

Five Forks Meadowlark Subdivision

Introduction Letter.....	2
Application Form.....	3-9
Preliminary subdivision plat.....	10-11
Explanation of plat on page 11 by surveyor.....	12
Title Report.....	13-19
Tax Clearance.....	20-21
Property Owner Addresses.....	22
Letter from All Wells (stating we are on their list to dig a well).....	23
Utah Department of Natural Resources Water Right.....	24-27
Southwest Utah Public Health Department Wastewater Feasibility Letter.....	28-29
Perc Test.....	30-31
Fire Authority Recommendations.....	32
Boulder Irrigation Company letter.....	33
Planning Commission Conditions.....	34-35
Road Materials	
Lawyer Opinion Letter.....	36-37
Dave Dodds - Garfield County Public Works - Opinion Letter.....	38
Kaden Figgins County Opinion Letter.....	39
Warranty Deed for the Property.....	40
Warranty Deed for the Avery Property.....	41
UDOT map showing public funding for Boulder Roads.....	42

Good evening everyone,

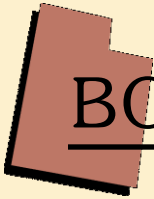
We purchased 10 acres at the end of Lower Boulder Road in the summer of 2021, with the goal of subdividing into two 5-acre lots. We would each like to call this place home. Sharing the cost of this piece of land is what will allow us to build our lives here, and for Elena to keep growing her small farm business.

We've been working with the Planning Commission for about a year and a half now, to comply with all of the town ordinances and make this happen. We got their approval at the December PC meeting, with some conditions. We originally hoped to bring our application to you at the January meeting, but the Lower Boulder Road/Robison Lane confusion awaited resolution. At the February TC meeting we got the go ahead to move forward.

Tonight we would like to present to you our complete application packet (approved by PC) and the conditions given to us by the PC. We have also included the materials we submitted for the February meeting regarding the road, in case anyone needs to see those again. You will notice that none of the conditions are required for preliminary approval from the town; they just need to be implemented before we get final approval from the town. Per ordinance 152.046, there is a year period during which we can implement these changes and get the final plat ready to be filed.

We understand that these matters take careful deliberation, and are happy to answer any questions you all might have.

Thank you,
Elena Hughes + Dylan Rose Geerlings



APPLICATION FOR SUBDIVISIONS

APPLICANT INFORMATION

Date: **October 27, 2022**

Name: **Dylan Rose Geerlings & Elena Hughes**

Address: **POB 1432**

City: **Boulder**

State: **Utah**

Zip: **84716**

Phone: **908-334-0065**

Fax:

Cell Phone: **530-588-3129**

Email: **dylanrosegeerlings@gmail.com; ehughes614@gmail.com**

Contact Person:

PRELIMINARY SUBDIVISION APPLICATION

Fee Amount: \$

Proposed Number of Lots: **two in total, an increase of one**

Location/Address of Proposed Application: **S 2150 Meadowlark Lane previously Goldman Circle**

Current Zoning District: **GMU - greenbelt multi use**

Proposed Total of Area for Subdivision (in acres): **10.03 acres in total - two lots of 5.015 acres each**

Name of Property Owners: **Dylan Rose Geerlings**

Elena Hughes

Signature of Applicant(s):

Boulder Town Office Use Only

Date Received:

Date Determined Complete:

Fees Paid:

PROPERTY OWNER AFFIDAVIT

STATE OF UTAH }
 }ss
COUNTY OF GARFIELD}

I (we), Dylan Rose Geerlings and Elena Hughes, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Elena Hughes

(Property Owner)
Dylan Rose Geerlings

(Property Owner)

Subscribed and sworn to me this 27 day of October, 2022.

Judith Davis



My commission expires: 07-29-2023

AGENT AUTHORIZATION AFFIDAVIT

I (we), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) agent(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the Town considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20____, personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)

My commission expires: _____

Preliminary Subdivision Application Requirements and Review Procedures

- 1. **Application Form.** A Preliminary Subdivision Application form, provided by Town Clerk, completed and signed by the owner(s) as identified on the property assessment rolls of Garfield County, or authorized agent of the owner(s), of the lands proposed to be subdivided. The Preliminary Subdivision Application shall be accompanied by the Preliminary Subdivision Application fee, including a non-refundable administrative processing fee, as established by Resolution of the Town Council.
- 2. **Preliminary Subdivision Plat.** A Preliminary Subdivision Plat, prepared by a licensed land surveyor, shall be provided. The Preliminary Subdivision Plat shall be prepared in pen and all sheets shall be numbered. A minimum of twelve (12) paper copies shall be presented to the Town Clerk, as part of the Preliminary Subdivision Application. The Planning Commission may request additional copies if required.

The Preliminary Subdivision Plat shall show the following:

- a. A layout plan of the proposed subdivision, at a scale of no more than 1" = 100', or as recommended by the Zoning Administrator.
 - b. Located at the top and center of the preliminary plat, the proposed name of the subdivision and the section, township, range, principal median, and County of its location.
 - c. A title block, placed on the lower right-hand corner of the plat showing:
 - i. Name and address of owner of record and the name and address of the licensed land surveyor responsible for preparing the preliminary plat.
 - ii. Date of preparation of the preliminary subdivision plat, and all revision dates.
 - iii. Signature blocks for the dated signatures of the Mayor and Planning Commission Chair.
 - d. North arrow, graphic and written scale, and basis of bearings used.
 - e. All proposed lots, rights-of-way, and easements created by the subdivision and their bearings, lengths, widths, name, number, or purpose shall be given. The area of all lots created, with their addresses shall be shown.
 - f. A vicinity map of the site at a minimum scale of 1" = 1000'.
 - g. Surveyed boundaries of the proposed subdivision; accurate in scale, dimension and bearing, and giving the location of and ties to the nearest survey monument. The location of the property with respect to surrounding property and roads, and the names of all adjoining property owners of record shall be shown.
 - h. The legal description of the entire subdivision site boundary.
 - i. The location of any common space or open space areas including the location of all property proposed to be set aside for public or private reservation, with the designation of the purpose of those set asides, and conditions, if any, of the dedication or reservation.
- 3. **Required Subdivision Site Information.** On separate sheets, at the same scale as the preliminary subdivision plat information, the following subdivision site information is required:
- a. The identification of known natural features including, but not limited to, jurisdictional wetlands as identified by the U.S. Army Corps of Engineers, areas of slope exceeding 30% grade, flood channels as identified by a Federal or State Agency, all water bodies and drainage ways, and any other natural features as required by the Planning Commission, or Town Council, for the entire subdivision site, including the total acres in each.
 - b. Existing site contours, at intervals of no greater than two (2) feet, unless otherwise approved by the Planning Commission, overlaid with the proposed subdivision layout plan.
 - c. The location of any known man-made features on, or contiguous to the subdivision site, including existing platted lots, all utility easements, railroads, power lines and power poles, bridges, culverts, drainage channels, road rights-of-way and easements, field drains, irrigation canals and ditches.

- d. The location and dimensions of all existing buildings, fence lines and property lines, overlaid with the proposed subdivision layout plan.
 - e. The layout of proposed power lines including the source and connection to the existing power supply.
 - f. All existing and proposed roadway locations and dimensions, with cross sections of all new roads, proposed to be dedicated to the Town, showing the grades of all proposed streets and roads and all proposed cuts and fills exceeding three (3) feet. The proposed radius of all centerline curves shall be shown.
 - g. The location and size of existing and proposed culinary water and sewer lines and/or, the location of all wells and springs, and the location of all proposed absorption and drain fields, as required by the South West Utah Public Health Department, or the Utah Department of Environmental Quality, as applicable, overlaid with the proposed subdivision layout plan.
- 4. **Proposed Storm Drainage System**. The location of all existing and proposed fire hydrants, including the sizes of all existing and proposed water lines serving fire hydrants.
 - 5. **Title Report**. A Title Report for the property proposed to be subdivided, provided by a Title Company directly to the Town and including all Abstract Pages within 30 days of the date of the Preliminary Subdivision Application.
 - 6. **Tax Clearance**. A tax clearance from the Garfield County Treasurer indicating that all taxes, interest, and penalties owing for the subject property have been paid.
 - 7. **Property Owner Addresses**. Addresses of all owners of record of real property within 300 feet of the site proposed to be subdivided.
 - 8. **Evidence of Availability of Necessary Services**. The following information is required to be presented as part of the Preliminary Subdivision Application, necessary to establish the availability of basic services to the proposed subdivision.
 - a. **Culinary Water Requirements**. The South West Utah Public Health Department, or the Utah Department of Environmental Quality, as applicable, identified herein as the “Culinary Water Authority,” shall review and approve the feasibility of the culinary water system and sources for the subject property. It shall be the responsibility of the applicant to provide information and materials as required by South West Utah Public Health Department, or the Utah Department of Environmental Quality, necessary to review and approve the feasibility of the culinary water system.
 - b. **Wastewater Requirements**. The South West Utah Public Health Department, or the Utah Department of Environmental Quality, as applicable, identified herein as the “Sanitary Sewer Authority,” shall review and approve the feasibility of sanitary sewer services or onsite wastewater systems. for the subject property. It shall be the responsibility of the applicant to provide information and materials as required by the South West Utah Public Health Department, or the Utah Department of Environmental Quality, necessary to review and approve the feasibility of the sanitary sewer services or onsite wastewater systems.
 - c. **Fire Protection and Suppression Requirements**. The Boulder Town Fire Authority shall review and make necessary recommendations, as determined necessary by the Fire Authority for necessary fire protection and suppression services for the subject property. It shall be the responsibility of the

applicant to provide information and materials as required by the Boulder Town Fire Authority, necessary to review and make recommendations of the fire protection and suppression facilities and services.

- d. **Storm Drainage System.** As required by Item 4, all preliminary subdivision applications shall identify plans for storm water drainage. No ditch or canal shall be proposed for the use of storm water runoff without the written approval of the applicable irrigation company, with a note on the preliminary plat identifying a proposed and recordable drainage easement.
- e. **Subdivision Roads and Streets.** The preliminary subdivision plat, and other application materials, shall identify the proposed road and street layout. Proposed subdivision streets shall make provision for the continuation of existing streets, as required by the Town Council. The Town Engineer shall review the proposed street and road design for compliance with the requirements of the Town. The proposed street and road layout shall provide adequate and safe access to all proposed lots and proposed and existing roads and streets. Minimum lot sizes as required by the Town's Zoning Ordinance shall be exclusive of road easements and rights-of-way. If the subdivision will be accessed from a State Highway an appropriate access permit, as required by the State of Utah Department of Transportation shall be provided with the application materials.

- 9. **Special Service District or Special Service Area.** If the proposed subdivision is located within the boundaries of a Special Service District or a Special Service Area, a letter shall be provided, with the preliminary subdivision application materials, from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.
- 10. **Irrigation Company.** If the proposed subdivision is located within the boundaries of an Irrigation Company a letter shall be provided, with the preliminary subdivision application materials, from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.
- 11. **Additional Information and Materials when Necessary.** When the Planning Commission, or Town Council deem necessary, the applicant may be required to provide other information or letters of feasibility, conduct studies, and provide evidence indicating the suitability of the area for the proposed subdivision, including, but not limited to, adequacy of public safety and fire protection, ground water protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other physical or environmental matters.

FIGURE 1

**PRELIMINARY SUBDIVISION APPLICATION
REVIEW PROCEDURES**

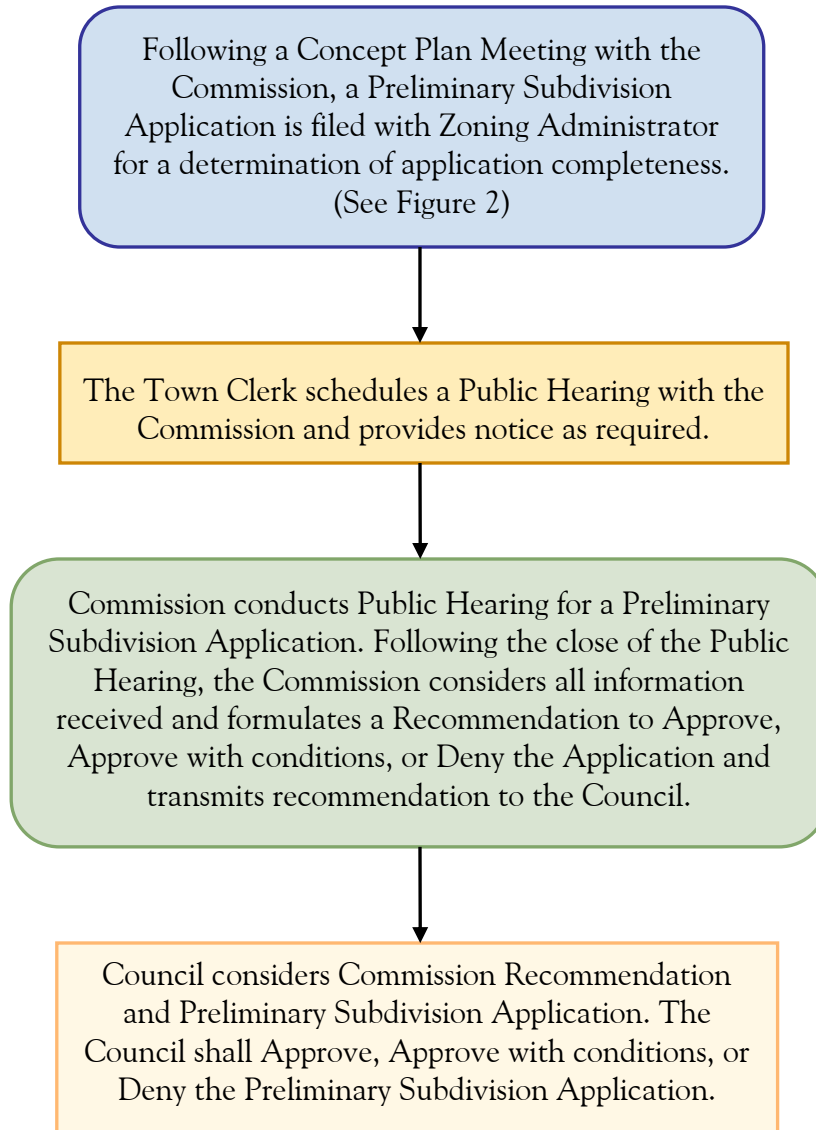
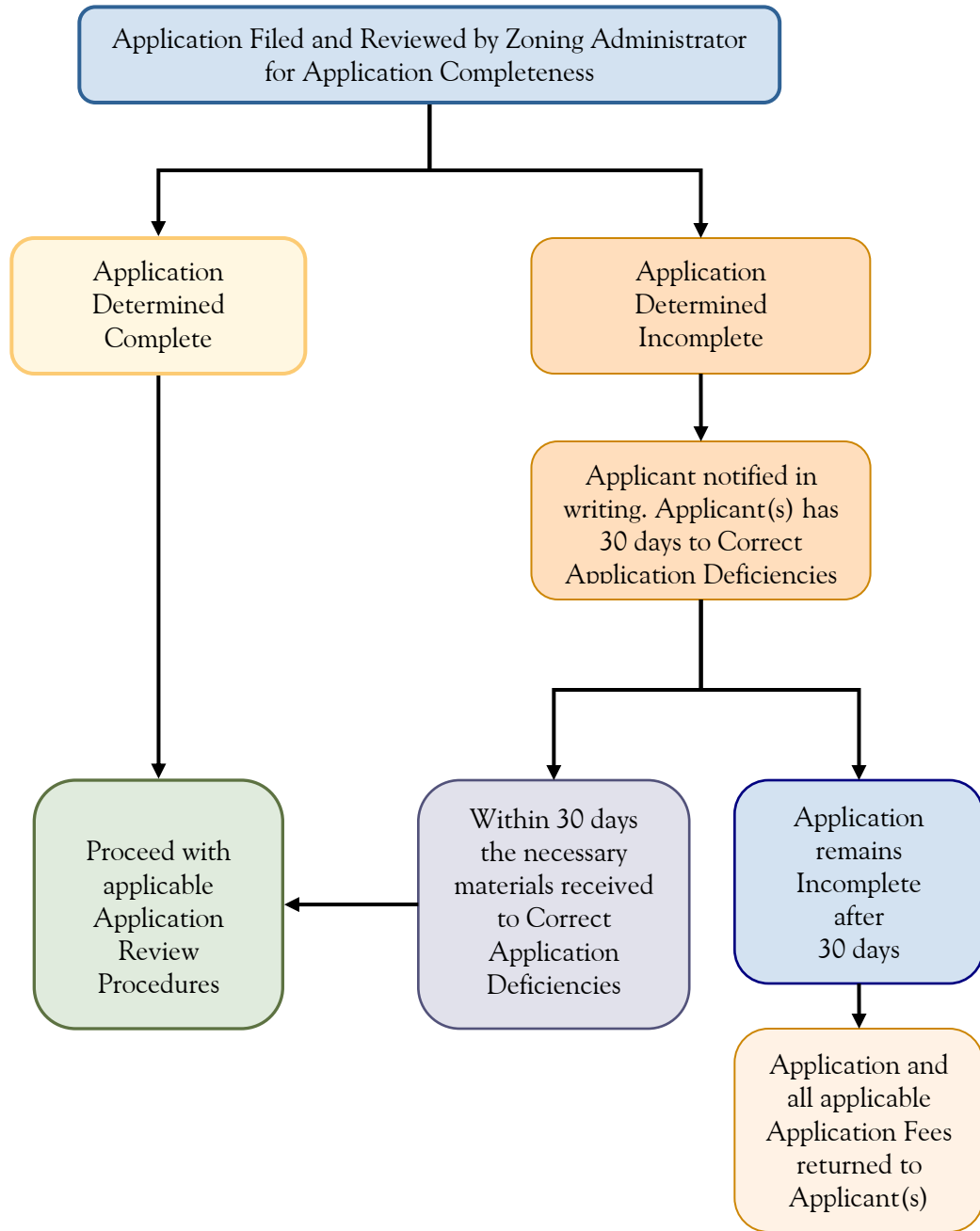


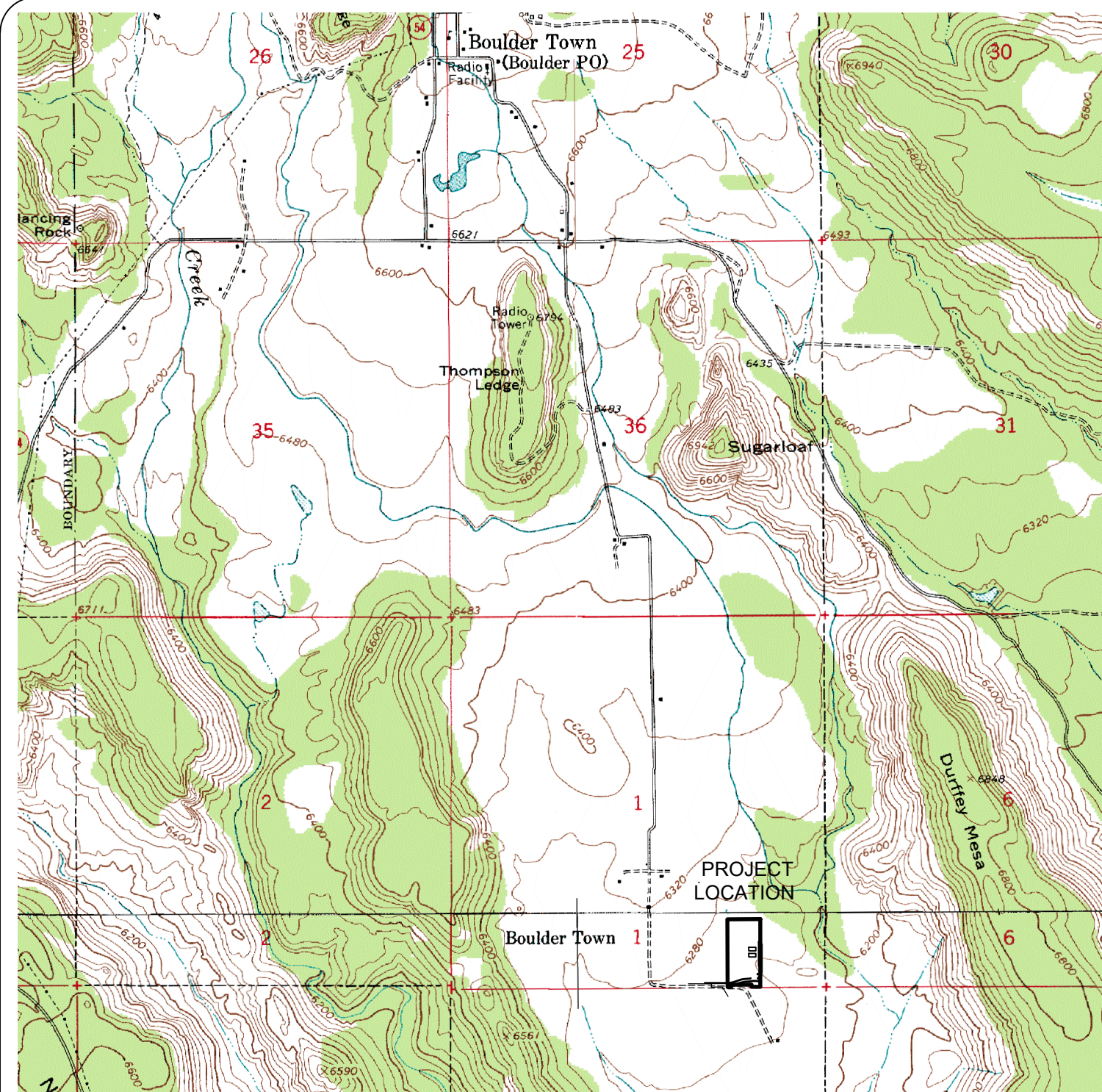
FIGURE 2

DETERMINATION OF APPLICATION COMPLETENESS PROCEDURES



FIVE FORKS MEADOWLARK SUBDIVISION SITE MAP

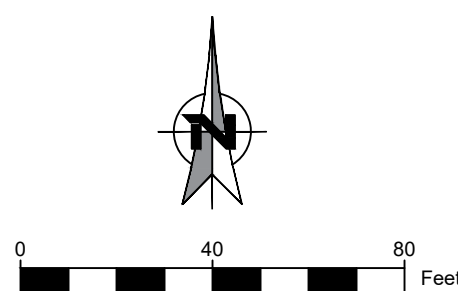
AN AMENDMENT OF LOT 3 OF MEADOWLARK SUBDIVISION
LOCATED IN THE SE 1/4 OF SECTION 1, TOWNSHIP 34 SOUTH, RANGE 4 EAST, S.L.B.&M.
BOULDER TOWN, GARFIELD COUNTY, UTAH



VICINITY MAP
SCALE: 1"=2000'

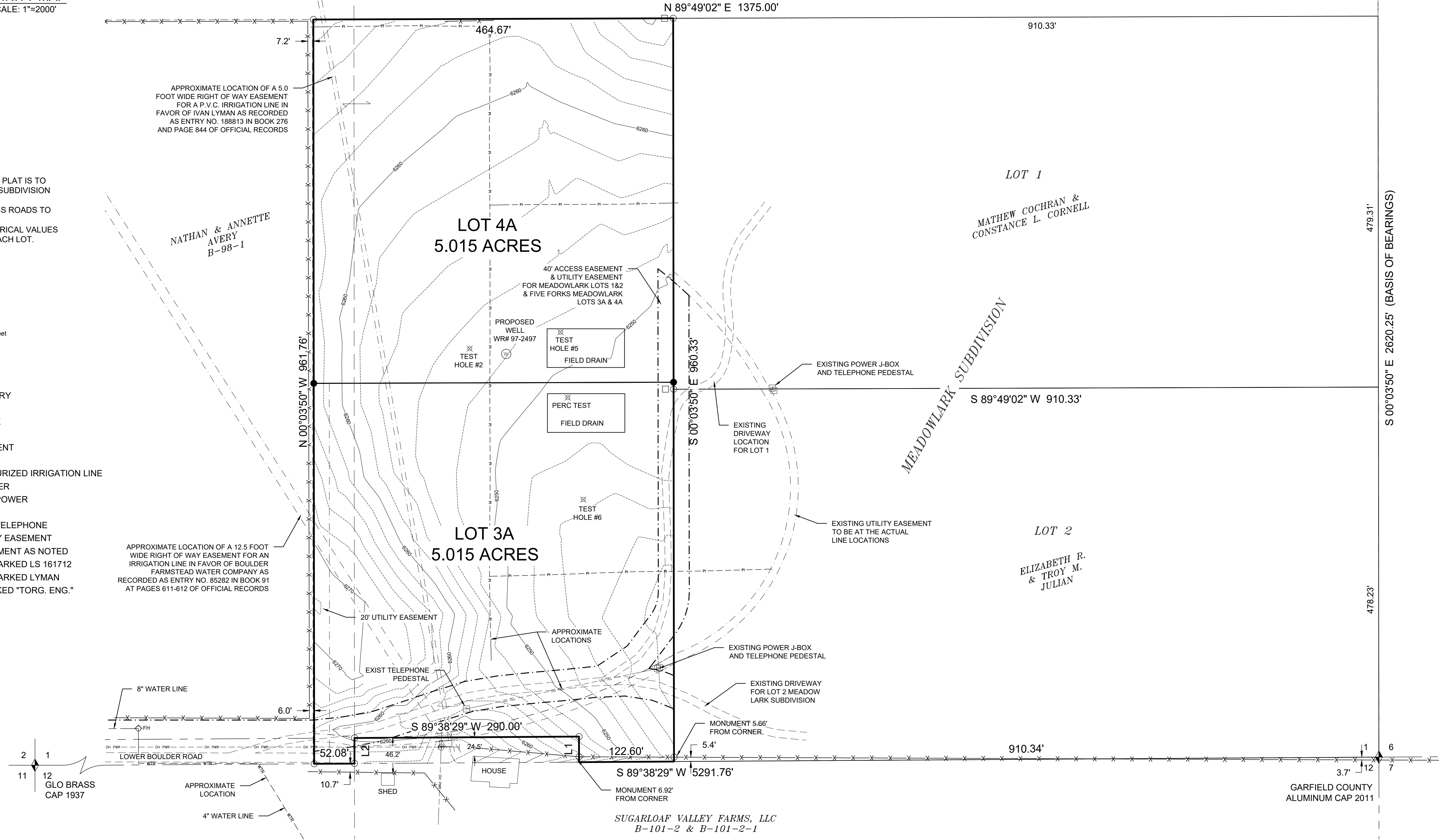
Line #	Direction	Length
L1	N 0°02'34" W	33.00'
L2	S 0°02'34" E	33.00'

- NOTES:
- THE PURPOSE OF THIS SUBDIVISION PLAT IS TO SUBDIVIDE LOT 3 OF MEADOWLARK SUBDIVISION PLAT.
 - ROADS SHOWN ARE PRIVATE ACCESS ROADS TO THE LOTS.
 - STORM WATER IN EXCESS OF HISTORICAL VALUES SHALL BE RETAINED ON SITE FOR EACH LOT.



LEGEND

- SURVEY BOUNDARY
- - - SECTION LINE
- - - 1/16 SECTION LINE
- - - DEED LINE
- - - EXISTING EASEMENT
- x - x - FENCE
- - - EXISTING PRESSURIZED IRRIGATION LINE
- - - OVER HEAD POWER
- - - UNDERGROUND POWER
- - - DIRT ROAD
- - - UNDERGROUND TELEPHONE
- - - ACCESS & UTILITY EASEMENT
- ◆ FOUND SECTION MONUMENT AS NOTED
- FOUND REBAR & CAP MARKED LS 161712
- FOUND REBAR & CAP MARKED LYMAN
- SET REBAR & CAP MARKED "TORG. ENG."
- ⊙ POWER POLE
- ⊙ GUY ANCHOR
- ⊙ POWER TRANSFORMER
- ⊙ POWER JUNCTION BOX
- ⊙ TELEPHONE PEDESTAL
- ⊙ FH FIRE HYDRANT



BOUNDARY DESCRIPTION

LOT 3, MEADOWLARK SUBDIVISION RECORDED AS ENTRY #283455 ON SEPTEMBER 07, 2022 IN GARFIELD COUNTY RECORDERS OFFICE.

BASIS OF BEARINGS IS SOUTH 00°03'50" EAST FROM THE EAST QUARTER CORNER TO THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 34 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SURVEYOR'S CERTIFICATE

I, RODNEY K. TORGENSEN, CERTIFY THAT I AM A LICENSED LAND SURVEYOR, LICENSE NUMBER 161712, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER I HAVE DIRECTED A SURVEY OF THE REAL PROPERTY SHOWN ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS AS REPRESENTED ON THIS PLAT.

DYLAN ROSE GEERLINGS
P.O. BOX 1432
BOULDER, UT 84716

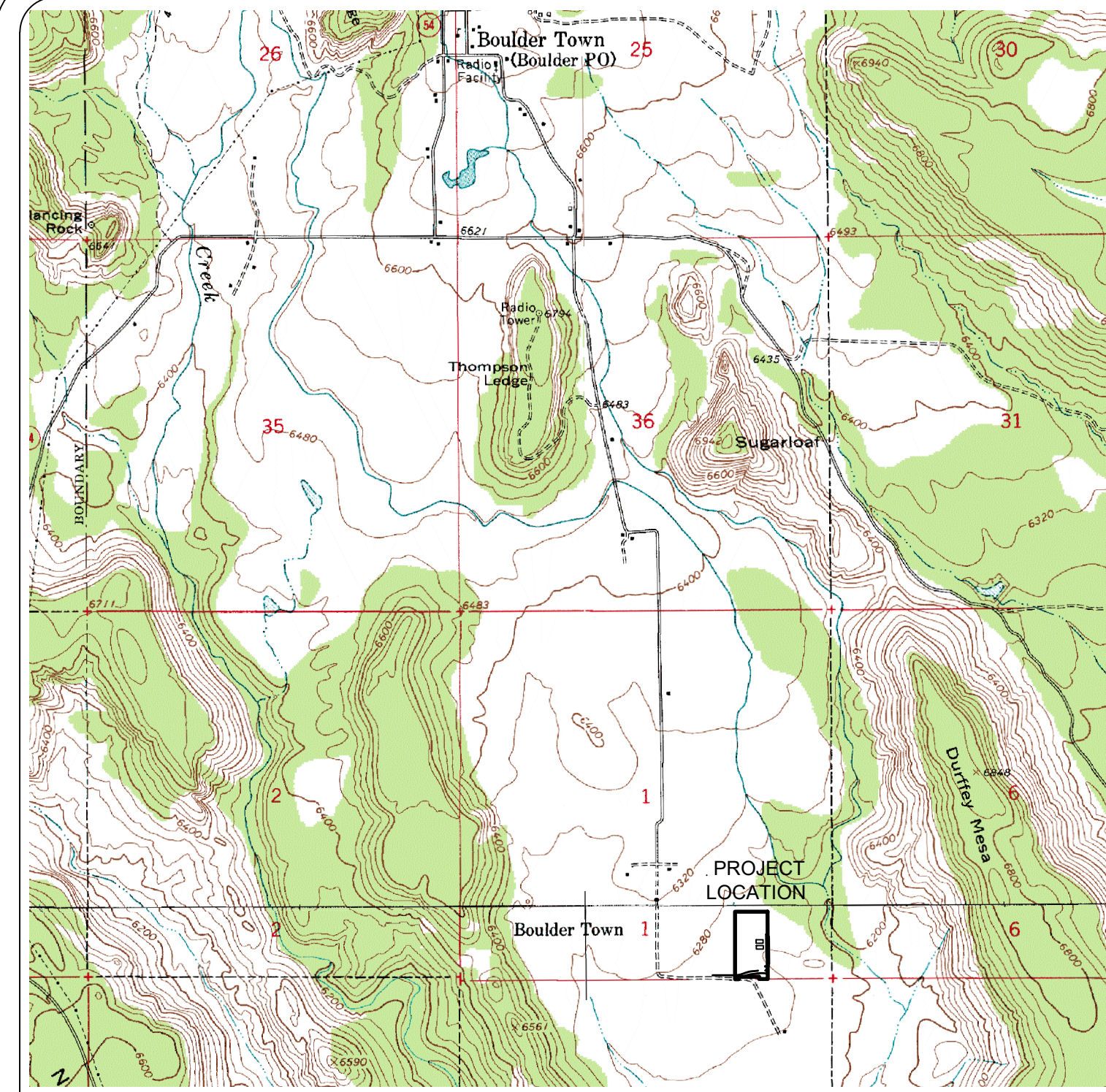
ELENA HUGHES
P.O. BOX 1532
BOULDER, UT 84716

TORGENSEN ENGINEERING
265 NORTH 600 EAST
RICHFIELD, UTAH 84701
OFFICE (435) 893-0081
WWW.TORGENSEN.COM

22313 DRAWN BY: RJB DATE: 11/14/2022 CHECKED BY: RKT DATE: 11/14/2022

FIVE FORKS MEADOWLARK SUBDIVISION SITE MAP

AN AMENDMENT OF LOT 3 OF MEADOWLARK SUBDIVISION
BOULDER TOWN, GARFIELD COUNTY, UTAH
LOCATED IN THE SE 1/4 OF SECTION 1, TOWNSHIP 34 SOUTH, RANGE 4 EAST, S.L.B.&M.
SCALE: 1"=80'



VICINITY MAP
SCALE: 1"=2000'

FIVE FORKS MEADOWLARK SUBDIVISION

AN AMENDMENT OF LOT 3 OF MEADOWLARK SUBDIVISION
LOCATED IN THE SE 1/4 OF SECTION 1, TOWNSHIP 34 SOUTH, RANGE 4 EAST, S.L.B.&M.
BOULDER TOWN, GARFIELD COUNTY, UTAH

GARFIELD COUNTY
ALUMINUM CAP 2011

RANGE 4 EAST
RANGE 5 EAST

SECTION LINE

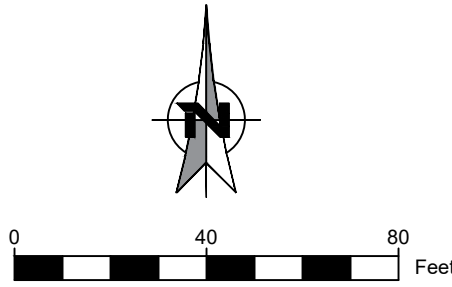
478.31'
S 00°03'50" E 2620.25' (BASIS OF BEARINGS)

478.23'

GARFIELD COUNTY
ALUMINUM CAP 2011

Line #	Direction	Length
L1	N 0°02'34" W	33.00'
L2	S 0°02'34" E	33.00'

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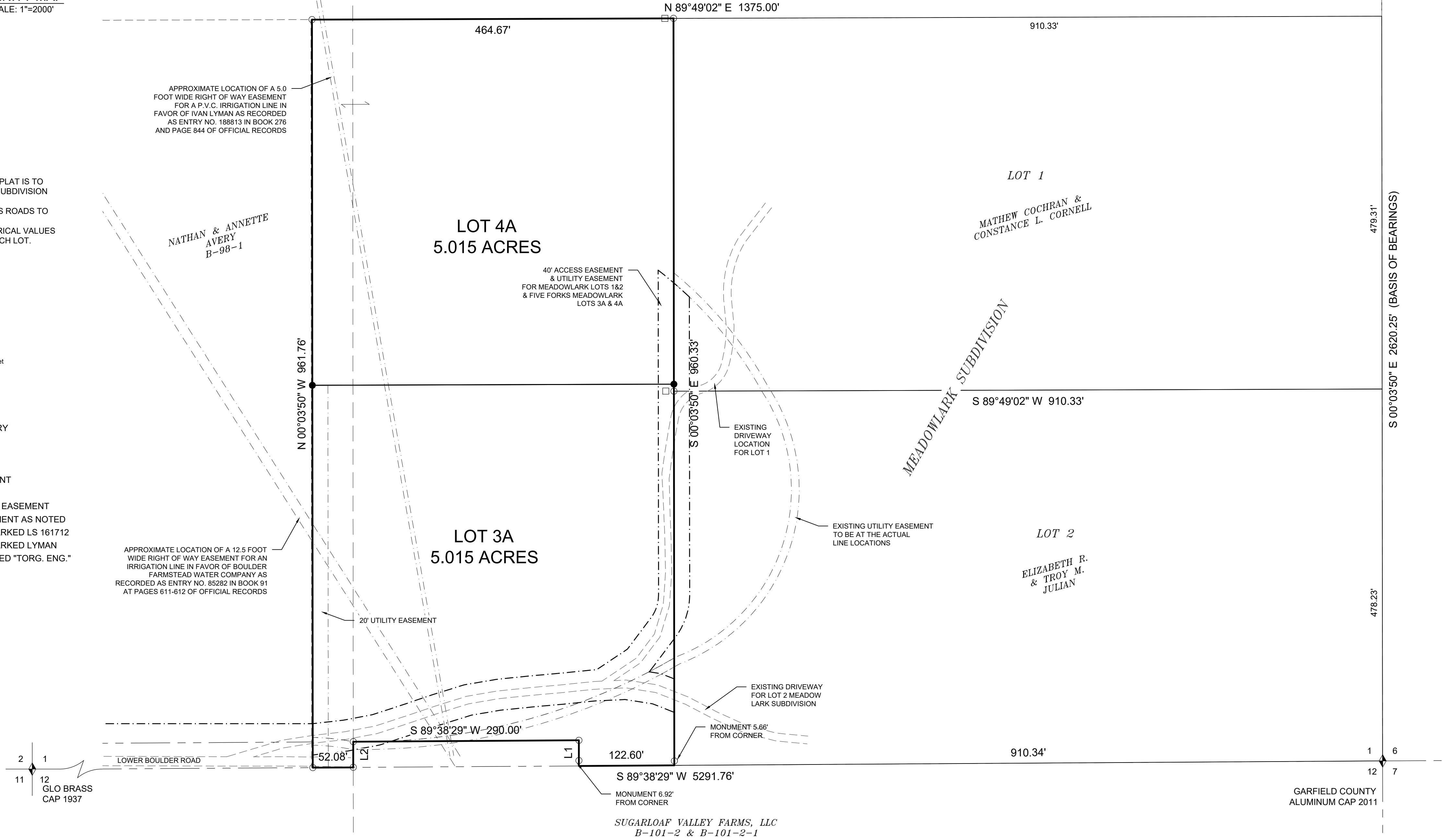


LEGEND

- SURVEY BOUNDARY
- SECTION LINE
- 1/16 SECTION LINE
- DEED LINE
- EXISTING EASEMENT
- DIRT ROAD
- ACCESS & UTILITY EASEMENT
- FOUND SECTION MONUMENT AS NOTED
- FOUND REBAR & CAP MARKED LS 161712
- FOUND REBAR & CAP MARKED LYMAN
- SET REBAR & CAP MARKED "TORG. ENG."

APPROXIMATE LOCATION OF A 5.0 FOOT WIDE RIGHT OF WAY EASEMENT FOR A P.V.C. IRRIGATION LINE IN FAVOR OF IVAN LYMAN AS RECORDED AS ENTRY NO. 188813 IN BOOK 276 AND PAGE 844 OF OFFICIAL RECORDS

APPROXIMATE LOCATION OF A 12.5 FOOT WIDE RIGHT OF WAY EASEMENT FOR AN IRRIGATION LINE IN FAVOR OF BOULDER FARMSTEAD WATER COMPANY AS RECORDED AS ENTRY NO. 85282 IN BOOK 91 AT PAGES 611-612 OF OFFICIAL RECORDS



BOUNDARY DESCRIPTION

LOT 3, MEADOWLARK SUBDIVISION RECORDED AS ENTRY #283455 ON SEPTEMBER 07, 2022 IN GARFIELD COUNTY RECORDERS OFFICE.

BASIS OF BEARINGS IS SOUTH 00°03'50" EAST FROM THE EAST QUARTER CORNER TO THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 34 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SURVEYOR'S CERTIFICATE

I, RODNEY K. TORGERSEN, CERTIFY THAT I AM A LICENSED LAND SURVEYOR, LICENSE NUMBER 161712, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER I HAVE DIRECTED A SURVEY OF THE REAL PROPERTY SHOWN ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS AS REPRESENTED ON THIS PLAT.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS PLAT, HAVE CAUSED THE MEADOWLARK SUBDIVISION PLAT "A" TO BE AMENDED AND TO BE SUBDIVIDED INTO LOTS AND EASEMENTS AS SHOWN AND DO HEREBY DEDICATE THE EASEMENTS AS PUBLIC UTILITY EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS
DAY OF _____, A.D. 20____.

_____ ELENA HUGHES
DYLAN R. GEERLING

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____

ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____
BY THE BOULDER TOWN PLANNING COMMISSION.

CHAIR, PLANNING COMMISSION

ACCEPTANCE BY LEGISLATIVE BODY

APPROVED THIS _____ DAY OF _____, A.D. 20____
BY THE TOWN COUNCIL OF BOULDER, UTAH.

MAYOR
TOWN OF BOULDER

ATTEST
CLERK-RECORDER

DYLAN ROSE GEERLINGS
P.O. BOX 1432
BOULDER, UT 84716

ELENA HUGHES
P.O. BOX 1532
BOULDER, UT 84716

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22313 DRAWN BY: RJB DATE: 11/14/2022 CHECKED BY: RKT DATE: 11/14/2022

FIVE FORKS MEADOWLARK SUBDIVISION

AN AMENDMENT OF LOT 3 OF MEADOWLARK SUBDIVISION
BOULDER TOWN, GARFIELD COUNTY, UTAH
LOCATED IN THE SE 1/4 OF SECTION 1, TOWNSHIP 34 SOUTH, RANGE 4 EAST, S.L.B.&M.
SCALE: 1"=80'



Rodney Torgersen

Preliminary Plat

To: Dylan Rose Geerlings

10:46 AM



Siri Found a Phone Number

Rodney Torgersen

(435) 893-0081

Update



Dylan, I gave the drafter some redlines for the drawing, and he should have it done sometime this morning. He was gone part of the week. On the Required Subdivision Site information, We included it on the Preliminary Plat rather than making a separate drawing.

Item 3a: there are no jurisdictional wetlands, water bodies or drainage ways.

Item 3b: on the Preliminary Plat

Item 3c: these are added, there are no irrigation ditches, but we show the irrigation lines and easements.

Item 3d: The only buildings near the property line are shown on the Sugarloaf property to the south.

Item 3e: We show the location of the test hole locations and perc test. The drain fields will need to be installed in this area. You should be aware that the well as shown on the plat from the approved water right may need to be moved. When drilled, it will need to be at least 100 feet from the wastewater systems.

Item 4: We added a note to the Preliminary Plat that storm water in excess of historical values shall be retained on site.

Items 5 through 8c, and 9 & 10 are anticipated to be taken care of by you.

I will get you the Plat as soon as finished.

--

Rodney Torgersen, PE, PLS

435-893-0081 (office)

435-893-1855 (cell)

COMMITMENT FOR TITLE INSURANCE

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, *Old Republic National Title Insurance Company*, a(n) corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within _____ after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
 - (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
 - (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
 - (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
 - (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
 - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
 - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I—Requirements; [and]
 - (f) Schedule B, Part II—Exceptions; and
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.

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- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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Transaction Identification Data for reference only:

Issuing Agent: Security Title Company of Garfield County
Issuing Office: 15 N. Main Street, Panguitch, UT 84759
Issuing Office's ALTA® Registry ID: 0002906
Commitment No.: 22-31032-1
Issuing Office File No.: 22-31032
Property Address: 2150 South Goldman Circle, Boulder, UT 84716

SCHEDULE A

1. Commitment Date: October 24, 2022 at 08:00 AM

2. Policy to be issued:

A. ALTA Owners Policy (06/17/06)

Proposed Insured:

\$0.00
Premium: **\$0.00**

3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.

4. The Title is, at the Commitment Date, vested in:

Dylan Rose Geerlings and Elena Hughes, as joint tenants


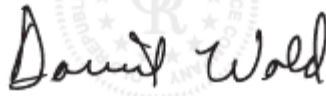
5. The Land is referred to in the Commitment is situated in the State of Utah, County of Garfield and is described as follows:

All of Lot 3, Meadowlark Subdivision, Plat "A", according to the Official Plat thereof, recorded in the Office of the County Recorder of said County.

Date:
Security Title Company

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

Travis V. Hatch, Title Officer

By  President
Attest  Secretary

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**SCHEDULE B, PART I
Requirements**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Warranty Deed from Dylan Rose Geerlings and Elena Hughes, as joint tenants to .
5. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
6. This Company will require the following, if necessary, to insure a loan by or conveyance from, the entity names herein: a copy of the partnership agreement, Articles of Organization, Operating Agreement and Corporation Resolution, together with all supplements or amendments thereto. Evidence that the entity is in good standing in the State where it was formed. A copy of the trust agreement and any amendments thereto.
7. Release(s) or reconveyance(s) of Item(s) No. NONE
8. NOTE: In the event the transaction for which this commitment is furnished cancels, the minimum cancellation fee will be \$200.00.

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SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Taxes or Assessments: The Lien of Real Estate Taxes or assessments imposed on the title by a governmental authority that are not shown as existing Liens in the Records of any taxing authority that levies taxes or assessments on real property or in the Public Records.
3. Parties in Possession: Any Facts, Rights, Interests or Claims that are not shown in the Public Records but that could be ascertained by an inspection of the land or by making inquiry of persons in possession of the land.
4. Easements: Easements, Claims of Easements or Encumbrances that are not shown in the Public Records.
5. Survey Matters: Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title including discrepancies, conflicts in boundary line, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the Public Records.
6. Patent and Water Rights: (a) Unpatented mining claims; (b) reservations or exceptions in patents or in acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights including, but not limited to easements or equitable servitudes; (d) water rights, claims to water or title to water, or water rights, whether or not the matter excepted in (a), (b), (c) or (d) are shown by the public records.
7. Mechanic Liens: Any lien, or right of lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
8. Minerals: Any right, title or interest in any minerals, mineral rights or related matters, including but not limited to oil, gas, coal and other hydrocarbons, sand, gravel or other common variety materials whether or not shown by the public record.

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9. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
10. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
11. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.

Exceptions 1-8 will not appear on an Extended policy and exceptions 1-11 will not appear in any Extended Loan Policy to be issued hereunder.

12. Taxes for the year 2022 now due and payable, but will not become delinquent until November 30th; Serial No.Parcel 02-0025-0003.
13. Easement and Restrictions as set forth on the recorded subdivision.

NOTE: The names of ,Dylan Rose Geerlings and Elena Hughes have been checked for judgments and if any were found would appear as Exceptions to title under Section B, Section 2, herein. (No other variations of the names above have been checked.)

Chain of Title: According to official records, there have been no document conveying the subject property within a 24 months prior to the date of this commitment , except as Follows:
wd, Christopher S. Hart and Diane Mills Hart to Dylan Rose Geerlings and Elena Hughes as joint tenants, Recorded 8-18-21, Entry No. 280944, Bk 552, Pg 69

Endorsements 8.1,9, 22 will be \$60.00

In the event the transaction for which this commitment was ordered "cancels", please refer to paragraph b under Section B, Section 1 for required cancellation fee.

NOTE: The Policy(ies) to be issued as a result of this Commitment contain an Arbitration Clause set forth in the Conditions/Conditions and Stipulations section. The following is included for the information of the proposed insured:

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitral matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

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GARFIELD COUNTY CORPORATION Tax Roll Master Record

Parcel: 02-0025-0003	Serial #:GS-3	Entry: 280944
Name: GEERLINGS DYLAN ROSE		
c/o Name: HUGHES ELENA		
Address 1: PO BOX 1432		
Address 2:		
City State Zip: BOULDER	UT 84716-0000	
Mortgage Co:		
Status: Active	Year: 2022	District: 002 BOULDER DISTRICT
		0.007968

Owners	Interest	Entry	Date of Filing	Comment
GEERLINGS DYLAN ROSE		280944	08/18/2021	(0552/0069)
HUGHES ELENA		280944	08/18/2021	(0552/0069)

Property Information	2022 Values & Taxes				2021 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
LG01 LAND GREENBELT	10.00	244,000	1,770	14.10	117,480	1,733	13.88
Totals:	10.00	244,000	1,770	14.10	117,480	1,733	13.88

Greenbelt Class Code & Name	Zone Code & Name	Acres	Price/Acre	Market	Taxable	Status	Changed
IT3 IRRAGATED III	0001 GARFIELD COUNTY	10.00	24,400	244,000	1,770	Active	01/11/2022
Greenbelt Totals		10.00		244,000	1,770		

**** **ATTENTION !!** ****

Tax Rates for 2022 have been set and approved. All levied taxes and values shown on this printout for the year 2022 should be correct.

2022 Taxes:	14.10	2021 Taxes:	13.88
Special Fees:	0.00	Review Date	
Penalty:	0.00	02/26/2019	
Abatements: (0.00)		
Payments: (0.00)		
Amount Due:	14.10	NO BACK TAXES!	

Back Tax Summary							
Year	Principal	Specials Total	Penalty	Interest Due	Interest Rate	Total Payments	Total Due
2020	0.00	0.00	0.00	0.00	7.00%	14.78	0.00
2019	0.00	0.00	0.00	0.00	7.75%	15.98	0.00
2017	0.00	0.00	0.00	0.00	7.25%	13.81	0.00
2012	0.00	0.00	0.00	0.00	7.00%	14.79	0.00
2011	0.00	0.00	0.00	0.00	7.00%	15.75	0.00
2010	0.00	0.00	0.00	0.00	7.00%	16.47	0.00
2009	0.00	0.00	0.00	0.00	6.25%	17.99	0.00
Totals:	0.00	0.00	0.00	0.00		109.57	0.00

NO BACK TAXES

GARFIELD COUNTY TREASURER / DEPUTY

signature

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

ALL OF LOT 3 GOLDMAN SUBDIVISION CONT 10.00 AC M/L

GARFIELD COUNTY CORPORATION Tax Roll Master Record

Parcel: 02-0025-0003	Serial #:GS-3	Entry: 280944
Name: GEERLINGS DYLAN ROSE		
c/o Name: HUGHES ELENA		
Address 1: PO BOX 1432		
Address 2:		
City State Zip: BOULDER	UT 84716-0000	
Mortgage Co:		
Status: Active	Year: 2022	District: 002 BOULDER DISTRICT
		0.007968

Property Address
GOLDMAN CIRCLE S 2150
BOULDER 84716-0000
Acres: 10.00

History

4/25/13 - CHANGEC ADDRESS FROM 2050 SOUTH TO 2150 SOUTH GOLDMAN CIRCLE.

Property Owner Addresses:

John and Susan Kelly
10 Spooner Street
North Easton, MA 02356

Constance Lynn and Matt Cochran
PO Box 1466
Boulder, UT 84716

Elizabeth and Troy Julian
PO Box 1509
Boulder, UT 84716

Annette Avery
728 N. Bertrand St.
Flagstaff, AZ 86001

Shawn Owen
3343 W 20th Ave
Denver, CO 80211



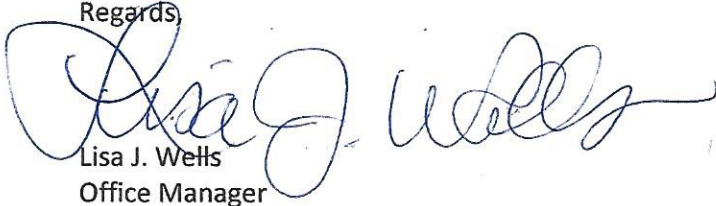
P.O. Box 159 · Hanksville, UT · 84734
Office/Fax 435-542-3411 · Cell 307-231-3780
allwellsdrilling@gmail.com

September 9, 2022

To Whom It May Concern,

Dylan Rose Geerlings and Elena Hughes are on the list to have a well dug by our company on their Meadowlark Subdivision in Boulder, Utah. We will drill a well that provides water to both lots of the subdivision and will make sure the well will be at least 100' from any septic system and at least 100' from all lot lines.

Regards,



Lisa J. Wells
Office Manager



SPENCER J. COX
Governor
DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

JOEL FERRY
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

August 9, 2022

Dylan Rose Geerlings

POB 1432

Boulder, UT

84716

Dear Applicant:

**RE: PROVISIONAL ("RUSH") WELL REQUEST
WATER RIGHT 97-2497(A83433)**

Reference is made to your request to expedite drilling of a well before the underlying application has been approved by the State Engineer. This well is located at:

North 521 feet, West 1127 feet from the SE Cor, Sec 1, Town 34S , Range 4E, SLB&M.

Permission is **HEREBY GRANTED** to proceed with the drilling of this well. While this letter grants you permission to proceed with the construction of the well, **IT DOES NOT GRANT ANY APPROVAL TO DIVERT OR USE WATER FROM THE WELL.**

Following completion and testing, the well casing must be sealed with a tamper-resistant, water-tight cap or permanently abandoned by licensed driller before the drill rig is removed from the site. No water may be diverted from the provisional well and applied to beneficial use under this permission to drill, and **no assurances are given that the subject application will be approved.** You may proceed with the drilling, but all risks associated with drilling under this authority are borne by the applicant. Please note that this permission to drill expires on **February 9, 2023.**

Enclosed are two self-addressed postage-paid 'cards.' One page is the Driller (Start) card which you **MUST** give to the licensed driller with whom you contract to drill the well. The well driller must have a current Utah Water Well Driller license, and the well must be constructed in accordance with the State of Utah Administrative Rules for Water Wells. The driller may not commence construction of the well until you provide the Driller (Start) Card which the driller must submit to our office.

The other page is the Applicant Card which is **YOUR RESPONSIBILITY** to sign and return **immediately upon completion of drilling.** **DO NOT GIVE THE APPLICANT CARD TO THE DRILLER. Your submission of the Applicant Card is your certification that the drilling is complete and the well site is secured.**

You are advised to review this letter with the driller prior to commencing construction to assure that all restrictions and conditions are understood.

Sincerely,

Nathan Moses, P.E., Regional Engineer - Cedar City

NM:kb



SPENCER J. COX
Governor
DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

JOEL FERRY
Executive Director

TERESA WILHELMESEN
State Engineer/Division Director

ORDER OF THE STATE ENGINEER For Application to Appropriate Water Number 97-2497 (A83433)

Application to Appropriate Water Number 97-2497 (A83433) in the names of Dylan Rose Geerlings and Elena Hughes was filed on July 27, 2022, to appropriate 1.7 acre-feet of water from the following point(s):

- (1) Well - North 521 ft West 1127 ft from the SE Corner of Section 1, T34S, R4E, SLB&M (6-inch well, 100-500 feet deep)

The water is to be used for the following purpose(s):

Irrigation - Sole Supply: 0.2 acre, Group Total: 0.2 acre, from April 1 to October 31
Domestic - Sole Supply: 2.0 equivalent domestic units, Group Total: 2.0 equivalent domestic units, from January 1 to December 31

The water is to be used in all or portion(s) of:

Section 1, T34S, R4E, SLB&M

Notice of the application was published in The Wayne and Garfield County Insider on August 18 and 25, 2022. No protests were received.

It is the opinion of the State Engineer that there is unappropriated water that can be developed under this application and that this application can be approved without impairing existing water rights.

It is, therefore, **ORDERED** and Application to Appropriate Water Number 97-2497 (A83433) is hereby **APPROVED** subject to prior rights and with the following condition(s):

- (1) The applicants shall construct or install and maintain controlling works and a measuring device as required by Section 73-5-4 of Utah Code.
- (2) This application is also approved according to the conditions of the current appropriation policy guidelines for the Colorado River Drainage, adopted March 7, 1990.
- (3) This application must be totally developed and placed to beneficial use on or before the noted proof due date. Extensions of time will only be considered under unusual circumstances.

The applicants are strongly cautioned that other permits may be required before any development of this application can begin and it is the responsibility of the applicants to determine the applicability of and acquisition of such permits. Once all other permits have been acquired, this is your authority to develop the water under the above referenced application which under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water must be put to beneficial use and proof must be filed on or before **September 30, 2027**, or a request for extension of time must be acceptably filed; otherwise, the application will be lapsed. This approval is limited to the rights to divert and beneficially use water and does not grant any rights of access to, or use of land or facilities not owned by the applicants.

As noted, this approval is granted subject to prior rights. The applicants are shall be liable to mitigate or provide compensation for any impairment of or interference with prior rights as such may be stipulated among parties or decreed by a court of competent jurisdiction.

Proof of beneficial use is evidence to the State Engineer that the water has been fully placed to its intended beneficial use. By law, it must be prepared by a registered engineer or land surveyor, who will certify to the location, uses and extent of your water right.

Upon the submission of proof as required by Section 73-3-16, Utah Code, for this application, the applicants must identify every source of water used under this application and the amount of water used from that source. The proof must also show the capacity of the sources of supply and demonstrate that each source can provide the water claimed to be diverted under this right as well as all other water rights which may be approved to be diverted from those sources.

Failure on your part to comply with the requirements of the applicable statutes may result in the lapsing of this application to appropriate.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership. Additionally, if ownership of this water right or the property with which it is associated changes, the records of the Division of Water Rights should be updated. For assistance in updating title to the water right please contact the Division at the phone number below.

Your contact with this office, should you need it, is with the Southwestern Regional Office in Cedar City. The telephone number is (435) 586-4231.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or for judicial review with the appropriate District Court. A Request for Reconsideration must be filed in writing with the State Engineer within 20 days of the date of this Order. The written request shall be filed in-person, by mail, or electronically. If the request is filed electronically it shall be submitted to: waterrights@utah.gov, which is the authorized general email for the Division. However, a Request for Reconsideration is not a prerequisite to filing for judicial review. A petition for judicial review must be filed within 30 days after the date of this Order or, if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 26th day of September, 2022.



Teresa Wilhelmsen, P.E., State Engineer

Mailed a copy of the foregoing Order this 26th day of September, 2022 to:

Dylan Rose Geerlings
POB 1432
Boulder, UT
84716

Elena Hughes
POB 1532
Boulder, UT
84716

BY: /s/Doralee Cannon

260 DL Sargent Dr.
Cedar City, UT 84721
(435) 586-2437

September 20, 2022

Dylan Rose Geerlings and Elena Hughes
2150 Goldman Circle
Boulder, UT 84716

RE: Onsite Wastewater and Drinking Water Feasibility, Five Forks Meadowlark Subdivision, 02-0025-0003, Garfield, UT

We have received plans and supportive information to establish feasibility for the above referenced subdivision. The following comments reflect the results of our review regarding feasibility.

WASTEWATER TREATMENT FACILITIES

Septic tanks and subsurface absorption systems are the proposed method of onsite wastewater treatment and disposal for the 2 lots included in this development. Based on the review of the submitted plans and supportive information, onsite wastewater treatment by means of septic tanks and subsurface absorption appears **feasible**. It is important to stress that soil and percolation information submitted for feasibility may be used in obtaining septic system permits for individual lots, provided the tests were conducted in close proximity to the proposed absorption field, otherwise additional tests must be conducted. Wastewater disposal for each lot will be dependent on strict compliance with the following:

1. The design for each septic tank and seepage device must be based on results of soil exploration and percolation tests conducted in the vicinity of the proposed wastewater treatment system. An application, percolation and soil information, detailed plans for each disposal system along with any other information and fees required must be submitted to the Southwest Utah Public Health Department (SWUPHD) for review and evaluation prior to construction and installation. If soil and related tests disclose unfavorable conditions for septic tanks and subsurface disposal in certain areas, septic tanks and subsurface treatment will not be permitted in those areas.

2. Each onsite wastewater treatment system must be installed in compliance with Utah Department of Environmental Quality, Onsite Wastewater Systems R317-4, Utah Administrative Code.

3. Final approval of individual wastewater disposal systems may be granted only after an on-site inspection of each system by an authorized representative of SWUPHD following construction and installation, but prior to backfilling.

4. The wastewater systems are to be built in locations where there is at least 5ft of soil or sand prior to bedrock. The areas with 6ft are preferable. All wastewater systems should use a leach field consisting of chambers (Type A or B) in order to maximize the distance to bedrock. If the two lots intend to share a well, then adequate domestic water rights shall be obtained by both and shall have a notarized shared well agreement between the two.

DRINKING WATER SUPPLY

Drinking water for this development is to be provided by the Boulder Farmstead Water Company or by private well. Public drinking water systems are regulated by the Utah Department of Environmental Quality, Division of Drinking Water.

This statement of feasibility applies only to the requirements of the Southwest Utah Public Health Department concerning water and wastewater treatment and disposal suitability. The proposed development is subject to any restrictions or limitations that may be imposed by Garfield County or other regulatory agency governing development.

If you have any questions, contact our office.

PLANS APPROVED
SOUTHWEST UTAH PUBLIC
HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH
DATE 9/20/2022
BY MRC

Soil Log/Percolation Test Record Sheet

Name: Cathy Bagley / Goldman Sub. lot-3
lower Boulder R.O. Boulder Ut.

test Hole #5				% Rock in Soil		% Soil Particle Distribution (Sand + Silt + Clay = %100)		
Soil Layer Depth Intervals	Soil Texture <small>(i.e. Single Grain, Granular, Blocky, Platy, Prismatic, Massive)</small>	Soil Structure	USCS Group Symbol	Cobbles	Gravel	Sand	Silt	Clay
Surface to <u>6</u>	Sand	Single Grain	.9	0	0	90%	10%	0
to								
to								
to								
to								
to								

Soil Percolation Test #	Total Depth of Hole (ft.)	Period of Time Hole Presoaked	Period of Time Soil Allowed to Swell	Initial Depth of Water	Beginning Time	Final Depth of Water	Ending Time	Distance Water Dropped	Elapsed Time	Perc. Rate in Min/in
1	24"	2 hrs	24 hrs	12"	9:06	6 1/4	9:16	5 3/4	10	10/5 3/4
				12"	9:18	6 1/2	9:28	5 1/2	10	10/5 1/2
				12"	9:30	6 3/4	9:40	5 1/4	10	10/5 1/4
				12"	9:42	7	9:52	5	10	10/5
				12"	9:55	7	10:05	5	10	10/5

Final Stabilized Percolation Rate 10/5 Minutes per Inch

1. Maximum Seasonal Ground Water Elevation: None
2. Distance from Wells Within 1500' of System: None

Note: Soil exploration must extend to a **MINIMUM** depth of **10'** and for deep systems **AT LEAST 4'** below the bottom of proposed trench.

I, Tony Jackson certify the above information to be an actual description of the Physical Site Characteristics of the proposed subsurface wastewater disposal system.

Signature: Tony Jackson
 (Certified Soil Tester)

Date: 6-3-2021

Goldman Sub lot 3

Test Hole #1	0-4' Sand	Bedrock at 4'
Test Hole #2	0-4'6" Sand	Bedrock at 4'6"
Test Hole #3	0-2' Sand	Bedrock at 2'
Test Hole #4	0-2' Sand	Bedrock at 2'
Test Hole #5	0-6' Sand	Bedrock at 6'
Test Hole #6	0-5' Sand	Bedrock at 5'
Test Hole #7	0-2' Sand	Bedrock at 2'

preliminary subdivision application for meadowlark subdivision

Inbox x



Pete Benson

to Peg, Dylan, me ▾

Fri, Oct 28, 7:02 PM



To the planning commission and zoning administrator

I have reviewed the plat for the subdivision of lot 3 of the meadowlark subdivision dated 10/12/2022.

Here are my recommendations

1. The road access to lot 4A needs to comply with the standards in the attached document.
2. The nearest fire hydrant is 450 feet from the nearest point on lot 4A. My opinion is that that is close enough for the Boulder Fire Department to provide sufficient fire flows to anywhere in the 2 future lots being discussed.
3. I would like Ms Hughes and Ms Geerlings to work with the landowners of the other 2 existing lots in the Meadowlark subdivision to prepare a fire plan for all of them so they can share and review any fire preparedness and prevention activities and plans in the case of either a structure fire or a wildland fire. The plan should identify hazards and resources on the property that would be useful for firefighters. I can help them with the details. The plan would then be retained for reference by the Boulder fire department.

Five Forks Meadowlark subdivision Inbox x



boulderirrigation@yahoo.com <boulderirrigation@yahoo.com>
to me ▾

12:15 PM (4 hours ago)



To Whom it may concern:

The Boulder Irrigation and Water Development Company has no concerns with the Five Forks Meadowlark Subdivision in Lower Boulder. It does not affect any irrigation ditches of the Boulder Irrigation and Water Development Company.

Sincerely,

Katie Coleman

Admin

Boulder Irrigation and Water Development Company

December 14, 2022

From: Boulder Zoning Administrator

To: Elena Hughes & Dylan Rose Geerlings
PO Box 1432
Boulder, UT 84716

Subject: Hughes/Geerlings-Meadowlark Minor Subdivision Application Preliminary Package Submission

The Planning Commission reviewed your Preliminary Application for subdivision of your property at the November 16, 2022 meeting along with the required public hearing. Several concerns were identified at the hearing which have subsequently been addressed at the December 8, 2022 meeting. Below are the conditions from that meeting:

1) An access easement from Lower Boulder Road/Robison Lane to the where the private driveways to lots 1, 2, and 4A separate shall be graded to provide a 20 foot wide and 13 foot vertical clearance for emergency vehicle access according to Wildland-Urban Interface Code section 403.3 (WUIC).

2) A turnaround meeting the fire apparatus access according to 2015 IFC shall be constructed at the east side of lot 3A where the driveways to lots 1, and 4A separate from the driveway to Lot 2.

3) The access easement along the boundary between lots 2 and 3A shall be graded to provide a 20 foot wide and 13 foot vertical clearance private driveway for emergency vehicles to access Lot 4A. Future construction and approval by the fire authority of a turnaround at the end of this driveway will be required as part of any building permit approval.

4) The fire authority shall inspect the as-built access from Lower Boulder Road to the required turnaround and continuing to Lot 4A and verify that the drivable surface and subsoil conditions are suitable for emergency vehicles. All constructed subdivision driveways shall meet the WUIC and the "Road Standards. for Fire Apparatus." A practical statement is that a fire truck must be able to drive on all subdivision driveways without getting stuck, lost, blocked, or trapped for the foreseeable future.

5) The affected property owners agree that the access to lot 3A shall be documented in a private easement and maintenance agreement. A specific design is not required for Preliminary Approval, but the completion of an agreement suitable for recording is a condition for Final Approval.

6) Final approval will be a ministerial action by Town Council after the Fire Authority and Zoning Administrator document the completion of the above conditions #1 through #5.

7) The Planning Commission recommends that prior to granting Preliminary Approval the Town Council discuss the status of the Town's prescriptive easement rights on the section of road at approximately 2195 South that extends east to Lot 3A of the Meadowlark Subdivision and that has been referred to as both Robison Lane and Lower Boulder Road.

The Planning Commission voted on December 8, 2002 to recommend approval of your preliminary subdivision application with the above conditions. In accordance with 152.047 (B) (1) the next step will be Town Council approval. Your application is being forwarded to Town Council for action at the January meeting. In accordance with Boulder ordinance 152.046 (A) (1) "preliminary subdivision application approval by the Town Council shall act as the final subdivision approval." Ordinance 152.047 reminds the applicants that site preparation work is prohibited until final subdivision approval.

Once the preliminary Application is approved by the Town Council along with any conditions that they may have, your next steps are outlined in Ordinance 152.061.

If you are wanting to move forward for the January meeting you will need to send a complete application packet that can be opened to the Zoning Administrator that is the same as the packet from the December 8th meeting. If that is the case I will forward it along to the Town Council and they can make the decision on whether to put you on the agenda.

April O'Neal
Boulder Town
Zoning Administrator

THE SLOAN LAW FIRM, PLLC

www.thesloanlawfirm.com | 76 S. Main Street, Suite 1, Moab, Utah 84532 | 435.259.9940
CHRISTINA R. SLOAN · sloan@thesloanlawfirm.com | DANIEL W. BOYER · dan@thesloanlawfirm.com

January 28, 2023

Boulder Town Council
Attn: Judith Davis and Lexxi Johnson, Clerks
PO Box 1329
Boulder, Utah 84716
boulderutah@scinternet.net

Re. Geerlings' and Hughes' Subdivision Application – 2150 Meadowlark Lane

Dear Boulder Town Council,

I represent Dylan Rose Geerlings and Elena Hughes, whose subdivision application for 2150 Meadowlark Lane has passed Planning Commission's review and awaits your review for compliance with Boulder's subdivision ordinance. I write to address the issue of access to the proposed two-lot subdivision via Lower Boulder Road, which has come up in recent discussions with the Town.

Under Boulder Ordinance § 153.190, "every lot shall have frontage upon a public road or street, or have access to a private street or driveway that is on a recorded easement and that leads to a public road or street. The preliminary subdivision plat and other application materials shall show the proposed public street, private street, and private driveway and easement layout."

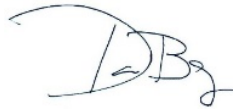
As noted by the Garfield County Public Works Director in an email dated January 4, 2023, the simplest solution for access is to treat that portion of road entering the southwest corner of Lot 3A as a continuation of a public road under Utah Code § 72-5-104. Under this section of the Code, the road accessing Lot 3A is well established and has already become a public road by operation of law. That is, based on historic imagery, Lower Boulder Road and Robinson Lane have been used as a public thoroughfares, up to and including their access to Lot 3A, for well over ten years. The public's rights in this portion of the road have thus already vested.

Additionally, as the County correctly notes, the Town does not need to conduct any formal dedication or other official process to make the road public. The dedication or abandonment has already occurred by operation of law under section 72-5-104. All that remains for the Town is to treat the road as public for purposes of Geerlings and Hughes' application, which will satisfy their access requirement under § 153.190.

Alternatively, as the County stated and affirmed, Geerlings and Hughes have a recorded easement across the southern section of Lot 3A that grants legal access. However, that alternative is unnecessary given that the road leading up to and entering Lot 3A is a public road by operation of law.

If you have any questions, please do not hesitate to contact me. I appreciate your attention to this letter and Geerlings and Hughes' application.

Sincerely,
THE SLOAN LAW FIRM, PLLC

A handwritten signature in blue ink, appearing to read 'DWB', with a horizontal line extending to the right from the end of the signature.

Daniel W. Boyer

DWB/ cc: Dylan Rose Geerlings and Elena Hughes



Dave Dodds

Lower Boulder Road

To: Judy Drain, Cc: Dylan Rose Geerlings

January 4, 2023 at 5:17 PM



[Details](#)

Mayor Drain,

I was contacted by Dylan Rose concerning a road in lower Boulder. From my understanding, she is looking to subdivide a parcel and the town has asked her to provide proof of legal access and recommended that the County might be able to provide help in doing that. This can get a little tricky since most roads in the County have been established by prescriptive use. In fact, if you asked me to provide documentation that the County has legal ownership of the Burr Trail, I wouldn't be able to do it. As far as I can tell, the town has a couple of options.

1. Accept the documented easement as legal access. As I understand, Dylan has an easement from adjacent property owner granting her access to her property as described in her deed.
2. Claim the road as a public road. This is an option I would consider if I were in your position. The State has a law which states that if a road has been used by the public for a period of 10 years, it can become a public road. https://le.utah.gov/xcode/Title72/Chapter5/72-5-S104.html?v=C72-5-S104_2014040320140513. In looking at imagery, this road looks to be well established and I am able to see it existed in historic imagery from 1993. To claim it as a public road, you don't actually have to do anything except continue to treat it as a public road. In this case you would simply consider Dylan as having legal access based on the fact that you consider it a public road. This is not to say that the underlying landowner couldn't challenge you to claim the road as private. But, this could happen with any unadjudicated road including the Burr Trail. When I have been challenged in the County, I have generally avoided going to court by providing the attorneys with simple documentation including maps and historic imagery which can be found online.

I hope this helps in making your decision. Let me know if you have any other questions. Thanks



David Dodds

Public Works Director
Garfield County
55 S Main St
Panguitch, UT 84759
(435) 238-0935



Kaden Figgins

to Judy, me ▾

Tue, Jan 3, 2:04 PM



Hello Mayor,

After pulling up the associated documents, it appears that there is a 30' easement to the subject property. So the Town could move forward with the amendment to the Meadowlark Subdivision if they felt it met the requirements of the Town's Ordinances.

Sincerely,

Kaden Figgins

Director, Planning | Economic Development
Garfield County, Utah

Office: (435) 676-1157

Cell: (435) 690-9403

Garfield County Courthouse
P.O. Box 77
55 South Main Street
Panguitch, Utah, 84759



Security Title Company 00012068

MAIL TAX NOTICE TO:
RICHARD GOLDMAN
2321 VIA SALDIVAR ST.
GLENDALE, CA 91208

22374
ENTRY NO. 22374 RECORDED 1-7, 2000 AT 3:30 PM
AT REQUEST OF Security Title Company
FEE 11.00
RECORDER GARFIELD CO, UT
DEPUTY Cindy Tallot

Warranty Deed

WILLIS H. MUSE, JR.

of BOULDER, County of Garfield, State of UTAH, hereby CONVEY and WARRANT to

RICHARD GOLDMAN AND NAKO GOLDMAN, TRUSTEES OF THE GOLDMAN 1999 TRUST

of GLENDALE, CALIFORNIA Grantee for the sum of Ten Dollars and Other Good and Valuable Consideration the following described tract(s) of land in Garfield, State of UTAH:

Beginning North 0°03'50" West 479.30 feet from the Southeast Corner of Section 1, Township 34 South, Range 4 East, Salt Lake Base and Meridian; running thence North 0°03'50" West 479.31 feet thence South 89°49'02" West 1244.72 feet; thence South 0°03'50" East 479.31 feet; thence North 89°49'02" East 1244.72 feet to the point of beginning.

TOGETHER with a right of way and easement for ingress and egress 30 feet in width; 15 feet on either side of the following described centerline:

Beginning North 69°29'15" West 2670.09 feet from the Southeast Corner of Section 1, Township 34 South, Range 4 East, Salt Lake Base and Meridian; said point lying on the Easterly side of the existing Boulder Town Roadway; running thence North 89°49'02" East 1244.72 feet to the point of terminus.

TOGETHER WITH all rights, privileges, easements, right of way, improvements and appurtenances thereunto belonging or in anyway appertaining thereto.

Together With 4 Shares of Class "A: Water in Boulder Irrigation Company

BUYER agrees that he will not develop this property into a density of less than one (1) single family home per 10 (ten) acres.

WITNESS, the hand(s) of said Grantor(s), this _____ of _____, A.D., _____.

Signed in the Presence of:

_____)
_____)
_____)
_____)
_____)

Willis H. Muse, Jr.
WILLIS H. MUSE, JR.

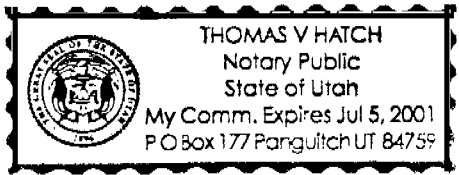
STATE OF UTAH
COUNTY OF Garfield)

On the 7th of January, A.D. 2000, Personally appeared before me WILLIS H. MUSE, JR. the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.

Thomas V Hatch
NOTARY PUBLIC

Residing at: Sanjuelo Utah

My Commission Expires: 7-5-01



30-12068-6

MAIL TAX NOTICE TO:
NATHAN AVERY
336 E DAVID DRIVE
FLAGSTAFF AZ 86001

Date 23-AUG-2005 4:25pm
LES BARKER, Recorder
Fee: 11.00 Check Filed By CT
For SECURITY TITLE CO
GARFIELD COUNTY CORPORATION

Warranty Deed

WILLIS H. MUSE, JR

of **BOULDER**, County of **GARFIELD**, State of **UTAH**, hereby **CONVEY** and **WARRANT** to

NATHAN AVERY AND ANNETTE AVERY, HUSBAND AND WIFE AS JOINT TENANTS

of , **UT** Grantee for the sum of Ten Dollars and Other Good and Valuable Consideration the following described tract(s) of land in **GARFIELD**, State of **UTAH**:

PARCEL 1

Beginning at a point 1374.72 feet West from the Southeast Corner of Section 1, Township 34 South Range 4 East, Salt Lake Base and Meridian running thence North 00°03'50" West 958.61 feet; thence South 89°49'02" West 493 feet to an irrigation pipeline; thence South 00°03'50" East 958.61 feet more or less to the South line of said Section 1; thence North 89°49'02" East 493.0 feet to the point of beginning.

SUBJECT TO a right of way an easement for irrigation system along the North 10 feet of said parcel.

SUBJECT TO a right of way and easement for ingress and egress not to exceed 50' in width over and across Southeast corner of said parcel.

PARCEL 2

Beginning at the irrigation pipeline which point is 1867.72 feet West from the Southeast Corner of Section 1, Township 34 South, Range 4 East, Salt Lake Base and Meridian; running thence North 00°03'50" West along said irrigation pipeline 958.61 feet; thence South 89°49'02" West 632.0 feet, thence South 00°03'50" East 958.61 to the South line of said Section 1; thence North 89°49'02" East 632.0 feet to the point of beginning.

BUYER AGREES THAT HE WILL NOT DEVELOP THIS PROPERTY INTO A DENSITY OF LESS THAN ONE SINGLE FAMILY HOME PER TEN ACRES

WITNESS, the hand(s) of said Grantor(s), this 18th of **AUGUST**, A.D., 2005.

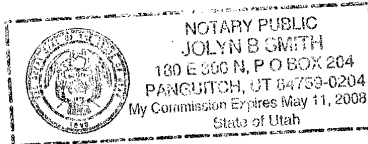
Signed in the Presence of:

_____)	(<u>Willis H. Muse</u>)
_____)	WILLIS H. MUSE
_____)	_____)
_____)	_____)
_____)	_____)
_____)	_____)

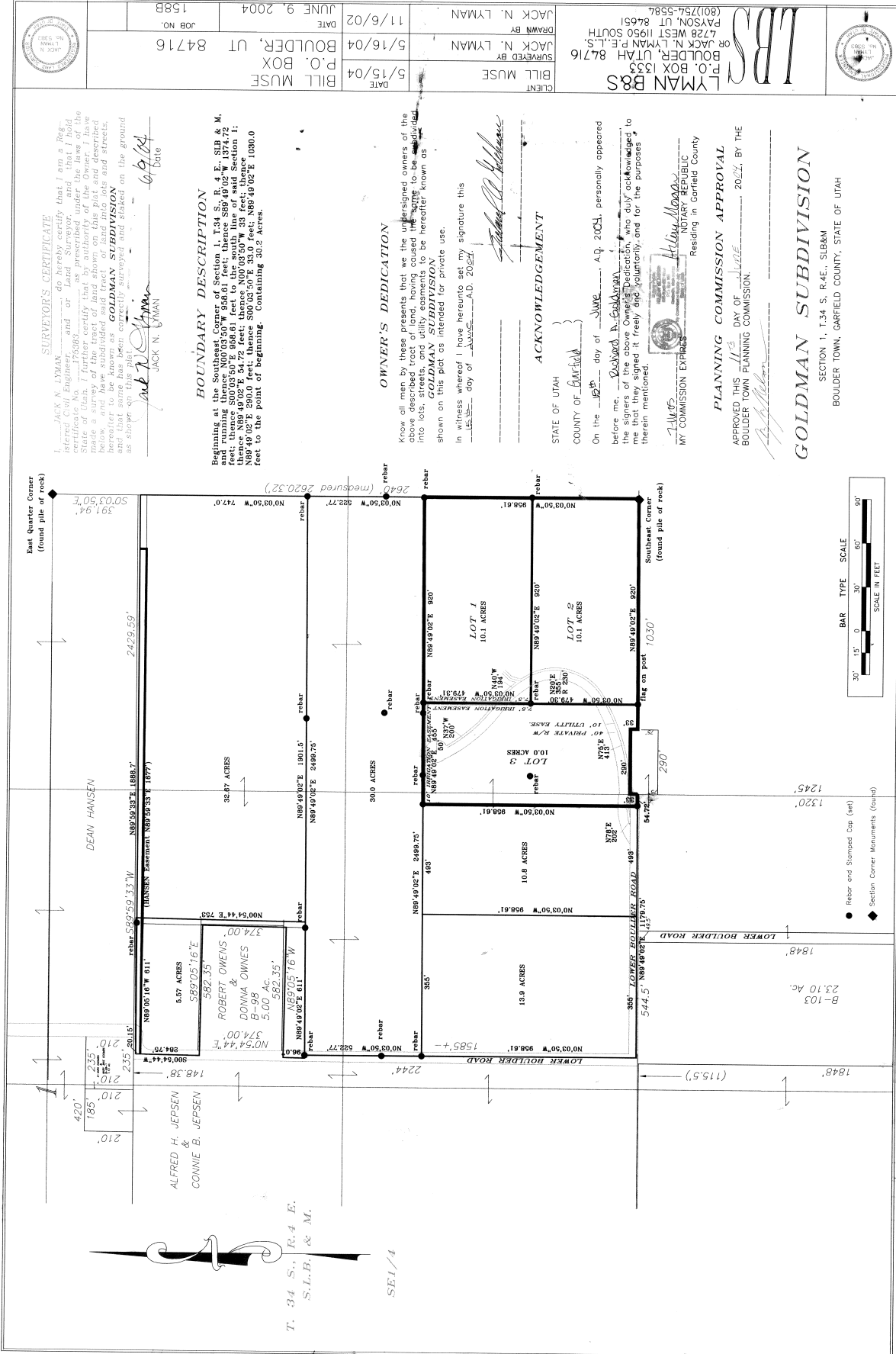
STATE OF UTAH
COUNTY OF)

On the 18th of **AUGUST**, A.D., 2005, Personally appeared before me **WILLIS H. MUSE**, the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.

John B. Smith
NOTARY PUBLIC
Residing at: Panguitch UT
My Commission Expires: 5-11-08



GOLDMAN SUBDIVISION



SURVEYOR'S CERTIFICATE

I, JACK N. LYMAN, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold the State of Utah. I further certify that by authority of the Owners I have made a survey of the tract of land shown on this plat, and described hereafter to be subdivided into lots, blocks, streets, and streets, and that same has been correctly surveyed and stated on the ground as shown on this plat.

Jack N. Lyman
 JACK N. LYMAN
 Date 6/9/04

BOUNDARY DESCRIPTION

Beginning at the Southeast Corner of Section 1, T.34 S., R. 4 E., S1/4 & M. thence S89°49'02"E 54.72 feet; thence S89°49'02"E 1374.72 feet; thence S00°03'50"E 856.01 feet to the intersection of Section 1; thence N89°49'02"E 54.72 feet; thence N00°03'50"W 33 feet; thence N89°49'02"E 290.0 feet; thence S00°03'50"E 33.0 feet; N89°49'02"E 1090.0 feet to the point of beginning. Containing 30.2 acres.

OWNER'S DEDICATION

Know all men by these presents that we the undersigned owners of the above described tract of land, having caused the same to be subdivided into lots, streets, and utility easements to be hereafter known as **GOLDMAN SUBDIVISION** shown on the plat as intended for private use.

In witness whereof I have hereunto set my signature this 15th day of June, A.D. 2004

Jack N. Lyman
 JACK N. LYMAN

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF Garfield
 On the 15th day of June, A.D. 2004, personally appeared before me, Richard A. Cook, Notary Public for the State of Utah, the above Owners' Dedication, who duly acknowledged to me that they signed it freely and voluntarily, and for the purposes therein mentioned.

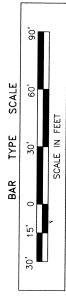
Richard A. Cook
 RICHARD A. COOK
 NOTARY PUBLIC
 Residing in Garfield County
 MY COMMISSION EXPIRES 11/15/04

PLANNING COMMISSION APPROVAL

APPROVED THIS 11th DAY OF June, 2004, BY THE
 BOULDER TOWN PLANNING COMMISSION.

GOLDMAN SUBDIVISION

SECTION 1, T.34 S., R.4 E., S1/4 & M
 BOULDER TOWN, GARFIELD COUNTY, STATE OF UTAH



- Rebar end Stamped Cap (set)
- ◆ Section Corner Monuments (found)

CLIENT BILL MUSE	DATE 5/15/04	DATE 5/16/04	DATE 11/6/02
SURVEYED BY JACK N. LYMAN	BOULDER, UT 84716	JACK N. LYMAN	JOB NO. 1588
DRWN BY JACK N. LYMAN			

APPROVED THIS 11th DAY OF June, 2004, BY THE BOULDER TOWN PLANNING COMMISSION.

APPROVED AS TO FORM AND CONTENT BY Richard A. Cook, Notary Public for the State of Utah, on this 15th day of June, A.D. 2004.

APPROVED BY THE BOULDER TOWN PLANNING COMMISSION ON THIS 11th DAY OF June, 2004, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

RECORDED IN BOOK _____ PAGE _____

STATE OF UTAH COUNTY OF GARFIELD RECORDED AND FILED AT THE REQUEST OF DATE _____ TIME _____ BOOK _____ PAGE _____

FILE # _____ GARFIELD COUNTY RECORDER

Boulder City

*Submitted Map
effective 8-1-12*

