



ITEM: LOT LINE VACATION - 362 AND 384 E LUPINE CT

AUTHOR: Bret Howser
DEPARTMENT: Admin
DATE: August 6, 2024
TYPE OF ITEM: Administrative Action

SUMMARY:

On July 15, 2024, staff received an application for a lot line vacation from Amanda Gonzaga, owner of lots 59 and 60 in Cedar Breaks Mtn Estates Unit A (362 and 384 Lupine Ct). Staff deemed the application complete and mailed notice of a Public Meeting to be held on August 6 to all property owners within a three hundred foot (300') radius of the property in question. The Town received no public comments back. The Public Notice is attached as Exhibit B.

BACKGROUND:

A lot line vacation is considered a Minor Plat Amendment under the Town Code. The criteria to qualify as a Minor Plat Amendment is as follows:

- Proposed amendment does not increase or decrease number of lots by more than 10 lots
- All lots proposed to be altered are owned by the applicant
- Does not require altering or adding to public utilities
- Does not create a lot that is smaller than the smallest lot in the subdivision.

Staff has determined that the proposed application meets the criteria of a Minor Plat Amendment in all material respects.

The process for review of a Minor Plat Amendment is as follows:

- Staff Review
- Notice of Public Meeting sent at least 10 days prior
- Planning Commission Review/Decision
- Plat recorded by applicant within 6 months of approval

ANALYSIS:

Standards for Review

The following are the Standards for Review for a Plat Amendment (9-9-3(C)(2):

1. The proposed subdivision and use conform with the Town General Plan, zoning Regulations, Public Works Standards, Design Standards, and other relevant sections.
2. The proposed method for fire protections complies with this title, and other regulations as applicable.
3. The layout/design is responsive to the constraints of topography, soil types, geologic hazards, watercourses and floodplains, visual impacts, and preservation of views.
4. Adequate public services are available to meet the needs of the proposed subdivision, including roads, water, sewer, storm water, gas, electric, telecommunications, trails, transit, snow storage areas, police and fire protection, and recreation.

5. Provide evidence to show that there is no encumbrance, lien, or conveyance restricting the intended use of the lot.
6. Provide evidence from the County Treasurer that all ad valorem taxes applicable to the property have been paid.
7. Provide Signature blocks on the plat signed by a representative of public utilities which identify their approval.

Findings of Fact and Conclusions of Law

Staff proposes the following findings of fact and conclusions of law with respect to the standards for review:

1. The proposed lot line vacation is in line with the General Plan in that it is aligned with the future uses map and complies with the land management code and public works standards.
2. The proposed lot line vacation is in line with the zoning regulations and design standards, specifically:
 - a. The minimum lot area for single-family residential zone is 0.33 acre. The proposed combined lot is 0.82 acres.
 - b. Minimum frontage is 45 ft. The proposed combined lot frontage is not shown on the proposed plat, but is at least 236 ft.
 - c. The resultant lot is developable in terms of access, size, shape, slope, terrain, etc.
 - d. Side lines of proposed lots are approximately at right angles or radial to the curvature of the frontage.
 - e. As a corner lot, it is platted wider to allow for development within multiple frontage setbacks.
 - f. Access easements are provided along the back of all lots to allow for access to recreational facilities (ski-in-ski-out) should Brian Head Resort allow access from these lots.
 - g. All other aspects of §9-12-2 and §9-12-3 are satisfied or do not apply.
3. The proposed lot line vacation has no bearing on the method for fire protection, which is already in alignment with this title.
4. Nothing about the layout/design appears unresponsive to the topography, soil types, geologic hazards, watercourses and floodplains, visual impacts, etc.
5. Adequate public services are already available to meet the needs of this lot, in all respects
6. Applicant has provided a title report showing clear ownership free of encumbrance.
7. The County Treasurer does not show any taxes outstanding on the property
8. Appropriate signature blocks will be included on the final mylar

Conditions of Approval

Staff proposes no conditions for approval for this item.

STAFF RECOMMENDATION:

Staff recommends that Planning Commission approve the lot line vacation for Cedar Breaks Mtn Estates Unit A Lots 59 and 60 as proposed.

PROPOSED MOTION:

I move to approve the lot line vacation for Cedar Breaks Mtn Estates Unit A Lots 59 and 60 based on the findings of fact and conclusions of law presented by staff, as proposed.

ATTACHMENTS:

A - Proposed Plat Amendment

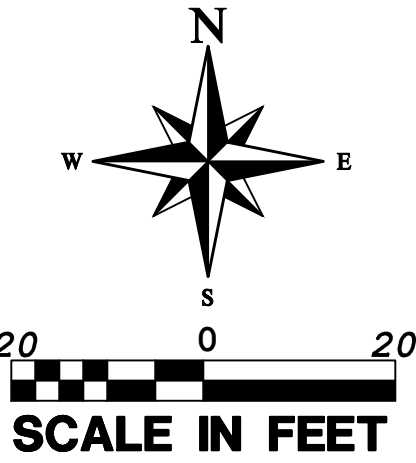
B - Public Notice

LOTS 59 AND 60, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AMENDED

A PART OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, LOCATED IN SECTIONAL LOT 8 SECTION 2, T36S, R9W, S.L.B.&M.
BRIAN HEAD TOWN, IRON COUNTY, UTAH

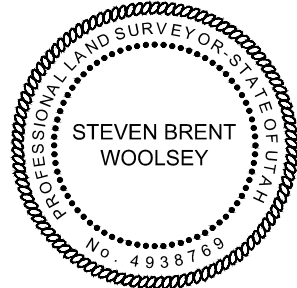
LEGEND

- SUBDIVISION AMENDMENT LINE
ADJACENT LOT LINE
PUBLIC UTILITY EASEMENT LINE



SURVEYOR'S CERTIFICATE

I, STEVEN BRENT WOOLSEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 4938769, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, HAVE COMBINED SAID TRACTS OF LAND INTO ONE (1) LOT, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS LOTS 59 AND 60, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AMENDED.



STEVEN BRENT WOOLSEY, PLS #4938769

DATE

SURVEYOR'S NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF THE AMANDA AND PABLO GONZAGA, OWNER OF LOTS 59 AND 60, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, TO VACATE THE COMMON LOT LINE BETWEEN SAID LOTS 59 AND 60, AND COMBINE SAID LOTS INTO ONE LOT TO BE CALLED LOT 60A. THEY ALSO CONVEY A 10.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE NORTHERLY LINE OF SAID LOT 60A, ADJACENT TO LUPINE COURT BY THIS PLAT.

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE OFFICIAL PLAT OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

NOTE: TO KEEP IN HARMONY WITH THE RECORD BEARINGS AND DISTANCES, THIS SURVEY IS BASED SOLELY ON THE OFFICIAL PLAT OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

NOTE: THE BELOW DESCRIBED LOT 60A DESCRIPTION DOES NOT MATHEMATICALLY CLOSE BY APPROXIMATELY 2.80 FEET. THE ERROR LOCATION IS NOT CLEAR, BUT IT APPEARS THAT IT LIES SOMEWHERE ALONG THE RECORD NORTHERLY LOT LINE DISTANCE OF LOT 60, ALONG THE CURVE DISTANCES ALONG SAID LOTS 59 AND LOT 60, AND POSSIBLY THE EAST LINE OF SAID LOT 60, OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT A. THEREFORE, TO KEEP IN HARMONY WITH THE RECORD PLAT AND UTAH STATUTORY CODE, I HOLD TO THE RECORD BEARINGS, DISTANCES, AND CURVE LENGTHS AS SHOWN ON THE OFFICIAL PLAT. THE SUBDIVISION DESCRIPTION AS DESCRIBED BELOW ONLY CALLS OUT THE RECORD RADIUS OF 30.00 FEET AND THE COMBINED RECORD ARC LENGTH OF 81.70 FEET DUE TO THE ERROR THAT EXISTS. IT IS UNKNOWN AS TO WHAT THE DELTA ANGLE WAS INTENDED TO BE DUE TO THE LENGTH ISSUE ALONG THE AREAS. THIS SURVEY SHOWS THE ACREAGE OF THE COMBINED LOTS PER WHAT IS SHOWN BY THE IRON COUNTY ASSESSOR FOR TAXATION PURPOSES.

SUBDIVISION DESCRIPTION: A-1209-0059-0000 & A-1209-0060-0000

BEGINNING AT THE NORTHEAST CORNER OF LOT 60, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE S04°24'00"E, ALONG THE EAST LINE OF SAID LOT 60, 141.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE N89°52'00"W, ALONG THE SOUTH LINE OF SAID LOT, 143.00 FEET TO THE COMMON CORNER BETWEEN LOTS 59 AND SAID 60; THENCE N64°01'00"W, ALONG THE SOUTHERLY LINE OF SAID LOT 59, 183.00 FEET TO THE SOUTHERLY CORNER OF SAID LOT; THENCE N00°08'00"E, ALONG THE WEST LINE OF SAID LOT, 65.00 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE S89°52'00"E, ALONG THE NORTH LINE OF SAID LOT 59, 135.00 FEET TO THE COMMON CORNER BETWEEN SAID LOT 59 AND LOT 56, AND A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET; THENCE EASTERLY ALONG SAID CURVE, THROUGH SAID LOTS 59 AND 60, 81.70 FEET; THENCE N85°36'00"E, ALONG THE NORTHERLY LINE OF SAID LOT 60, 101.50 FEET TO THE POINT OF BEGINNING. CONTAINING 0.80 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED IS THE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE COMBINED INTO ONE (1) LOT, TOGETHER WITH EXISTING EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS LOTS 59 AND 60, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AMENDED. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENT SHOWN ON THIS PLAT. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. IN WITNESS WHEREOF, WE HAVE SET OUR HAND THIS THE ____ DAY OF ____, 20__.

OWNER: AMANDA GONZAGA AND PABLO GONZAGA, HUSBAND AND WIFE AS JOINT TENANTS

AMANDA GONZAGA

PABLO GONZAGA

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF _____ } S.S.

ON THIS ____ DAY OF ____, PERSONALLY APPEARED BEFORE THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE OF UTAH, SAID COUNTY OF IRON, AMANDA GONZAGA AND PABLO GONZAGA, WHO BEING DULY SWORN DID SAY THEY ARE THE SIGNERS OF THE OWNERS DEDICATION, WHO DULY ACKNOWLEDGED THAT THEY EXECUTED THE SAME.

RESIDING IN _____ COUNTY, _____

NOTARY PUBLIC FULL NAME: _____

COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

A NOTARY PUBLIC COMMISSIONED IN _____

GENERAL NOTES:

1. A 10.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ALONG THE FRONT PROPERTY LINE ADJACENT TO LUPINE COURT TO BE CONVEYED BY THIS PLAT.

PLANNING COMMISSION APPROVAL

I, DOUG DEUTSCHLANDER, CHAIRPERSON OF BRIAN HEAD TOWN PLANNING COMMISSION, DO HEREBY CERTIFY THAT THIS PLAT WAS RECOMMENDED FOR APPROVAL ON THIS THE ____ DAY OF ____, 20__.

DOUG DEUTSCHLANDER - CHAIRPERSON

TOWN ATTORNEY'S APPROVAL

I, ERIC JOHNSON, ATTORNEY FOR BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND SAID PLAT MEETS THE REQUIREMENTS OF BRIAN HEAD TOWN PURSUANT TO ITS ORDINANCES AND IS HEREBY RECOMMENDED FOR APPROVAL THIS THE ____ DAY OF ____, 20__.

ERIC JOHNSON - BRIAN HEAD TOWN ATTORNEY

TOWN SURVEYOR'S APPROVAL

I, _____, SURVEYOR FOR BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT THIS PLAT WAS EXAMINED AND ACCEPTED BY ME THIS THE ____ DAY OF ____, 20__.

TOWN SURVEYOR

CERTIFICATE OF ACCEPTANCE

I, BRET HOWSER, MANAGER OF BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE TOWN COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE IRON COUNTY RECORDER ON THIS THE ____ DAY OF ____, 20__.

BRET HOWSER-TOWN MANAGER

ATTEST: _____
NANCY LEIGH-TOWN CLERK

CERTIFICATE OF RECORDING

I, CARRI JEFFRIES, COUNTY RECORDER OF IRON COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS THE ____ DAY OF ____, 20__.

COUNTY RECORDER - CARRI JEFFRIES

BOOK ____ PAGE ____

ENTRY NO. ____ FEE ____

RECORDED AT THE REQUEST OF: AMANDA AND PABLO GONZAGA



VICINITY MAP N.T.S.

WOOLSEY LAND SURVEYING, P.C.
Land Surveys - Land Planners
50 WEST 3600 NORTH
BLOCH CITY, UTAH 84721
Phone: (435) 661-8633
Fax: (435) 661-8611

FINAL PLAT OF:
LOTS 59 AND 60, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AMENDED
BRIAN HEAD TOWN, IRON COUNTY, UTAH
LOT 59 & 60, CEDAR BREAKS MOUNTAIN ESTATES UNIT-A

DATE: 7-15-2024
SCALE: 1"=20'

JOB NO.
2408

SHEET NO:
1 OF 1



July 16, 2024

Dear Property Owner:

An application has been received by Brian Head Town requesting a plat amendment for lots 59 and 60 in Cedar Breaks Mountain Estates, Unit A (362 and 384 E Lupine Ct). Brian Head Town is sending out this notice as per Utah Code Title 10, Chapter 9a, Part 2 and Brian Head Land Management Code 9-1-8.

- A. Anyone wishing to review the information on the proposed plat amendment may do so at Brian Head Town Hall during normal business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.
- B. Anyone wishing to make comments about the proposed plat amendment may submit written comments to the Brian Head Town Clerk @ nleigh@bhtown.utah.gov no later than August 5, 2024, by 5:00 p.m.
- C. The Brian Head Planning Commission will hold a Public Meeting at the BRIAN HEAD TOWN HALL COUNCIL CHAMBERS, 56 North Hwy 143, Brian Head, UT on August 6, 2024, at 1:00 p.m.

If you have any questions or should need additional information, please do not hesitate to contact our offices during normal business hours.

Respectfully,

Brian Head Town

Bret Howser
Town Manager



Enclosure





ITEM: PLAT AMENDMENT – THE MALL CONDOMINIUMS PHASE II

AUTHOR: Greg Sant
DEPARTMENT: Planning and Zoning
DATE: August 6, 2024
TYPE OF ITEM: Administrative Action

SUMMARY:

On July 26, 2024, staff received an application for a plat amendment from the owners of The Mall or Mall Project Condos. Staff deemed the application complete and mailed notice of a Public Meeting to be held on August 6 to all property owners within a three hundred foot (300') radius of the property in question. The Town received no public comments back. The Public Notice is attached as Exhibit B.

BACKGROUND:

This action is considered a Minor Plat Amendment under the Town Code. The criteria to qualify as a Minor Plat Amendment is as follows:

- Proposed amendment does not increase or decrease number of lots by more than 10 lots
- All lots proposed to be altered are owned by the applicant
- Does not require altering or adding to public utilities
- Does not create a lot that is smaller than the smallest lot in the subdivision.

Staff has determined that the proposed application meets the criteria of a Minor Plat Amendment in all material respects.

The process for review of a Minor Plat Amendment is as follows:

- Staff Review
- Notice of Public Meeting sent at least 10 days prior
- Planning Commission Review/Decision
- Plat recorded by applicant within 6 months of approval

ANALYSIS:

Standards for Review

The following are the Standards for Review for a Plat Amendment (9-9-3(C)(2):

1. The proposed subdivision and use conform with the Town General Plan, zoning Regulations, Public Works Standards, Design Standards, and other relevant sections.
2. The proposed method for fire protection complies with this title, and other regulations as applicable.
3. The layout/design is responsive to the constraints of topography, soil types, geologic hazards, watercourses and floodplains, visual impacts, and preservation of views.
4. Adequate public services are available to meet the needs of the proposed subdivision, including roads, water, sewer, storm water, gas, electric, telecommunications, trails, transit, snow storage areas, police and fire protection, and recreation.

5. Provide evidence to show that there is no encumbrance, lien, or conveyance restricting the intended use of the lot.
6. Provide evidence from the County Treasurer that all ad valorem taxes applicable to the property have been paid.
7. Provide Signature blocks on the plat signed by a representative of public utilities which identify their approval.

Findings of Fact and Conclusions of Law

Staff proposes the following findings of fact and conclusions of law with respect to the standards for review:

1. The proposed Plat Amendment is in line with the General Plan in that it is aligned with the future uses map and complies with the land management code and public works standards.
2. The proposed Plat Amendment is in line with the zoning regulations and design standards, specifically:
 - a. The minimum lot area for Village Commercial zone is 3000 square feet. The proposed amended lot is 5,309 square feet.
 - b. Minimum frontage is 30 ft. The proposed amended lot frontage is 38 feet.
 - c. The resultant lot is developable in terms of access, size, shape, slope, terrain, etc.
 - i. The Village Core Zone anticipates that buildings will be built with no space in between, and that is essentially what is being proposed here. We have treated this as an addition, which it is, but it is also effectively it's own building sitting on its own lot with zero side setback.
 - ii. The building permit has already been approved by the Planning Commission. It was originally approved without a plat amendment because the "condo units" were not going to be sold, but rather under the same ownership of the rest of the building.
 - iii. This Plat Amendment is required for the financing of the construction. The new financier is requiring that the bathrooms being constructed on the deck of the existing structure be on the same lot as the "addition" (or new building).
 - iv. While they're doing the plat amendment, they're just going to move the north lot line approximately 10 feet as well, and they're going to create the two condo units.
 - v. In essence, this plat amendment makes the existing lot developable.
 - d. All other aspects of §9-12-2 and §9-12-3 are satisfied or do not apply.
3. The proposed Plat Amendment has no bearing on the method for fire protection, which is already in alignment with this title.
4. Nothing about the layout/design appears unresponsive to the topography, soil types, geologic hazards, watercourses and floodplains, visual impacts, etc.
5. Adequate public services are already available to meet the needs of this lot, in all respects
6. Applicant has not provided a title report showing clear ownership free of encumbrance. Due to a request from the applicant to expedite this application, staff suggests moving forward with the understanding that the applicant will obtain all necessary ownership signatures to satisfy the requirements of Iron County Recorder. The process of recording establishes ownership.

7. The County Treasurer does not show any taxes outstanding on the property
8. Appropriate signature blocks will be included on the final mylar

Conditions of Approval

Staff proposes no conditions for approval for this item.

STAFF RECOMMENDATION:

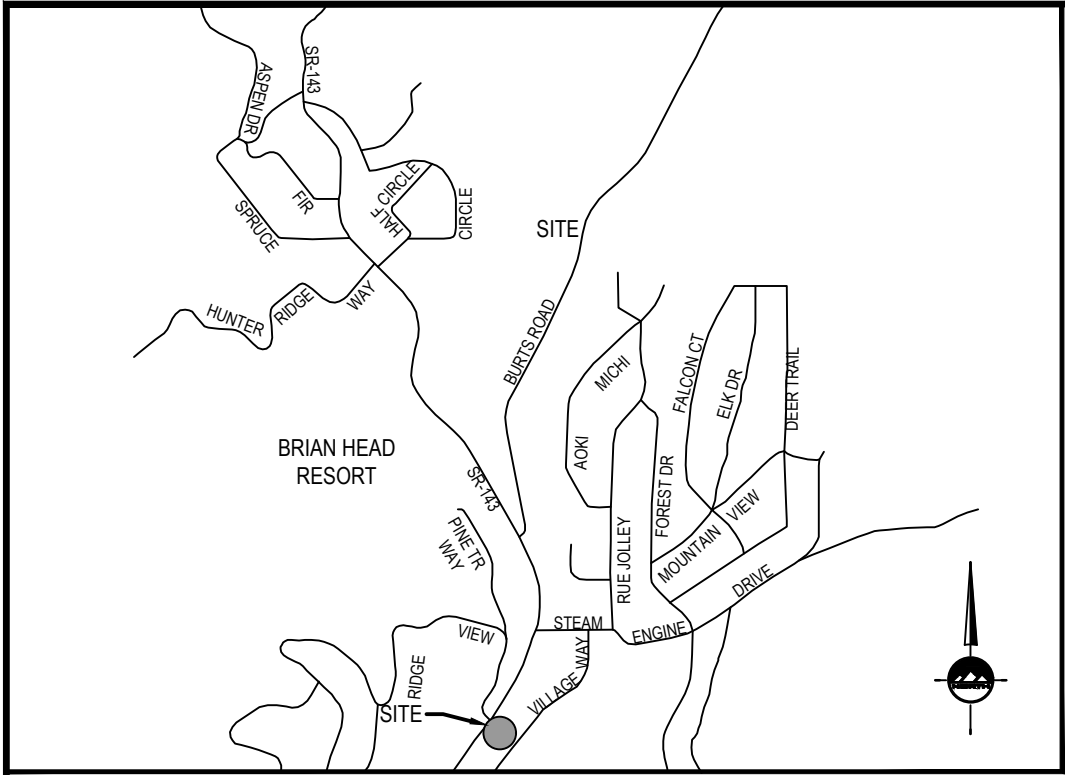
Staff recommends that Planning Commission approve the Plat Amendment as proposed.

PROPOSED MOTION:

I move to approve the Plat Amendment for The Mall Condominiums Phase II based on the findings of fact and conclusions of law presented by staff, as proposed.

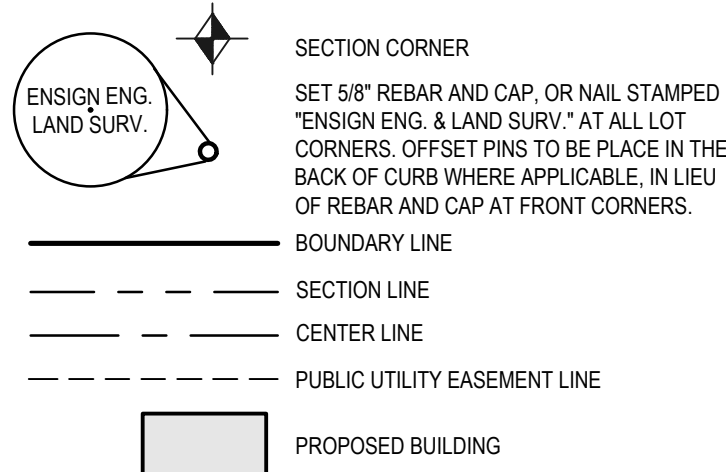
ATTACHMENTS:

- A - Proposed Plat Amendment
- B - Public Notice
- C - Engineers Notes



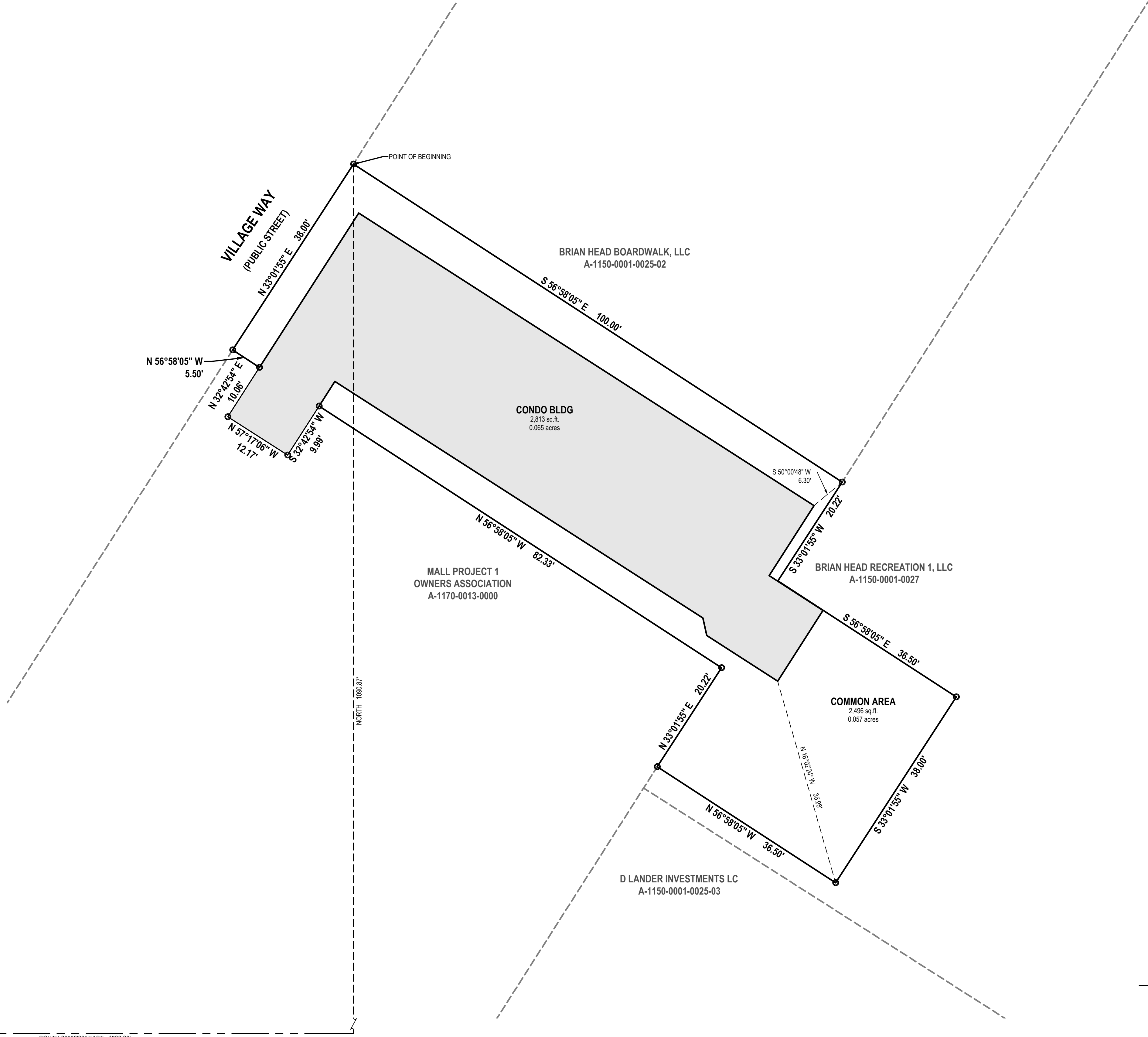
VICINITY MAP
NOT TO SCALE

LEGEND



THE MALL CONDOMINIUMS PHASE 2

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 36
SOUTH, RANGE 9 WEST, SALT LAKE BASE AND MERIDIAN,
BRIAN HEAD, IRON COUNTY, UTAH



SOUTHWEST QUARTER OF
SECTION 2, TOWNSHIP 36
SOUTH, RANGE 9 WEST, SALT
LAKE BASE AND MERIDIAN

DEVELOPER
KADE BRYANT
943 MEADOWLARK LANE
WEST BOUNTIFUL UTAH, 84087
702-994-4416



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT, 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON
Phone 801.547.1100
TOOELE
Phone 435.843.3590
CEDAR CITY
Phone 435.663.3463
RICHFIELD
Phone 435.898.2983

SHEET 1 OF 3

PROJECT NUMBER : 13349
MANAGER : JN
DRAWN BY : SJL
CHECKED BY : PMH
DATE : 7/25/24

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, with Ensign Engineering, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 286882 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyor's Act. I further certify that by authority of the Owners, I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to accurately establish the lateral boundaries of the herein described tract of real property; and has been drawn correctly to the designated scale and is a true and correct representation of the herein described lands included in said Condominium, based upon data compiled from records of the county recorders office in accordance with the provisions of Section 57-8-133 of the Utah Condominium Ownership Act. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

Beginning at a point being South 89°09'03\"/>

thence South 56°58'05\"/>

Contains 5,309 Square Feet or 0.122 Acres

Parcel ID: A-1170-0013-0000



DATE

PATRICK M. HARRIS
P.L.S. 286882

OWNER'S DEDICATION

MALL PROJECT 1 OWNERS ASSOCIATION, THE UNDERSIGNED OWNER(S) OF SAID TRACT OF LAND DESCRIBED HEREON DO HEREBY CERTIFY THAT WE CONSENT TO THE RECORDATION OF THIS CONDOMINIUM PLAT IN ACCORDANCE WITH UTAH CODE ANNOTATED 57-8-13, SUBDIVIDING THE LAND INTO CONDOMINIUM OWNERSHIP, AND CREATING UNITS, COMMON AREAS, LIMITED COMMON AREAS AND EASEMENTS ALL AS SET FORTH HEREIN TO HEREAFTER BE KNOWN AS

THE MALL CONDOMINIUMS PHASE 2

THERE ARE NO STREETS OR OTHER PROPERTY REFLECTED ON THIS PLAT TO BE DEDICATED TO THE PUBLIC.

In witness whereof I / we have hereunto set our hand (s) this _____ day of _____ A.D., 20 _____.

By:

Its:

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH
County of Iron

J.S.S.

On the _____ day of _____ A.D., 20 _____, personally appeared before me _____, the signer of the foregoing instrument, who duly acknowledged to me that he/she is a _____ of _____, a Utah limited liability company, and is authorized to execute the foregoing Agreement in its behalf and that he/she executed it in such capacity.

MY COMMISSION EXPIRES: _____

RESIDING IN _____ COUNTY.

NOTARY PUBLIC

TOWN ATTORNEY'S APPROVAL

I, _____, TOWN ATTORNEY FOR BRIAN HEAD TOWN CORPORATION, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT OF THE THE MALL CONDOMINIUMS PHASE 2, AND THAT SAID PLAT MEET THE REQUIREMENTS OF BRIAN HEAD TOWN CORPORATION PURSUANT TO ITS SUBDIVISION ORDINANCES AND IS HEREBY RECOMMENDED FOR APPROVAL ON THIS THE _____ DAY OF _____, 20 _____.

- TOWN ATTORNEY

CERTIFICATE OF ACCEPTANCE

I, _____, MAYOR OF BRIAN HEAD TOWN CORPORATION, DO HEREBY CERTIFY THAT THIS PLAT OF THE THE MALL CONDOMINIUMS PHASE 2 HAS BEEN APPROVED BY THE TOWN COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE IRON COUNTY RECORDER ON THIS THE _____ DAY OF _____, 20 _____.

BY:

- MAYOR

ATTEST:

TOWN RECORDER

TOWN ENGINEER'S APPROVAL

I, _____, BRIAN HEAD TOWN ENGINEER, DO HEREBY CERTIFY THAT THIS PLAT OF THE THE MALL CONDOMINIUMS PHASE 2 WAS EXAMINED AND ACCEPTED BY ME THIS THE _____ DAY OF _____, 20 _____.

- TOWN ENGINEER

PLANNING COMMISSION APPROVAL

I, _____, CHAIRPERSON OF THE BRIAN HEAD TOWN PLANNING COMMISSION, DO HEREBY CERTIFY THAT THE FINAL PLAT OF THE THE MALL CONDOMINIUMS PHASE 2 WAS RECOMMENDED TO THE TOWN COUNCIL FOR APPROVAL.

- CHAIRPERSON

DATE

THE MALL CONDOMINIUMS PHASE 2

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 36
SOUTH, RANGE 9 WEST, SALT LAKE BASE AND MERIDIAN,
BRIAN HEAD, IRON COUNTY, UTAH

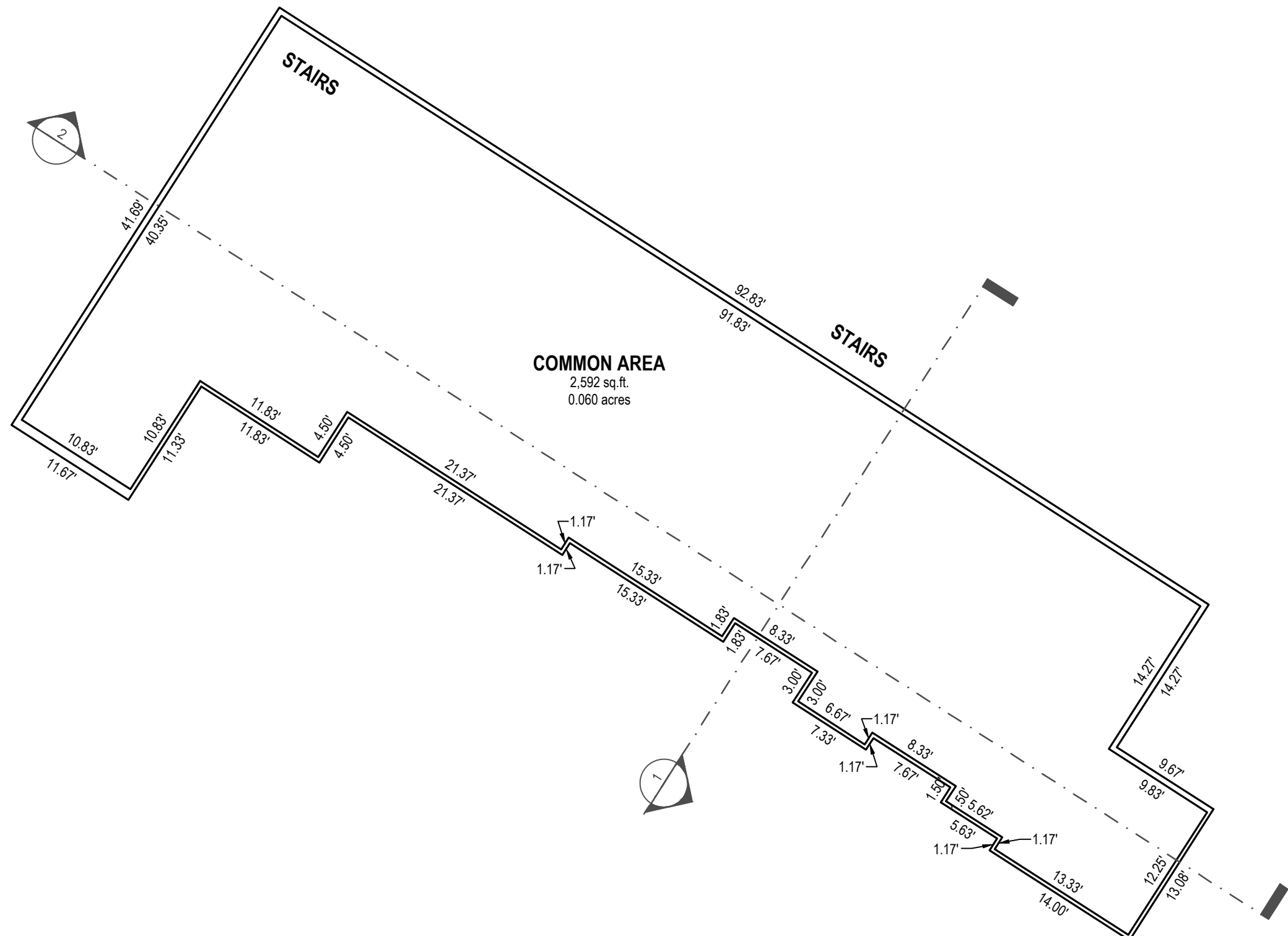
CERTIFICATE OF RECORDING

I, _____, COUNTY RECORDER OF IRON COUNTY, UTAH DO HEREBY CERTIFY THAT THIS PLAT OF THE THE MALL CONDOMINIUMS PHASE 2 WAS FILED FOR RECORD IN MY OFFICE THIS _____ DAY OF _____, 20 _____.

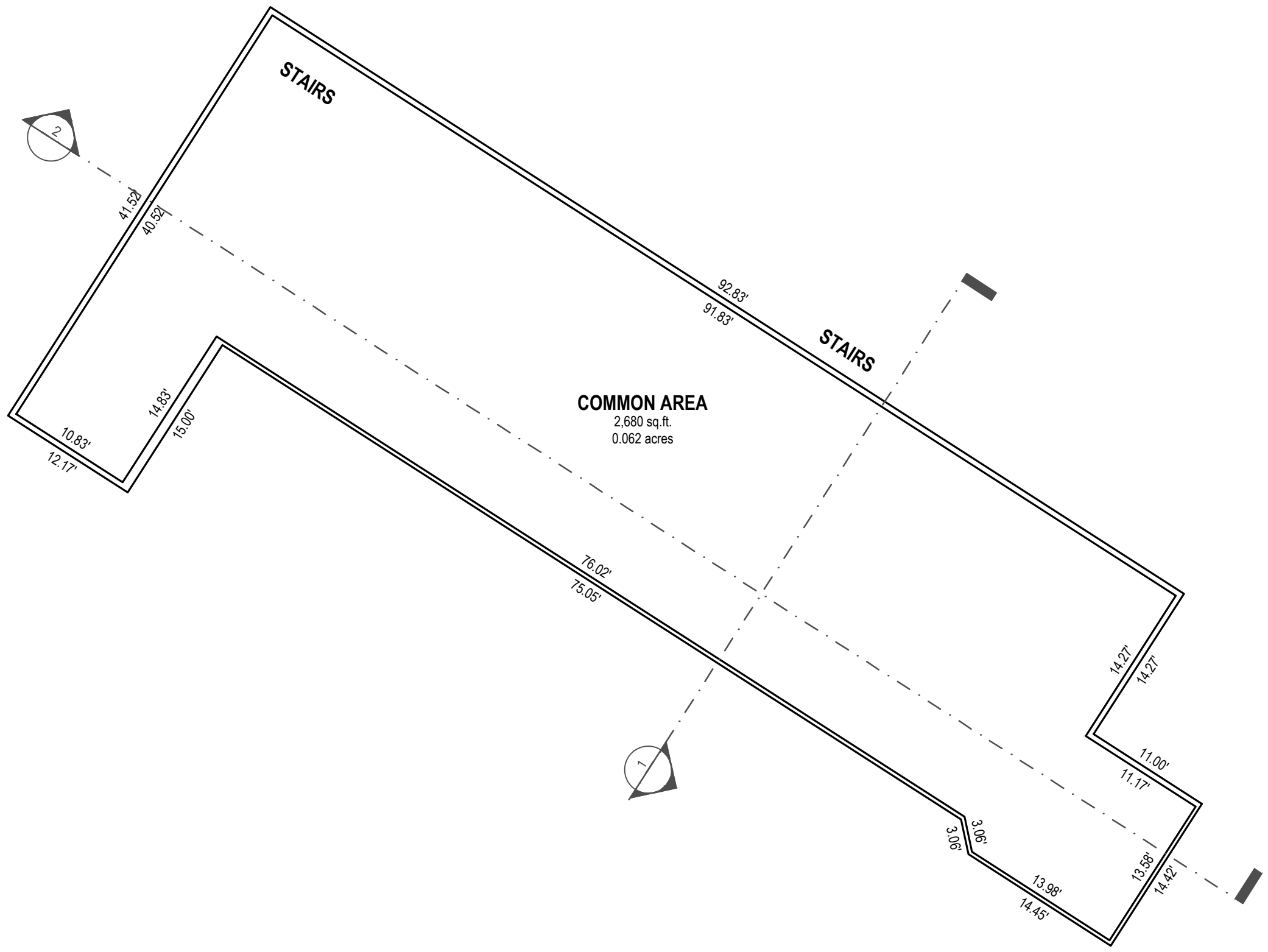
BOOK _____ PAGE _____ COUNTY RECORDER _____
ENTRY NO. _____ ENTRY NO. _____
RECORDED AT THE REQUEST OF _____

THE MALL CONDOMINIUMS PHASE 2

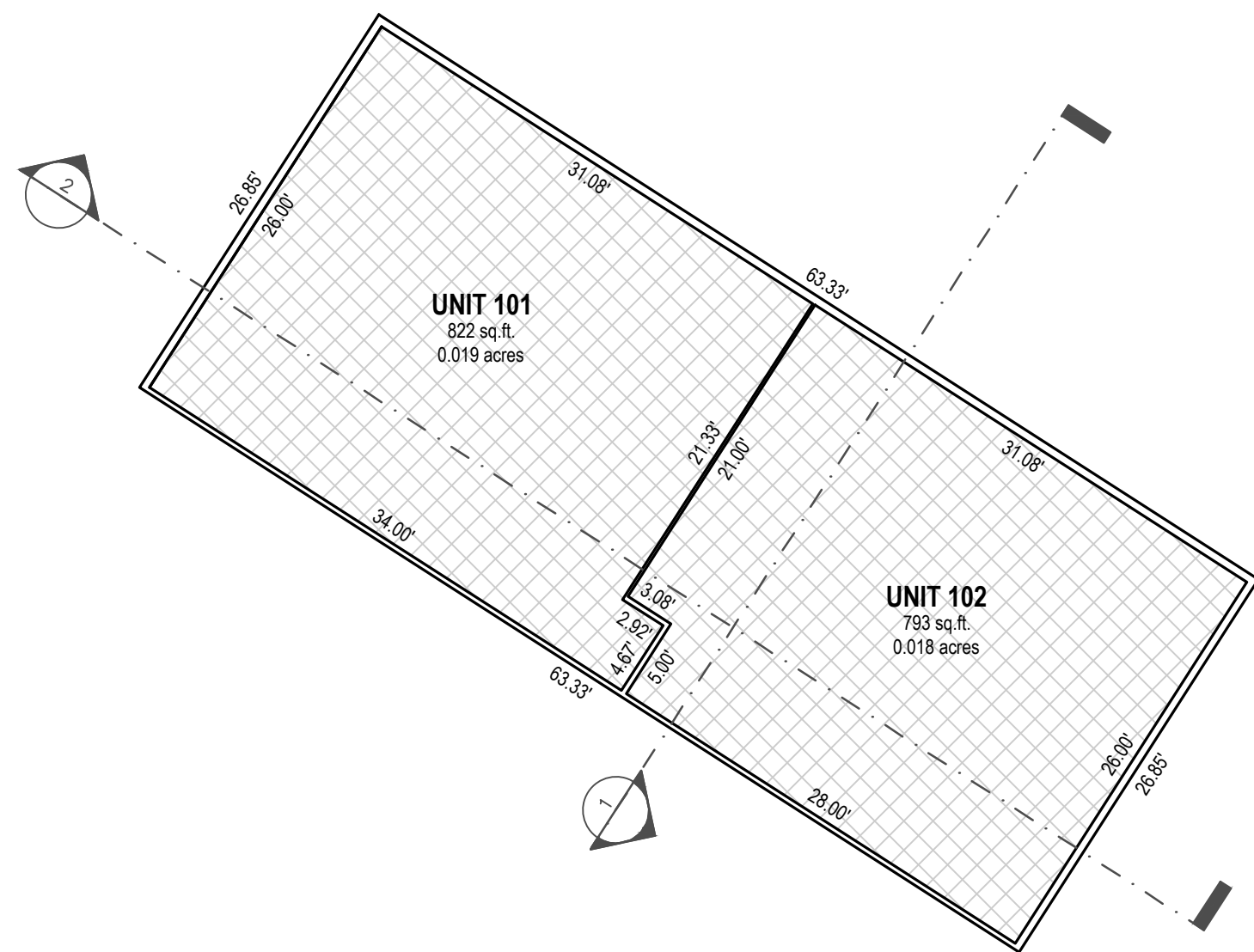
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 36
SOUTH, RANGE 9 WEST, SALT LAKE BASE AND MERIDIAN,
BRIAN HEAD, IRON COUNTY, UTAH



BASEMENT FLOOR



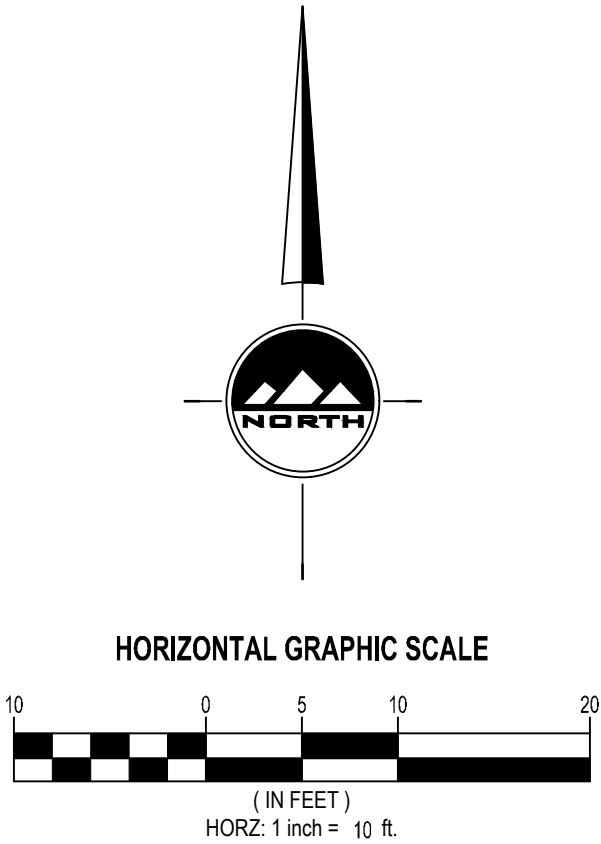
MAIN FLOOR



2ND FLOOR

LEGEND

- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA



THE MALL CONDOMINIUMS PHASE 2

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 36
SOUTH, RANGE 9 WEST, SALT LAKE BASE AND MERIDIAN,
BRIAN HEAD, IRON COUNTY, UTAH

CERTIFICATE OF RECORDING

I, _____, COUNTY RECORDER OF IRON COUNTY, UTAH DO HEREBY CERTIFY THAT THIS PLAT OF THE _____
MALL CONDOMINIUMS PHASE 2, WAS FILED FOR RECORD IN MY OFFICE THIS _____ DAY OF _____, 20____.

BOOK _____ PAGE _____ COUNTY RECORDER _____

ENTRY NO. _____ ENTRY NO. _____

RECORDED AT THE REQUEST OF _____



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3590
CEDAR CITY
Phone: 435.862.1463
RICHFIELD
Phone: 435.898.2983

SHEET 2 OF 3

PROJECT NUMBER : 13349

MANAGER : JN

DRAWN BY : SJL

CHECKED BY : PMH

DATE : 7/25/24

THE MALL CONDOMINIUMS PHASE 2

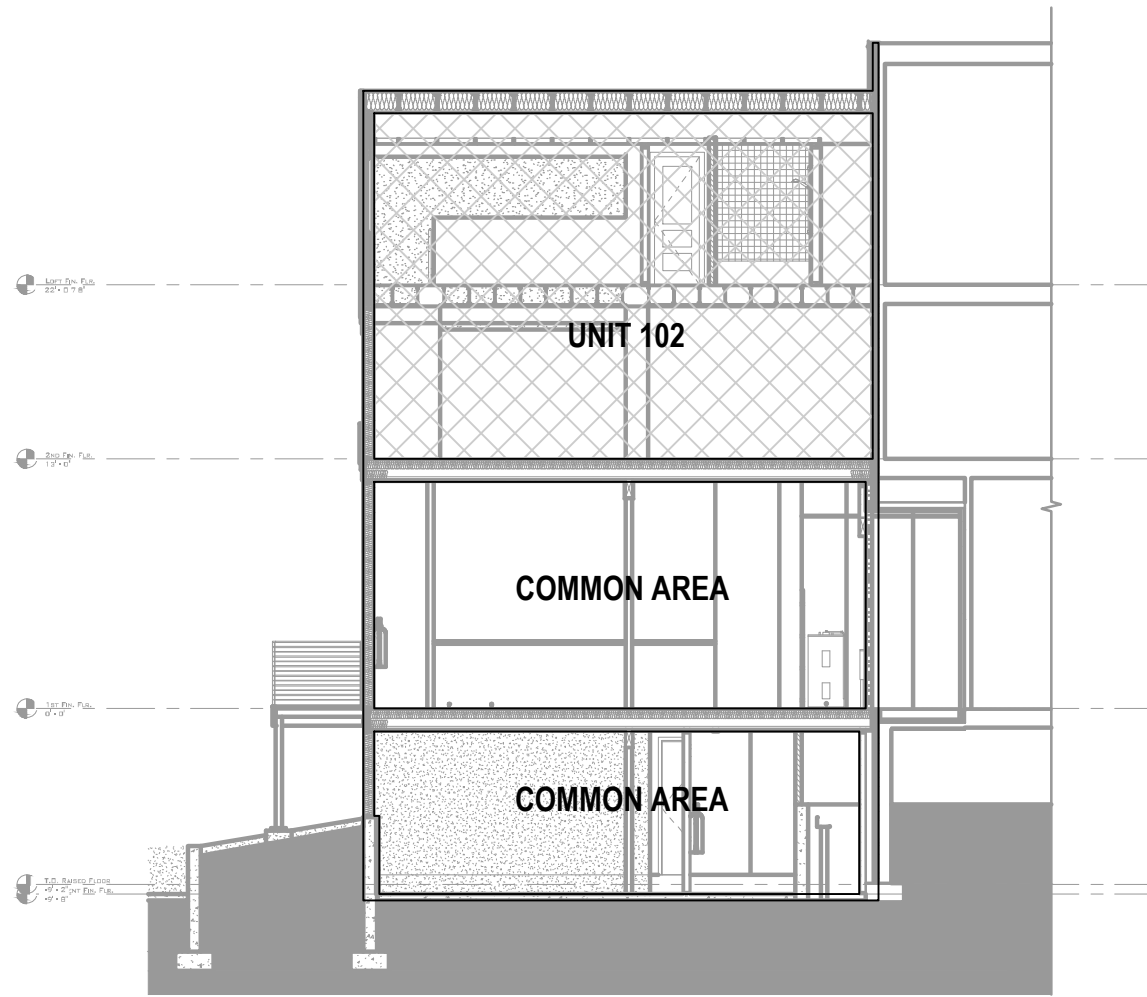
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 36
SOUTH, RANGE 9 WEST, SALT LAKE BASE AND MERIDIAN,
BRIAN HEAD, IRON COUNTY, UTAH

LEGEND

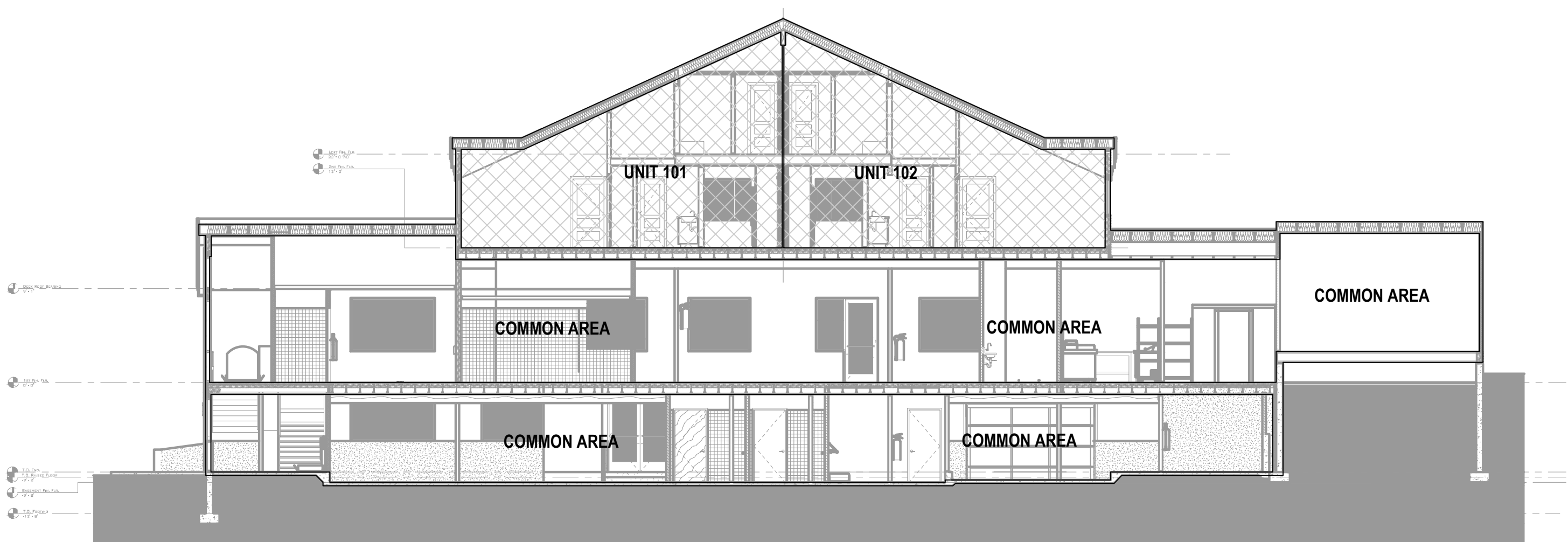
PRIVATE AREA

LIMITED COMMON AREA

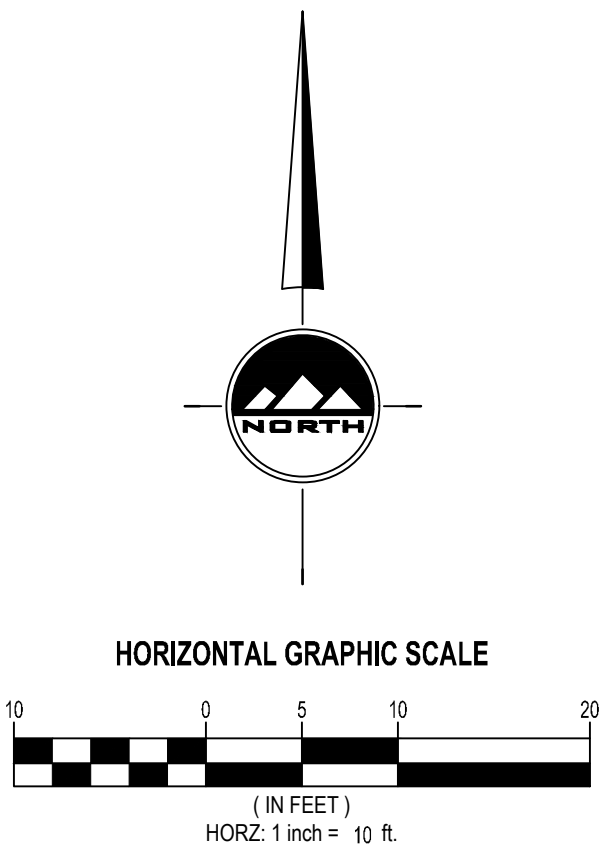
COMMON AREA



BUILDING SECTION 1



BUILDING SECTION 2



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON
Phone 801.547.1100
TOOELE
Phone 435.843.3590
CEDAR CITY
Phone 435.862.1463
RICHFIELD
Phone 435.898.2383

SHEET 3 OF 3

PROJECT NUMBER : 13349
MANAGER : JN
DRAWN BY : SJL
CHECKED BY : PMH
DATE : 7/25/24

THE MALL CONDOMINIUMS PHASE 2

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 36
SOUTH, RANGE 9 WEST, SALT LAKE BASE AND MERIDIAN,
BRIAN HEAD, IRON COUNTY, UTAH

CERTIFICATE OF RECORDING

I, _____, COUNTY RECORDER OF IRON COUNTY, UTAH DO HEREBY CERTIFY THAT THIS PLAT OF THE _____ THE
MALL CONDOMINIUMS PHASE 2, WAS FILED FOR RECORD IN MY OFFICE THIS _____ DAY OF _____, 20____.

BOOK _____ PAGE _____ COUNTY RECORDER _____
ENTRY NO. _____ ENTRY NO. _____
RECORDED AT THE REQUEST OF _____

July 26, 2024

Dear Property Owner:

An application has been received by Brian Head Town requesting a plat amendment for 259 South Village Way (“the Mall” or the Mall Project Condos). Brian Head Town is sending out this notice as per Utah Code Title 10, Chapter 9a, Part 2 and Brian Head Land Management Code 9-1-8.

- A. Anyone wishing to review the information on the proposed plat amendment may do so at Brian Head Town Hall during normal business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.
- B. Anyone wishing to make comments about the proposed plat amendment may submit written comments to the Brian Head Town Clerk @ nleigh@bhtown.utah.gov no later than August 5, 2024, by 5:00 p.m.
- C. The Brian Head Planning Commission will hold a Public Meeting at the BRIAN HEAD TOWN HALL COUNCIL CHAMBERS, 56 North Hwy 143, Brian Head, UT on August 6, 2024, at 1:00 p.m.

If you have any questions or should need additional information, please do not hesitate to contact our offices during normal business hours.

Respectfully,

Brian Head Town

Bret Howser
Town Manager

 BRIAN HEAD

Enclosure



43 South 100 East, Suite 100 T 435.628.6500
St George, Utah 84770 F 435.628.6553

alphaengineering.com

July 30, 2024

Brian Head Town

RE: THE MALL CONDOMINIUMS PHASE 2 – Final Plat Review.

We have reviewed the above Plat, as submitted by Ensign Engineering, and we have the following comments.

- A. The boundary seems to encroach into the existing Mall Condominiums 1 boundary. The owners of Mall Condominium 1 would need to sign the plat for the Owner's Dedication.
- B. The section corner is labeled as Southwest "QUARTER".

See review comments on attached PDF document.

Please let us know if you have any questions regarding this review.

Sincerely,

Ryan Scholes, P.L.S.
Alpha Engineering Company