMMONMENTS AND RESTRICTIONS OF THE RESERVE AT MIDWAY RECORDED _____ 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, PRIVATE STREETS, EASEMENTS, AND COMMON AREA, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PRIVATE STREETS, EASEMENTS, AND COMMON AREA, FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20____
BY: _____
MIDWAY VISTA DEVELOPMENT LLC

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

THE RESERVE AT MIDWAY PHASE 1
MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
SCALE: 1" = 100 FEET (SHEET 1 OF 2)

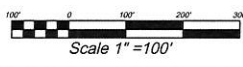
SECRETARY SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL
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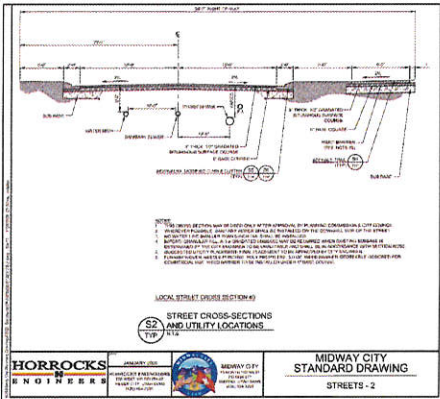
14 OCTOBER 2020

FOUND WASATCH COUNTY BRASS CAP IN CONCRETE MARKING THE SOUTH 1/4 CORNER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

FOUND 1976 ASPEN MONUMENT MARKING THE SOUTHEAST CORNER OF SECTION 22 AND THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

FOUND WASATCH COUNTY BRASS CAP IN MARKING THE SOUTH 1/4 CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN





- LEGEND**
- LOTS
 - PUBLIC ASPHALT TRAILS (4,100 LF)
 - PUBLIC BACKCOUNTRY TRAIL
 - SLOPES GREATER THAN 25%

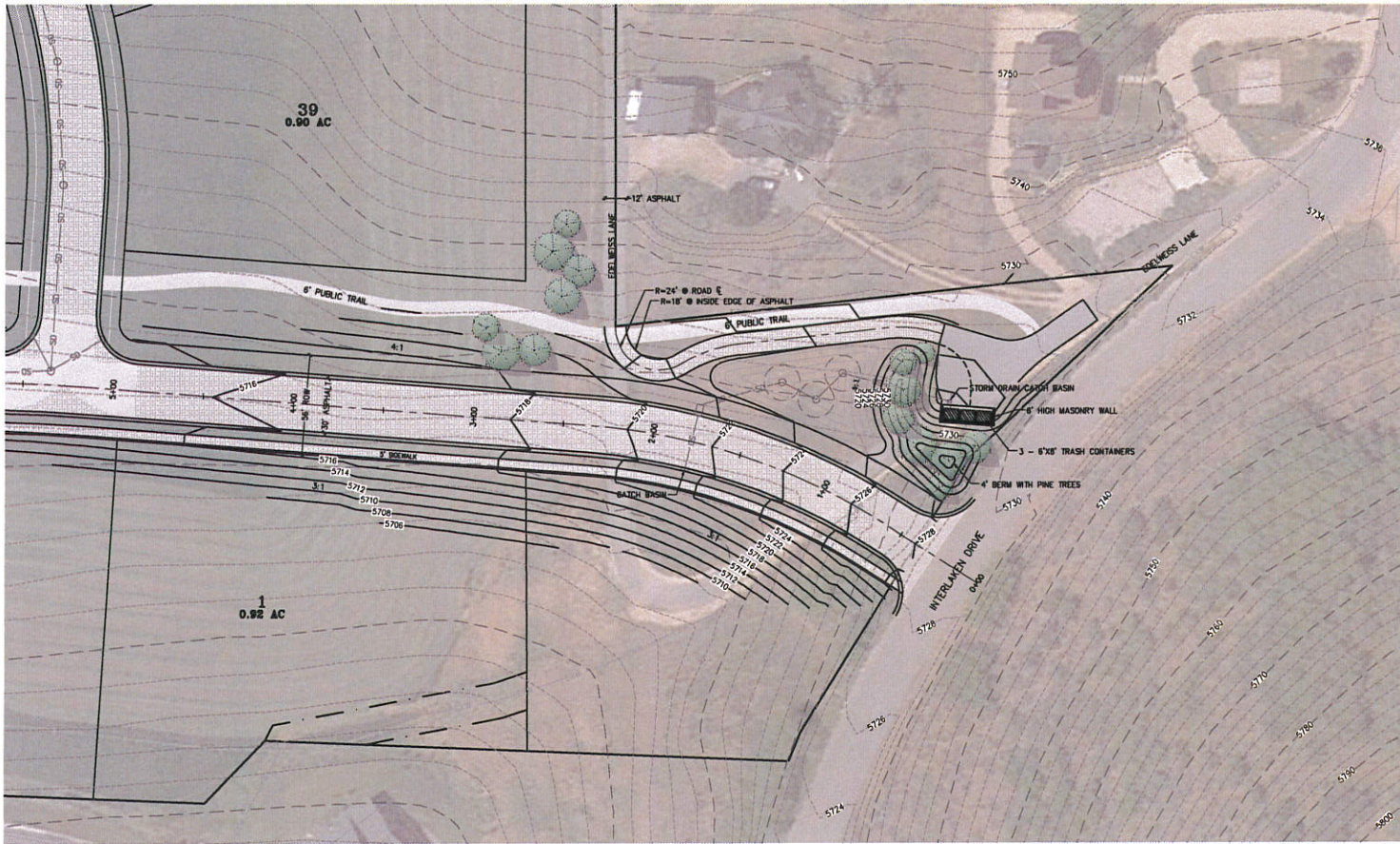
LUZERN ROAD NOTE:
 LUZERN ROAD WILL BE ABANDONED THROUGH LOTS 27-29. LUZERN ROAD WILL CONNECT TO THE NEW ROAD IN THE SUBDIVISION BETWEEN THE WELL PUMP HOUSE AND LOT 27 TO CONNECT TO THE NEW ROAD IN THE SUBDIVISION.

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.
 PAUL G. BERG P.E.
 SIGNAL NO. 330292
 DATE 13 OCT 2020

KIRK MALMROSE
 THE RESERVE AT MIDWAY
 PHASE 1 STREETS &
 TRAILS PLAN

BERG ENGINEERING
 380 E Main St, Suite 204
 Midway, UT 84049
 PH 801.657.9219

DESIGN BY: PEB	DATE: 13 OCT 2020	SHEET
DRAWN BY: DEF	REV:	6



THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.
 PAUL S. BERG P.E.
 SERIAL NO. 290588
 DATE: 14 AUGUST 2020

KIRK MALMROSE MIDWAY VISTAS		
EXHIBIT INTERLAKEN TRASH - ALTERNATIVE WITH REALIGNED EDELWEISS		
 280 E Main St, Suite 204 Midway, IL 60059 ph 435.657.9749		
DESIGN BY: CNB	DATE: 15 APR 2020	SHEET 0
DRAWN BY: CNB	REV: 14 AUG 2020	

or reincorporate as provided herein, the Association shall continue to operate and function under the Governing Documents as an unincorporated association.

6.2. Duties of the Association. Without limiting any other duties which may be imposed upon the Association by its Articles of Incorporation, this Declaration, or the Act, the Association shall have the obligation and duty to do and perform each and every one of the following for the benefit of the Owners and the maintenance and improvement of the Property:

- (a) The Association shall accept all Owners as Members of the Association.
- (b) The Association shall accept title to all Common Areas conveyed to it by Declarant.
- (c) The Association shall maintain, repair, and replace all landscaping and improvements in the Common Areas, including but not limited to the maintenance of all exterior trees, shrubs, grass, and other Common Area improvements. Association shall have no obligation to perform any exterior maintenance and/or repair of any part of a Living Unit or any other landscaping installed by an Owner without the Association's express agreement to maintain such landscaping.

As provided in Section 8.10, each Owner shall have the obligation to provide exterior maintenance of his Living Unit including but not limited to painting, repair, replacement and care of roofs, gutters, downspouts, exterior building surfaces, and landscaping installed by an Owner or his predecessor in title. Each Owner shall paint, repair, and otherwise maintain the exterior and interior of his Living Unit and shall maintain all mechanical devices, including but not limited to, appurtenant electrical, plumbing and heating, ventilating and air conditioning systems. The maintenance of all Living Units and accessory buildings shall be in accordance with the Design Guidelines.

In the event that the need for maintenance or repair of Common Areas as specified herein (including those arising out of a violation of Section 9.7) is caused through the willful or negligent acts of an Owner, or through the willful or negligent acts of the family, guests or invitees of an Owner, the Board may cause such repairs to be made by the Association and the cost of such maintenance or repair (and administrative expenses equal to ten (10%) percent of such costs) shall be added to and become part of the Reimbursement Assessment (as set forth in Section 5.6) to which such Homestead is subject.

(d) The Association shall maintain, repair, and replace the Trails and keep them in a clean, safe and functional condition, at the sole cost and expense of the Association and at a standard equivalent to public trails maintained by the City or according to written policies of the City applicable to all City trails, as the same exist from time to time. In the event that the Association fails and/or refuses to maintain, repair and/or replace the Trails, or portions thereof, in accordance with the requirements of this Section 6.2 (d), the City shall provide written notice to the Association of any such failure specifying the location and nature of such failure or failures including a description of the required repairs needed. In the event that the Association fails or refuses to correct such deficiency within a period of thirty (30) business days following the date of such notice, the City shall have the right to perform all or some portion of such maintenance and/or repairs and shall thereafter have the right to obtain reimbursement from the Association of the actual costs incurred, plus ten percent (10%) for administrative costs. If the Association wishes to dispute any demand for maintenance, repair or replacement, it shall provide its reasons for such dispute in writing to the City within thirty (30) days of receiving notice from the City that maintenance of the trails is required. Failure to present such dispute in writing within the agreed upon time is a waiver of the Association to challenge the scope of the work claimed necessary by the City. All costs incurred by the City maintaining, repairing, or replacing the trails shall be submitted in writing, with supporting documentation, to the Association and in the absence of any challenge to the amount of such costs, the Association shall have fifteen (15) business days to pay the amounts in full. In the event of a dispute between the Association and the City regarding the need for work or the amount of the costs incurred by the City, the matter shall be resolved by mediation to be conducted within thirty (30) days of either the City's or the Association's request for mediation, by a mutually acceptable mediator.

(e) To the extent not assessed to or paid by the Owners directly, the Association shall pay all real property taxes and assessments levied upon any portion of the Common Areas, provided that the Association shall have the right to contest or compromise any such taxes or assessments.