



**When recorded return to:**  
Community Development  
City of Logan  
290 North 100 West  
Logan, UT 84321

# SUBDIVISION PERMIT

At the April 9, 2020 meeting the Logan City Planning Commission conditionally approved **PC 20-018 Rocky Garden Subdivision** for an 8-lot subdivision of 1.8 acres at 850 North 400 West in the Neighborhood Residential (NR-6) zone; TIN 05-043-0021.

These conditions are binding on the property owner and any subsequent purchaser of the property. If the property is rented or leased to another party, the recorded owner is still responsible for compliance with the conditions.

## CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. Eight (8) lots are approved with this subdivision permit.
3. Standard streetscape improvements shall be in place prior to the issuance of final occupancy for the adjacent street frontage(s) along all building lots.
4. Street trees are required every thirty feet on center prior to the final Certificate of Occupancy for each home. If occupancy is desired outside of the planting periods a landscape bond for street trees may be approved.
5. Setbacks for buildings shall be reviewed and approved at the time of the building permit application.
6. Provide 10' public utility easement on all property lines at the bounds of the subdivision and 5' PUE on all other property lines.
7. Final plat shall be recorded within one (1) year of this action with subsequent phases each one year following or comply with the Land Development Code Expirations and Extensions of Time.
8. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
  - a. Engineering
    - i. Provide storm water and detention and/or retention per City Storm Water Design Standards. This shall include retention of the 90% storm event on each lot utilizing Low Impact Design practices.
    - ii. Sewer and storm water services have been stubbed into lots as previously requested by property owner at time 400 West was constructed by the City. Utilize these services. Additional services can be added if needed. If there are any existing services to parcel that are not used by this development, these services shall be capped at City utility main.
    - iii. Maintain all existing irrigation/drainage systems through the development.
    - iv. Provide water shares for new development
    - v. Provide storm water Notice of Intent from State for construction along with Storm Water Pollution Prevention Plan and maintenance agreement.
  - b. Water/Cross Connection
    - i. Water meter setters must meet current Logan City standards.

**FINDINGS FOR APPROVAL**

1. The subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum lot sizes and maximum allowed densities for the NR-6 zone.
2. The project conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
3. The project meets the goals and objectives of the NR zoning designations within the Logan General Plan by providing residential opportunities in areas with existing services and infrastructure in the vicinity.
4. 400 West provides adequate access and services to the subdivision.
5. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

The Planning Commission's decision came on a motion by Commissioner Croshaw with a second by Commissioner Newman. The motion passed by a vote of 7-0.

This action will expire one year from the date of **April 9, 2020** if all conditions have not been met. An extension of time must be requested in writing and received by the Community Development Department prior to the expiration date.

**The City does not send *reminder* notices or other notification of the pending expiration date. The action to request an extension is the responsibility of the proponent.**

We have reviewed the decision of the Planning Commission and agree to the conditions and requirements. We understand this project expires one year from the date of the Commission's action unless the final plat has been recorded, or the Department of Community Development has issued a building permit. If an extension of time is required, we must submit our written request prior to the expiration date of the Planning Commission's action. The length of an extension of time is established in the Logan Land Development Code (LDC) Chapter 17.58.

**Accepted and agreed by:**

**Property Owner or Agent for Rocky Garden Subdivision**

Signed: 

Print Name: Steven C Earl

Address: 95 Golf Course Rd #101

City/State/Zip: Logan, UT 84321

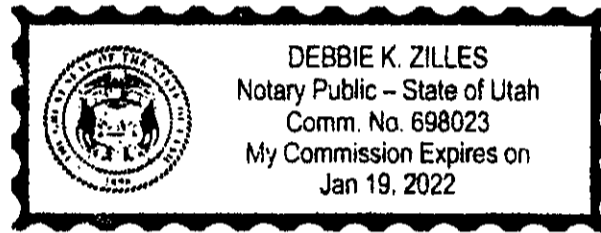
Date: 4/23/20

By the authority vested in me as the Logan City Director of Community Development, I affix my signature upon this document for granting a permanent and recorded Planning Commission Permit to run with the subject property in perpetuity.

Michael A. DeSimone, AICP  
Community Development Director  
City of Logan

State of Utah        )  
                              : §  
County of Cache    )

On this 29 day of April, 2020, before me, Debbie K. Zilles,  
a notary public, personally appeared Michael A. DeSimone, Community Development Director for  
the City of Logan, who is personally known to me and who signed the above permit.

  
Notary Public

### WARRANTY DEED

ALMA E. WATTERSON, JR., Trustee and LILA R. WATTERSON, Trustee, Grantors of Logan, Cache County, Utah, hereby CONVEY AND WARRANT to ALMA E. WATTERSON, JR. and LILA R. WATTERSON, as Trustees of the Watterson Family Trust dated May 14, 2003 Grantees of Logan, Utah, for the sum of Ten Dollars and other good and valuable consideration, the following described tract of land in Cache County, Utah:

See exhibit A attached hereto.

WITNESS, the hands of said Grantors, this 14th day of May, 2003.

Signed in the presence of

*Barth Boye*

) *Alma E. Watterson Jr. Trustee*  
) Alma E. Watterson, Jr., Trustee

) *Lila R. Watterson Trustee*  
) Lila R. Watterson, Trustee

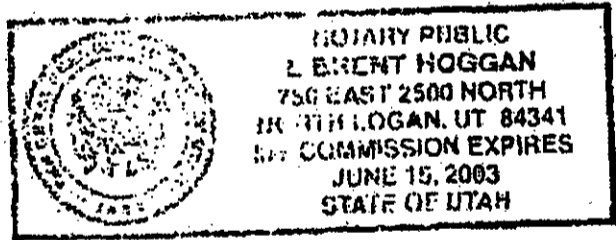
STATE OF UTAH )  
 ) : ss.  
County of Cache )

RECORDING DATA

On the 14th day of May, A.D. 2003, personally appeared before me Alma E. Watterson, Jr. and Lila R. Watterson, Trustees, the signers of the within instrument, who duly acknowledged to me that they executed the same as Trustees.

Ent **825816** Bk **1230** Pg **42**  
Date **22-May-2003 3:09PM** Fee **\$20.00**  
Michael Bleed, Rec. - Filed By DP  
**Cache County, UT**  
For **OLSON & HOGGAN**

*L. Brent Hoggan*  
NOTARY PUBLIC



LBH/estate  
watterson.wd  
N-869

EXHIBIT "A"

REAL PROPERTY located in Cache County, Utah:

Parcel 1 (06-060-0034):

Beginning at a point 132.75 feet East of Southwest corner of Lot 5, Block 10, Plat C, Logan City Survey, East 90 feet; thence North 4.5 rods; thence West 90 feet; thence South 4.5 rods to beginning. Situate in the Northeast Quarter of Section 34, Township 12 North, Range 1 East of the Salt Lake Meridian. Together with right of way described as follows: Commencing at the Southwest corner of Lot 5, said Block 10 and running thence East 132.75 feet; thence North 12 feet; thence West 132.75 feet; thence South 12 feet to point of beginning. Containing 0.15 acres

Parcel 2 (06-053-0004):

Beginning at a point 239 feet 3 inches North from the Southwest corner of Block 12 Plat E of Logan City Survey, thence North 57 feet 9 inches; thence East 30 feet; thence North 14 feet; thence East 83 feet 3 inches; thence South 26 feet; thence East 60 feet; thence South to point 24.75 feet East and 32 feet South of Northwest corner of Lot 3 of said Block; thence Southwesterly to a point 40' South of Northwest corner of said Lot; thence Southwesterly 150 feet to beginning. Situate in the Northeast Quarter, Section 34, Township 12 North, Range 1 East. Together with right of way described as follows: Beginning at the Northwest corner of Lot 3 of said Block 12 and running thence East 24.75 feet; thence South 32 feet to the North line of an existing right of way; thence Northwesterly along the North line of said right of way to the West line of said Lot 3; thence North along the said lot line 28.4 feet, more or less, to the point of beginning.

Ent 125816 Bk 1230 Pg 43

TOGETHER with a free and perpetual right of way over, across, along and upon the following described tract of land: Beginning at a point 56 feet South and 24 feet 9 inches West of the Northeast corner of Lot 3, Block 12, Plat "E", Logan City Survey and running thence South 32 feet; thence Northwesterly in a straight line 126 feet to a point 60 feet South from the Northwest corner of said Lot; thence North 32 feet; thence Southeasterly in a straight line 126 feet to the place of beginning.

Also: a right of way or easement for sidewalk purposes, over, across, along and upon the following described tract: Beginning at a point in the West line of Block 12, Plat "E", Logan City, at a point 149 feet North from the Southwest corner of said Block 12, and running thence South 85°26' East 84 feet 9 inches; thence South 52°43' East 235 feet 6 inches to the South line of said Block and to

a point 1 ½ rods West of the Southeast corner of Lot 3 on said Block; thence North 8 feet; thence North 52°43' West 230 feet 6 inches; thence North 85°26' West 84 feet 9 inches to a point North of the place of beginning; thence South 6 feet to the place of beginning.

Also: Subject to a right of roadway over the following described tract of land, to-wit: Beginning at a point 56 feet South and 24 feet 9 inches West from the Northeast corner of said Lot 3; and running thence South 32 feet; thence Northwesterly in a straight line 126 feet to a point 60 feet South from the Northwest corner of said Lot; thence North 32 feet; thence Southeasterly in a straight line 126 feet to the place of beginning.

Parcel 3 (05-043-0021):

Beginning at the Southeast corner of Lot 4, Block 24, Plat A of Logan Farm Survey and running thence North 40 rods to Northeast corner of Lot 4; thence West 147 feet; thence South 665.5 feet more or less to the South line of Lot 4; thence East 147 feet to beginning. Containing 2.24 acres more or less.

Parcel 4 (04-078-0003):

All of Lot 8, Block 14, Plat C, Logan Hayland Survey, containing 10 acres being situate in the South half of Section 20, Township 12 North, Range 1 East. B1493

LBN/estate  
watterson.exa.1  
N-869

Ent 825816 Bk 1230 Pg 44

Ent 1257208 Bk 2174 Pg 1988