

**MINUTES  
BOX ELDER COUNTY COMMISSION  
MAY 04, 2022**

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The Board of County Commissioners of Box Elder County, Utah met in an Administrative / Operational Session at the Historic County Courthouse, 1 South Main Street in Brigham City, Utah at 4:45 p.m. on **May 04, 2022**. The following members were present:

Jeff Scott	Chairman
Stan Summers	Commissioner
Jeff Hadfield	Commissioner
Marla Young	Clerk

The following items were discussed:

1. Agenda
2. Commissioners' Correspondence
3. Staff Reports - Agenda Related
4. Correspondence

The Administrative / Operational Session adjourned at 4:53 p.m.

The regular session was called to order by Chairman Scott at 5:00 p.m. with the following members present, constituting a quorum:

Jeff Scott	Chairman
Stan Summers	Commissioner
Jeff Hadfield	Commissioner
Marla Young	Clerk

The prayer was offered by Commissioner Summers.

The Pledge of Allegiance was led by Assessor Rodney Bennett.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF APRIL 20, 2022 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER HADFIELD, SECONDED BY COMMISSIONER SUMMERS, AND UNANIMOUSLY CARRIED.**

**ATTACHMENT NO. 1 - AGENDA**

**ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS - COMMISSION**

**Children's Justice Center Open House - Commissioner Hadfield**

Commissioner Hadfield reported there was a great turnout for the open house for the Children's Justice Center.

**FORMER AGENDA ITEMS, FOLLOW UP - COMMISSIONERS**

There were no Former Agenda items discussed.

**EMERGENCY MANAGEMENT ISSUES**

There were no Emergency Management items discussed.

**ARPA**

Chairman Scott stated they have received some new applications that they will discuss in the next meeting.

**PUBLIC INTERESTS / PRESENTATIONS / CONCERNS**

**Recognition of Skyler Yeates and Parents-Commissioner Summers**

Commissioner Summers introduced Skyler Yeates.

Skyler Yeates explained that in his last match for wrestling he allowed a young man with special needs to beat him. He forfeited earning first place and took third.

Commissioner Summers thanked Skyler for being such a great young man and commended his parents for raising him to be kind.

The Commissioners presented Skyler Yeates with a certificate.

**Public Hearing on the Exchange of Parcels 03-105-0061 and 03-105-0063-Anne Hansen**

Deputy County Attorney Anne Hansen explained the county and Brigham City are in the process of a land swap. The city needs some property the county owns on West Forest Street and the

county needs the parking lot property for the new DMV building. Part of the surplus property policy is to hold a public hearing.

Chairman Scott opened the public hearing at 5:15 pm.

There was no public comment.

**MOTION:** Commissioner Hadfield made a motion to close the public hearing. The motion was seconded by Commissioner Summers. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**Approve of Exchange of Parcels 03-105-0061 and 03-105-0063-Commissioners**

**MOTION:** Commissioner Hadfield made a motion to approve the exchange of parcels with Brigham City Corporation. The motion was seconded by Commissioner Summers. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**Public Hearing For Ag Protections-Commissioners**

Clerk Marla Young explained the process an Agricultural Protection Area Proposal must go through before approval. She explained there are two proposals for ag protection and both are in the West Brigham City area. She stated all procedures have been followed.

Chairman Scott opened the public hearing at 5:25 pm.

**Bonnie Robinson** stated she put together the proposal for one of the areas. She said she and many other property owners have concerns over development in the area and wanted to protect their farms.

**MOTION:** Commissioner Summers made a motion to close the public hearing. The motion was seconded by Commissioner Hadfield. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**Approve Resolution #22-04 West Brigham City Ag Protection-Commissioners**

**MOTION:** Commissioner Summers made a motion to approve Resolution #22-04 regarding the West Brigham City Ag Protection. The motion was seconded by Commissioner Hadfield. The

motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**ATTACHMENT No. 2 - Resolution #22-04**

*ATTACHMENT No. 2a - Public Hearing Attendance Sheet*  
**Approve Resolution #22-05 Rolfe, Burt, RP Wetlands Ag Protection-Commissioners**

**MOTION:** Commissioner Hadfield made a motion to approve Resolution #22-05 regarding the Rolfe, Burt, RP Wetlands Ag Protection. The motion was seconded by Commissioner Hadfield. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**ATTACHMENT No. 3 - Resolution #22-05**

**Fire Response/Building Permits on a Particular Road Near Cache County-Jeff Munk**

Jeff Munk explained he has an issue with his property as it is in Box Elder County but the road is in Cache County. He has concerns about fire response and building permits. He stated the Fire Marshal recommended he work with Cache County to get an MOU set up.

Fire Marshal Corey Barton explained that due to the addressing, it poses problems with dispatch. An MOU with Cache County would be the best option.

**Request Improvements to 5000 West in Grand Haven Subdivision-McInelly**

Community Development Director Scott Lyons stated the petitioner is asking for the county to improve the road in a subdivision. The requestor was not present so the item was canceled.

**Pilt Payment to be Presented to the Commission-Ben Nadolski**

This item was postponed.

**WEED DEPARTMENT**

**Utah Department of Agriculture and Food Grant Agreement #22-12-Wyatt Freeze**

Weed Department Supervisor Wyatt Freeze explained Agreement #22-12 is a renewal of the contract with UDOT and outlines the payment for work done for the treatment of Rush Skeleton Weed.

**MOTION:** Commissioner Summers made a motion to approve Grant Agreement #22-12. The motion was seconded by Commissioner Hadfield. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**ATTACHMENT No. 4 - Agreement #22-12**

**AUDITOR'S OFFICE**

**Tax Sale Extension-Nate Adams**

This item was canceled.

**COMMUNITY DEVELOPMENT**

**B & R Subdivision Phase 2-1 Lot- Scott Lyons**

Community Development Director Scott Lyons explained the B & R Subdivision Phase 2 is located at 4783 N 3600 W. It has been reviewed by all applicable departments.

**MOTION:** Commissioner Hadfield made a motion to approve the B & R Subdivision Phase 2. The motion was seconded by Commissioner Summers. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**Zoning Map Amendment-R-1-20 to Master Planned Community- The Orchards, South Willard-Scott Lyons**

Chairman Scott explained the Planning Commission has forwarded a recommendation of denial on this zoning request, as they feel it didn't meet two of the five requirements.

Mike Bastian, stated he feels it does meet all of the requirements and feels it is a unique property as it has the ability to bring the sewer line to the south end of the county.

**MOTION:** Commissioner Hadfield made a motion to table this item as they feel it meets the criteria required and to further the negotiations with the developer. The motion was seconded by Commissioner Summers. The item was tabled with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**Ordinance #558 Zoning Map Amendment-Scott Lyons**

Community Development Director Scott Lyons explained they received a request for a rezone of ten acres at approximately 1950 N 2800 W between Brigham City and Corinne. The request is to change from the RR2 zone to the Commercial Highway zone. A public hearing was held at the April 21, 2022 Planning Commission meeting. There was no opposition and the Planning Commission has forwarded their recommendation for approval.

**MOTION:** Commissioner Summers made a motion to approve Ordinance #558. The motion was seconded by Commissioner Hadfield. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**ATTACHMENT No. 5 - Ordinance #558**

**Ordinance #557 Land Use Code Text Amendment- Amendment of Home Occupations (5-1-290) – Scott Lyons**

Community Development Director Scott Lyons explained Ordinance #557 changes language in Chapter 5-1 for home occupations and home businesses. A public hearing was held during the Planning Commission meeting in April and has been recommended for approval.

**MOTION:** Commissioner Hadfield made a motion to approve Ordinance #557 regarding home occupations. The motion was seconded by Commissioner Summers. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**ATTACHMENT No. 6 - Ordinance #557**

**Ordinance #559-Rezone from RR-20 to C-N-Scott Lyons**

Community Development Director Scott Lyons stated Ordinance #559 is a request to rezone 2 acres (a modification to the document will be needed as it states 10 acres) from the RR2 zone to the CN zone. The CN zone is for businesses deemed appropriate for neighborhoods. The applicants are interested in doing an event center. A public hearing was held at the April 21, 2022 Planning Commission meeting. One neighbor spoke in favor of the change. The Planning Commission has forwarded a recommendation of approval.

**MOTION:** Commissioner Summers made a motion to adopt Ordinance #559 with the appropriate changes to the acreage. The motion was seconded by Commissioner Hadfield. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**ATTACHMENT No. 7 - Ordinance #559**

**Ordinance #560 Agriculture Subdivision-Scott Lyons**

Community Development Director Scott Lyons explained Ordinance #560 adds language to Chapter 6-3 of the Land Use Management Code regarding agricultural subdivisions. It defines and streamlines the process.

**MOTION:** Commissioner Summers made a motion to approve Ordinance #560. The motion was seconded by Commissioner Hadfield. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**ATTACHMENT No. 8 - Ordinance #560**

**ROAD DEPARTMENT**

**2022 Road Maintenance Project-Darin McFarland**

Road Supervisor Darin McFarland gave an update on road projects on 6800 W. He noted the low bid was thrown out for the first project as they bid the wrong equipment. They have chosen Geneva to complete that job. On the north end project LeGrand Johnson has been chosen to pave it. They are hoping to complete the project at the end of May if weather permits. He touched on inflation and gave an example of how six months ago the price for oil/gas was \$2.20 and now it is \$4.86. The increase in oil affects the chipping oil costs and so they may have to scale back on projects. He said they have a priority list.

**HUMAN RESOURCES**

**Policy 7 Change-Jenica Stander**

HR Manager Jenica Stander explained there are two proposed changes to Policy 7. The first is to include bereavement leave for parents of miscarriages or still births to provide three days of pay for both parents. Specific language from HB449 has been put into the policy. The second change regards adding a holiday for Juneteenth. She explained President Biden declared June 19th as the Juneteenth holiday. Federal offices and now state offices are closed observing the holiday. Many of the county offices depend on the state for support and would not be able to do some things without the services.

**MOTION:** Commissioner Hadfield made a motion to approve the changes to Policy 7. Commissioner Summers seconded the motion. The motion was carried unanimously with a roll

call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**Policy 9 Change-Jenica Stander**

HR Manager Jenica Stander explained the changes to Policy 9 regards the employee committee. She stated there have been issues with not having a representative from each department so the policy is changed to read may instead of shall. It also explains how the Commission approves budgetary items for the committee.

**MOTION:** Commissioner Hadfield made a motion to approve changes to Policy 9. The motion was seconded by Commissioner Summers. The motion was carried unanimously with a roll call vote of Chairman Scott voting Aye, Commissioner Hadfield voting Aye, and Commissioner Summers voting Aye.

**WARRANT REGISTER - COMMISSIONERS**

The Warrant Register was signed on a motion and the following claims were approved: Claim numbers 117757 through 117766 in the amount of \$2,324.54 and claim numbers 117767 through 117848 in the amount of \$1,430,004.32. With voided checks 117773, and 117793.

**PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS - COMMISSIONERS**

<b>Employee Name:</b>	<b>Department:</b>	<b>PA Type:</b>	<b>Effective Date:</b>
WELLS, BRODY	SHERIFF'S OFFICE	TRANSFER	04/24/2022
FOWERS, DANIEL	FAIRGROUNDS	STATUS CHANGE	05/02/2022
POUND, MITCHELL	WEED DEPARTMENT	REHIRE	05/09/2022
BERRY, ERIC	ROAD DEPARTMENT	NEW HIRE	05/02/2022
BERRY, ERIC	ROAD DEPARTMENT	CELL PHONE ALLOWANCE	05/02/2022
CREACY, CHRISTINE	ATTORNEY'S OFFICE	NEW HIRE	04/25/2022
CROCKETT, LYNNETTE	TOURISM	CELL PHONE ALLOWANCE	04/19/2022
MCCULLAM, PHILLIP	SHERIFF'S OFFICE	COMPENSATION CHANGE	04/22/2022
BLACK, DIANE	HUMAN RESOURCES	COMPENSATION CHANGE	04/22/2022
CREACY, CHRISTINE	ATTORNEY'S OFFICE	SEPARATION	04/28/2022
KOSSMAN, WILLIAM	WEED DEPARTMENT	CELL PHONE ALLOWANCE	05/03/2022
POUND, MITCHELL	WEED DEPARTMENT	CELL PHONE ALLOWANCE	05/03/2022



**CLOSED SESSION**

**Strategy session to discuss the character, professional competence, or physical or mental health of an individual**


**MOTION:** At 6:20 p.m. a motion was made by Commissioner Summers to move into a closed session. The motion was seconded by Commissioner Hadfield and unanimously carried

**MOTION:** At 6:27 p.m. a motion was made by Commissioner Hadfield to reconvene into regular commission meeting. Commissioner Summers seconded the motion. The motion carried unanimously and regular Commission meeting was reconvened.

**ADJOURNMENT**

A motion was made by Commissioner Hadfield to adjourn. Commissioner Summers seconded the motion, and the meeting adjourned at 6:28 p.m.

**ADOPTED AND APPROVED** in regular session this 18th day of May 2022.

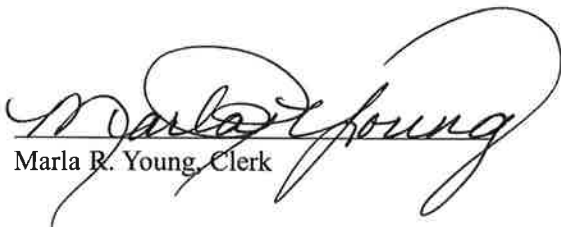
  
\_\_\_\_\_  
Jeff Scott, Chairman

  
\_\_\_\_\_  
Stan Summers, Commissioner

  
\_\_\_\_\_  
Jeff Hadfield, Commissioner



ATTEST:

  
\_\_\_\_\_  
Marla R. Young, Clerk



**RESOLUTION NO. 22-04**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BOX ELDER COUNTY, UTAH APPROVING A PROPOSAL TO CREATE AN AGRICULTURE PROTECTION AREA.**

The Board of Commissioners of Box Elder County, Utah as the county legislative body of Box Elder County, Utah, referred to herein as the “County Commission” recite the following as the basis for adopting this Resolution:

- A. A proposal was filed with the Box Elder County Commission by a landowner or landowners that a total of 625.66 acres of land in agriculture production located in Box Elder County be established and created as an agriculture protection area pursuant to the provisions of §17-41-301 of the Utah Code.
- B. The Box Elder County Commission provided notice of the filing of the proposal by posting notice on the Utah Public Notice Website, posting notice at five places, designated by the Box Elder County Commission, within or near the proposed agricultural protection area, and mailing written notice to each owner of land within 1,000 feet of land proposed for inclusion within the proposed agricultural protection area, pursuant to §17-41-302 of the Utah Code.
- C. After providing notice, the County Commission referred the proposal and all proposed modifications and objections to the Box Elder County Agriculture Protection Area Advisory Board and the Box Elder County Planning Commission. Reports from each of these boards were then received and reviewed by the County Commission.
- D. After receiving the written reports from the Advisory Board and the Planning Commission, the County Commission scheduled and provided notice of a public hearing by publishing notice in a newspaper having general circulation within Box Elder County, on the Utah Public Notice Website, posting notice in five public places, as designated by the County Commission, within or near the proposed agricultural protection area, and mailing notice to each owner of land within 1,000 feet of the land proposed for inclusion within the proposed agricultural protection area, pursuant to §17-41-304 of the Utah Code.
- E. The County Commission then conducted a public hearing on May 4, 2022 pursuant to notice as required by UCA Section 17-41-304 and received oral or written public comment from all interested persons.
- F. After having considered all of the reports, comments and information provided to it, the County Commission has found and determined that the land within the proposed agriculture protection area is currently being used for agriculture production, the land is zoned for agriculture use, the land is viable for agriculture production, the extent and nature of existing or proposed farm improvements is appropriate, and the anticipated trends in

agricultural and technological conditions that might affect the proposed agriculture protection area are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Box Elder County, Utah with 3 members present and 3 members voting in favor, as follows:

Section 1. Agriculture Protection Area Created. The following land is hereby created and established as an agriculture protection area pursuant to Title 17, Chapter 41 of the Utah Code:

*(See Attachment A)*

Section 2. Notice of Creation of Agriculture Protection Area. The Box Elder County Clerk shall, within 10 days, record this resolution with the County Recorder and file it with the Box Elder County Planning Commission. Within 10 days of recording this resolution with the Box Elder County Recorder, the County Clerk shall send written notification to the Commissioner of Agriculture and Food that this agricultural protection area has been created.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 4<sup>th</sup> day of May, 2022.



  
Jeff Scott, Chairman

  
Stan Summers, Commissioner

  
Jeff Hadfield, Commissioner

ATTEST:

  
Marla R. Young, Clerk

# Acknowledgment

State of Utah )

County of Box Elder<sup>s</sup>

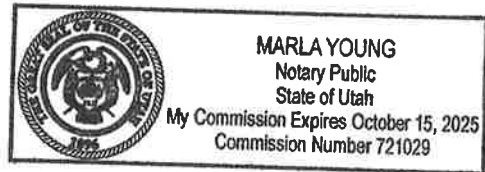
On this 4<sup>th</sup> day of May, in the year 2022, before me, Marla R. Young a notary  
date month year notary public name

public, personally appeared Jeffrey D. Scott  
Stan Summers  
Jeff Hatfield, proved on the basis of satisfactory  
name of document signer

evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged  
(he/she/they) executed the same.

Witness my hand and official seal.

Marla Young  
(notary signature)



(seal)

✓ 03-110-0027

70.25 Leon Jensen

**Legal** BEG AT A PT LOC S 89°44'54W ALG N/L OF SEC 17 T9N R2W SLM, 1281.48 FT FROM NE COR OF SEC 17, (BE CO SURVEYOR MONUMENT), S 89°44'54W 1371.91 FT TO AN EXIST FENCE LINE, S 00°08'50E ALG SD FENCE 2326.13 FT TO N R/W LINE OF UT SUGAR CANAL, N 81°43'33E ALG SD R/2 851.42 FT, S 140.01 FT TO AN EXIST FENCE, S 88°34'27E ALG SD FENCE 160 FT, N 160 FT M/L TO A PT LYING ON N R/W LINE OF UT/IDAHO SUGAR CANAL, N 81° 43'33E 150 FT M/L TO EXIST FENCE, N 00°00'65E 358.29 FT, S 89°55'01 E 364.84 FT, N 45°03'70E AROUND E SIDE OF BIG SLOUGH 417.19 FT, N 00° 01'15E 35.94 FT, W 330.00 FT, N 1485.0 FT, S 89°44'54W 126.84 FT, TO POB. BASIS OF BEARING IS E/L OF SEC ASSUMED AS N. LESS: CANAL. LESS: THAT PORTION LYING WITHIN AN EXIST LANE. TOGETHER WITH A CERTAIN R/W. LESS: BEG AT A PT 3722.45 FT N 0° 07'18E & 861.19 FT N 89°52'42W OF SE COR OF SEC 17, N 89°52'42W 627.02 FT TO A 5/8 INCH STEEL PIN, S 0°08'58W 257.89 FT ALG A FENCE LINE, S 89°47'43E 368.26 FT, N 45° 10'25E 365.79 FT TO POB. LESS 03-110-0024 #171937 DESC AS: PART OF NE/4 SEC 17 T09N R02W SLM, BEG AT PT IN EXIST FNC/L LOC S89°44'54"W ALG N/L SD SEC 1281.48 FT FRM NE COR SD SEC 17 (BOX ELDER COUNTY SURVEYOR MON), S01°29'45"E ALG SD FNC 1054.66 FT TO AN EXIST FNC COR, N89°40'57"E ALG SD FNC 99.31 FT, N 1054.30 FT, S89°44'54"W 126.84 FT TO POB. LESS 03-110-0026 #174905 DESC AS: BEG AT PT LOC 2653.39 FT S89°44'54"W ALG N/L SEC 17 T09N R02W SLM TO EXIST FNC/L & 2326.13 FT S00°08'50"E ALG SD FNC/L TO N R/W/L OF UTAH SUGAR CANAL & 851.42 FT N81°43'33"E ALG SD R/W & S 140.01 FT TO EXIST FNC & 137.93 FT S89°34'27"E ALG SD FNC FRM NE COR SEC 17 TO POB, N52.01FT, N29°00'29"E 45.50 FT, N 20.21 FT, N81°41'37"E 161.65 FT, S 139.90 FT, N88°34'27"W 182.07 FT ALG FNC/L TO POB. 70.25 AC M/L

✓ 03-110-0023

14.12 Leon Jensen

**Legal** PART OF SEC 17, T 09N, R 02W, SLM. BEG AT A POINT LOCATED S 89°44'54" W ALONG THE NORTH LINE OF SD SEC 2653.39 FT & S 00°08'50" E 2326.13 FT FROM NE CORNER OF SD SEC 17 (BE COUNTY SURVEYOR MONUMENT) S 00°08'50" E 514.52 FT TO A POINT LOCATED N 00°08'50" W 2452.78 FT FROM S/4 CORNER OF SD SEC, BEING A BE COUNTY SURVEYOR'S MONUMENT. THENCE N 89°50'18" E 1161.12 FT TO CENTER OF EXISTING LANE; N 00°00'06" E ALONG CENTER OF SD LANE 485.79 FT TO AN EXISTING FENCE LINE PROJECTION; N 88°34'27" W ALONG SD FENCE 320.00 FT; NORTH 140.0 FT TO NORTH R/W LINE OF UTAH SUGAR CANAL; S 81°43'33" W ALONG SD R/W 851.42 FT TO BEG (BASIS OF BEARING IS EAST LINE OF SD SEC, ASSUMED AS NORTH).

LESS: TRACT DEEDED TO UTAH-IDAHO SUGAR CO (ENT# 36320F). BEG AT A POINT ON THE WEST SIDE OF THE HAMMOND CANAL THAT IS 2642 FT WEST AND 1412 FT NORTH OF THE SE CORNER OF SEC 17, T 09N, R 02W, SLBM. THENCE NORTH ALONG WEST SIDE OF SD CANAL 1242 FT; EAST 37 FT SOUTH ALONG EAST SIDE OF SD CANAL 1242 FT; WEST 37 FT TO THE POINT OF BEG.

LESS: [03-110-0021, 0022] (ENT# 169498) THE JASON JENSEN SUBDIVISION, BE COUNTY. PART OF SEC 17, T 09N, R 02W, SLM.

✓ 03-110-0012

14.39 Boyd Reeder

**Legal** BEG AT A PT 25 RDS W & 2 RDS N OF SE COR OF SEC 17 T09N R02W SLM, W 24 1/2 RDS, N 94 RDS, E 24 1/2 RDS, S 94 RDS TO BEG.

✓ 03-110-0011

38.9 Boyd Reeder

**Legal** BEG AT A PT 2 RDS N OF SE COR OF SEC 17 T09N R02W SLM, W 25 1/2 RDS, N 254 RDS, E 25 1/2 RDS, S 254 RDS TO BEG.

✓ 03-110-0010

24.05 Boyd Reeder

**Legal** BEG AT A PT 25 1/2 RDS W & 96 RDS N OF SE COR OF SEC 17 T09N R02W SLM, W 24 1/2 RDS, N 158 RDS, E 24 1/2 RDS, S 158 RDS TO BEG. CONT. 24.05 AC.

✓ 03-110-0004

20.73 Leon Jensen

**Legal** BEG AT A POINT 90 RDS WEST & 27 RDS 7.5 FT NORTH OF SE CORNER OF SEC 17, T 09N, R 02W, SLM. THENCE NORTH 57 RDS 2.2 FT; WEST 70 RDS; SOUTH 57 RDS 2.2 FT; EAST 70 RDS TO BEG.

✓ 03-110-0002 28. *Leon Jensen*

**Legal** PART OF SEC 17, T 09N, R 02W, SLM. BEG AT A POINT LOCATED S 89°44'54" W ALONG NORTH LINE OF SD SEC 2653.39 FT & S 00°08'50" E 2840.16 FT FROM NE CORNER OF SD SEC 17 (BE COUNTY SURVEYOR MONUMENT). THENCE S 00°08'50" E 1051.68 FT TO A POINT BEING LOCATED N 00°08'50" W 1401.10 FT FROM S/4 CORNER OF SD SEC, BEING A BE COUNTY SURVEYOR'S MONUMENT; N 89°50'18" E 1158.39 FT TO CENTER OF EXISTING LANE; N 00°00'06" E ALONG CENTER OF SD LANE 1051.68 FT; S 89°50'18" W 1161.12 FT TO BEG. (BASIS OF BEARING IS EAST LINE OF SD SEC ASSUMED AS NORTH).  
LESS: TRACT DEEDED TO UTAH-IDAHO SUGAR CO (ENT# 36320F). BEG AT A POINT ON THE WEST SIDE OF THE HAMMOND CANAL THAT IS 2642 FT WEST AND 1412 FT NORTH OF THE SE CORNER OF SEC 17, T 09N, R 02W, SLM. THENCE NORTH ALONG WEST SIDE OF SD CANAL 1242 FT; EAST 37 FT SOUTH ALONG EAST SIDE OF SD CANAL 1242 FT; WEST 37 FT TO THE POINT OF BEG.

✓ 03-109-0085 6. acres *Bruce Robinson*

**Legal** PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER LOCATED 881.17 FEET SOUTH 00°07'36" WEST ALONG SAID WEST LINE FROM THE WEST QUARTER CORNER OF SAID SECTION 16, SAID WEST QUARTER CORNER BEING LOCATED NORTH 00°07'36" EAST 2644.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE SOUTH 89°58'42" EAST (EAST BY RECORD) 1529.20 FT TO THE WEST RIGHT OF WAY LINE OF 2600 WEST STREET; THENCE NORTH 00°01'59" WEST 31.33 FEET; THENCE N 89°58'42" W 1529.59 FT TO THE WEST LINE OF SAID SW/4; THENCE SOUTH 00°07'36" WEST 31.33 FEET ALONG WEST LINE OF SECTION TO THE POINT OF BEGINNING.  
ALSO: PART OF THE SW/4 OF SEC 16, T 09N, R 02W, SLM. BEGINNING AT A POINT ON THE WEST LINE OF SAID SW/4 LOCATED 881.17 FT S 00°07'36" W ALONG SAID WEST LINE FROM THE W/4 CORNER OF SAID SEC 16, SAID W/4 CORNER BEING LOCATED N 00°07'36" E 2644.85 FT FROM THE SW CORNER OF SAID SEC 16; THENCE S 89°58'42" E (EAST BY RECORD) 1529.20 FT TO THE WEST R/W LINE OF 2600 WEST ST; THENCE S 00°01'59" EAST 139.56 FT ALONG SAID WEST R/W LINE; THENCE N 89°58'42" W (WEST BY RECORD) 1529.59 FT TO THE WEST LINE OF SAID SW/4; THENCE N 00°07'36" E (NORTH BY RECORD) 139.56 FT ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

03-109-0071 2.38 *Bonnie Robinson*

**Legal** THAT PART LYING OUTSIDE BRIGHAM CITY LIMITS: BEGINNING AT THE SW CORNER OF SEC 16, T 09N, R 02W, SLM. THENCE EAST 82.5 FT; NORTH 1320 FT; WEST 82.5 FT; SOUTH 1320 FT TO POINT OF BEGINNING.

03-109-0068 1.10 *Alvin Jeppson*

**Legal** BEG AT A POINT LOCATED 3233 FT SOUTH & 1500 FT EAST M/L FROM NW CORNER OF SEC 16, T 09N, R 02W, SLM; SUCH POINT BEING ALSO ON WEST PROPERTY LINE OF COUNTY RD. THENCE WEST 175 FT, NORTH 270 FT, EAST 175 FT TO WEST PROPERTY LINE OF COUNTY RD, SOUTH ALONG SD PROPERTY LINE 270 FT TO BEG.  
LESS: [03-109-0067] PART OF THE SW/4 OF SEC 16, T 09N, R 02W, SLM. BEGINNING AT A POINT ON THE WEST LINE OF SAID SW/4, LOCATED 458.34 FT S 00°07'36" W ALONG SAID WEST LINE FROM THE W/4 CORNER OF SAID SEC 16, SAID W/4 CORNER BEING LOCATED N 00°07'36" E 2644.85 FT FROM THE SW CORNER OF SAID SEC 16, (POINT OF BEGINNING DESCRIBED OF RECORD AS 27 RDS 12 FT SOUTH FROM THE NW CORNER OF THE SW/4); RUNNING THENCE S 89°59'41" E (EAST BY RECORD) 1353.02 FT TO THE WEST LINE OF ALVIN JEPSON FARMS INC. PROPERTY TAX ID NO. 03-109-0015; THENCE ALONG THE BOUNDARY OF SAID ALVIN JEPSON FARMS INC. PROPERTY THE FOLLOWING TWO (2) COURSES: 1) S 00°01'59" E (SOUTH BY RECORD) 135.00 FT; 2) S 89°59'41" E (EAST BY RECORD) 175.00 FT TO THE WEST R/W LINE OF 2600 WEST ST; THENCE S 00°01'59" E 288.27 FT ALONG SAID WEST R/W LINE; THENCE N 89°58'42" W (WEST BY RECORD) 1529.20 FT TO THE WEST LINE OF SAID SW/4; THENCE N 00°07'36" E 422.83 FT (NORTH 26 RDS 10.50 FT BY RECORD) ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

✓ 03-109-0064 16.98 *Jeff Jeppson*

**Legal** PART OF THE NW/4 OF SEC 16, T 09N, R 02W, SLM. BEGINNING AT THE INTERSECTION OF THE EAST R/W LINE OF 2600 WEST ST AND THE NORTH LINE OF SAID SEC 16, LOCATED 1487.30 FT N 89°54'51" E ALONG SAID NORTH LINE FROM THE NW CORNER OF SAID SEC 16; THENCE N 89°54'51" E (EAST BY RECORD) 1072.89 FT ALONG SAID NORTH LINE; THENCE S 00°00'39" W 1146.67 FT TO THE NORTH LINE OF CHET JEPSON PROPERTY TAX ID NO. 03-109-0039 [03-109-0036] THENCE N 89°41'01" W (WEST BY RECORD) 215.71 FT ALONG SAID NORTH LINE; THENCE N 00°00'39" E (NORTH BY RECORD) 522.00 FT; N 89°41'01" W

775.15 FT TO SAID EAST R/W LINE; THENCE ALONG SAID EAST R/W LINE THE FOLLOWING THREE (3) COURSES: 1) N 00°01'59" W (NORTH BY RECORD) 185.98 FT; 2) NORTHERLY TO THE LEFT ALONG THE ARC OF A 1092.27 FT RADIUS CURVE, A DISTANCE OF 320.13 FT, CHORD BEARS N 08°25'28" W 318.99 FT, HAVING A CENTRAL ANGLE OF 16°47'34"; 3) N 16°49'15" W 121.26 FT TO THE POINT OF BEGINNING.

03-109-0062 13. Matthew Newell

**Legal** PART OF THE SW/4 AND A PART OF THE SE/4 OF SEC 16, T 09N, R 02W, SLBM. BEGINNING AT A POINT ON THE INTERSECTION EAST R/W LINE OF 2600 WEST ST AND THE EAST-WEST CENTER SEC LINE, LOCATED 1576.24 FT N 89°59'31" E ALONG SAID EAST-WEST CENTER SEC LINE FROM THE W/4 CORNER OF SAID SEC 16, SAID W/4 CORNER BEING LOCATED N 00°07'36" E 2644.85 FT FROM THE SW CORNER OF SAID SEC 16; THENCE N 89°59'31" EAST (EAST BY RECORD) 1302.84 FT ALONG SAID EAST-WEST CENTER SEC LINE; S 00°02'07" W 434.74 FT; S 89°59'31" W (WEST BY RECORD) 1302.32 FT TO SAID EAST R/W LINE; N 00°01'59" W 434.74 FT ALONG SAID EAST R/W LINE TO THE POINT OF BEGINNING.

03-109-0044 10.49 Bonnie Robinson

**Legal** PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SLB&M. BEGINNING AT A POINT 1018.86 FEET SOUTH FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SLB&M: RUNNING THENCE EAST 1517 FEET, MORE OR LESS TO THE WEST RIGHT OF WAY LINE OF 2600 WEST STREET; THENCE SOUTH 301.14 FEET ALONG SAID WEST RIGHT OF WAY LINE; THENCE WEST 1517 FEET, MORE OR LESS, TO WEST LINE OF SECTION 16; THENCE NORTH 301.14 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

03-109-0086 14.5 Matthew Newell

**Legal** PART OF THE SW/4 AND A PART OF THE SE/4 OF SEC 16, T 09N, R 02W, SLBM. BEGINNING AT A POINT ON THE EAST R/W LINE OF 2600 WEST ST, LOCATED 1576.24 N 89°59'31" E ALONG SAID EAST-WEST CENTER SEC LINE AND 434.74 FT S 00°01'59" E FROM THE W/4 CORNER OF SAID SEC 16, SAID W/4 CORNER BEING LOCATED N 00°07'36" E 2644.85 FT FROM THE SW CORNER OF SAID SEC 16; THENCE N 89°59'31" E (EAST BY RECORD) 1302.32 FT; S 00°02'07" W 485.11 FT; THENCE WEST 1301.80 FT MORE OR LESS TO SAID EAST R/W LINE; N 00°01'59" W 485.11 FT ALONG SAID EAST R/W LINE TO THE POINT OF BEGINNING.

03-109-0087 19.04 Alvin Jeppson

**Legal** PART OF THE SW/4 AND A PART OF THE SE/4 OF SEC 16, T 09N, R 02W, SLBM. BEGINNING AT A POINT ON THE EAST R/W LINE OF 2600 WEST ST, LOCATED 1576.24 FT N 89°59'31" E ALONG SAID EAST - WEST CENTER SEC LINE AND 869.65 FT S 00°01'59" E FROM THE W/4 CORNER OF SAID SEC 16, SAID W/4 CORNER BEING LOCATED N 00°07'36" E 2644.85 FT FROM THE SW CORNER OF SAID SEC 16; THENCE N 89°59'31" E (EAST BY RECORD) 1301.80 FT; THENCE N 00°02'07" E 869.65 TO SAID EAST - WEST CENTER SEC LINE; THENCE N 89°59'31" E 236.03 FT ALONG SAID CENTER SEC LINE; THENCE S 00°02'07" W 1327.21 FT TO AN EXISTING FENCE LINE AS DESCRIBED IN THE BOUNDARY LINE AGREEMENT RECORDED AS ENTRY NO. [?] IN THE BOX ELDER COUNTY RECORDERS OFFICE; THENCE N 89°19'36" W (WEST BY RECORD) 1537.40 FT ALONG SAID FENCE LINE TO SAID EAST R/W LINE; THENCE N 00°01'59" W 439.27 FT ALONG SAID EAST R/W LINE TO THE POINT OF BEGINNING.  
LESS: [03-109-0086] PART OF THE SW/4 AND A PART OF THE SE/4 OF SEC 16, T 09N, R 02W, SLBM. BEGINNING AT A POINT ON THE EAST R/W LINE OF 2600 WEST ST, LOCATED 1576.24 N 89°59'31" E ALONG SAID EAST-WEST CENTER SEC LINE AND 434.74 FT S 00°01'59" E FROM THE W/4 CORNER OF SAID SEC 16, SAID W/4 CORNER BEING LOCATED N 00°07'36" E 2644.85 FT FROM THE SW CORNER OF SAID SEC 16; THENCE N 89°59'31" E (EAST BY RECORD) 1302.32 FT; S 00°02'07" W 485.11 FT; THENCE WEST 1301.80 FT MORE OR LESS TO SAID EAST R/W LINE; N 00°01'59" W 485.11 FT ALONG SAID EAST R/W LINE TO THE POINT OF BEGINNING.

03-109-0083 31.47 Bonnie Robinson

**Legal** THAT PART LYING OUTSIDE BRIGHAM CITY LIMITS: BEGINNING AT A POINT 82.5 FT EAST OF THE SW CORNER OF SECTION 16, T 09N, R 02W, SLM. THENCE EAST 1100.5 FT TO THE WEST LINE OF PARCEL 03-109-0025; NORTH 1320 FT; WEST 1100.5 FT M/L TO A POINT 82.5 FT EAST OF THE WEST LINE OF SECTION 16; SOUTH 1320 FT M/L TO POINT OF BEGINNING.  
LESS: [03-109-0081] THAT PART LYING OUTSIDE BRIGHAM CITY LIMITS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE EAST 82.5 FT TO THE TRUE POINT

OF BEGINNING; THENCE EAST 17.5 FEET; THENCE NORTH 1320 FEET; THENCE WEST 17.5 FEET; THENCE SOUTH 1320 FEET TO THE BEGINNING.

03-109-0081 .5 *Bonnie Robinson*

**Legal** THAT PART LYING OUTSIDE BRIGHAM CITY LIMITS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE EAST 82.5 FT TO THE TRUE POINT OF BEGINNING; THENCE EAST 17.5 FEET; THENCE NORTH 1320 FEET; THENCE WEST 17.5 FEET; THENCE SOUTH 1320 FEET TO THE BEGINNING.

03-109-0077 13.21 *Alvin Jeppson*

**Legal** PART OF THE SW/4 OF SEC 16, T 09N, R 02W, SLBM. BEGINNING AT A POINT ON THE WEST LINE OF SAID SW/4, LOCATED 458.34 FT S 00°07'36" W ALONG SAID WEST LINE FROM THE W/4 CORNER OF SAID SEC 16, SAID W/4 CORNER BEING LOCATED N 00°07'36" E 2644.85 FT FROM THE SW CORNER OF SAID SEC 16, (POINT OF BEGINNING DESCRIBED OF RECORD AS 27 RDS 12 FT SOUTH FROM THE NW CORNER OF THE SW/4); RUNNING THENCE S 89°59'41" E (EAST BY RECORD) 1353.02 FT TO THE WEST LINE OF ALVIN JEPSON FARMS INC. PROPERTY TAX ID NO. 03-109-0015; THENCE ALONG THE BOUNDARY OF SAID ALVIN JEPSON FARMS INC. PROPERTY THE FOLLOWING TWO (2) COURSES: 1) S 00°01'59" E (SOUTH BY RECORD) 135.00 FT; 2) S 89°59'41" E (EAST BY RECORD) 175.00 FT TO THE WEST R/W LINE OF 2600 WEST ST; THENCE S 00°01'59" E 288.27 FT ALONG SAID WEST R/W LINE; THENCE N 89°58'42" W (WEST BY RECORD) 1529.20 FT TO THE WEST LINE OF SAID SW/4; THENCE N 00°07'36" E 422.83 FT (NORTH 26 RDS 10.50 FT BY RECORD) ALONG SAID WEST LINE TO THE POINT OF BEGINNING.  
LESS: [03-109-0076] PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 09 NORTH, RANGE 02 WEST, SALT LAKE BASE AND MERIDIAN; BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER LOCATED 881.17 FEET SOUTH 00°07'36" WEST ALONG SAID WEST LINE FROM THE WEST QUARTER CORNER OF SAID SECTION 16, SAID WEST QUARTER CORNER BEING LOCATED NORTH 00°07'36" EAST 2644.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE SOUTH 89°58'42" EAST (EAST BY RECORD) 1529.20 FT TO THE WEST RIGHT OF WAY LINE OF 2600 WEST STREET; THENCE NORTH 00°01'59" WEST 31.33 FEET; THENCE N 89°58'42" W 1529.59 FT TO THE WEST LINE OF SAID SW/4; THENCE SOUTH 00°07'36" WEST 31.33 FEET ALONG WEST LINE OF SECTION TO THE POINT OF BEGINNING.



West Brigham McRea Farms LLC Ag Protection Parcels Legal Descriptions

✓ 03-109-0075 62.04 *Sundown Ranch*

Legal BEGINNING AT A POINT 1320 FEET NORTH AND 1583.16 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SLM, THENCE RUNNING EAST 2500 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF PARCEL 03-109-0021, THENCE SOUTH 19°43' WEST 1430 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SECTION 16, THENCE WEST 2180 FEET, MORE OR LESS, ALONG THE SECTION LINE TO THE EAST RIGHT OF WAY LINE OF 2600 WEST STREET, THENCE NORTHEASTERLY ALONG THE SAID EAST RIGHT OF WAY LINE OF 2600 WEST STREET 1340 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS: THE SOUTH 35 FT FOR CO RD

LESS[03-109-0042]: BEGINNING AT A POINT ON THE EAST LINE OF 2600 WEST STREET LOCATED 1320 FEET NORTH AND 1583.16 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SLB&M, AND RUNNING THENCE EAST 500 FEET, THENCE SOUTH 261.36 FEET, THENCE WEST 531.54 FEET, MORE OR LESS TO A POINT ON SAID EAST LINE OF 2600 WEST STREET, THENCE NORTH 06°52'50" EAST ALONG SAID EAST LINE OF 2600 WEST STREET 263.26 FEET TO THE POINT OF BEGINNING.

LESS [03-109-0074]: A PART OF THE SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF FOREST STREET LOCATED 144.49 FEET NORTH 89°55'39" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND 33.00 FEET NORTH 00°04'14" FEET EAST FROM THE SOUTH QUARTER CORNER OF SAID SECTION 16; RUNNING THENCE NORTH 00°04'14" EAST 417.42 FEET; THENCE SOUTH 89°55'39" EAST 208.71 FEET; THENCE SOUTH 00°04'14" WEST 208.71 FEET; THENCE SOUTH 89°56'01" EAST 417.42 FEET; THENCE SOUTH 00°04'06" WEST 208.70 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: (1) NORTH 89°56'01" WEST 481.65 FEET; AND (2) NORTH 89°55'39" WEST 144.49 FEET TO THE POINT OF BEGINNING.

✓ 03-109-0025 .96 *James Jensen*

Legal BEG 63 FT NORTH & 1183 FT EAST OF SW CORNER OF SEC 16, T 09N, R 02W, SLM. THENCE NORTH 212 FT; EAST 235 FT M/L TO WEST LINE OF 2600 WEST ST; SOUTHWESTERLY FOLLOWING SD WEST LINE OF 2600 WEST ST 240 FT TO A POINT DUE EAST OF POB; WEST 160 FT M/L TO POB.

✓ 03-109-0020 6.9 *James Jensen*

Legal BEG AT A PT LOC 1183 FT E & 275 FT N OF SW COR OF SEC 16 T9N R2W SLM, N 1045.00 FT TO GRANTORS N/L, E 335 FT M/L TO W/L OF 2600 W ST, S ALG SD W/L 412.5 FT, CONTINUING ALG SD W/L IN A SWLY DIRECTION 650 FT M/L TO A PT E OF POB, W 235 FT M/L TO POB. CONT 6.9 AC M/L

✓ 03-074-0004 113 *McRea Farms*

Legal W/2 OF NW/4 OF SEC 09, T 09N, R 02W, SLBM.

LESS: 3 ACS LYING OF E SIDE OF CENT PACIFIC R.R.

ALSO: E 1/2 OF W 1/2 OF SW/4 OF SEC 9, TWP 9 N, R 2 W SLM

✓ 03-074-0006 25.46 *McRea Farms*

Legal BEGINNING AT A POINT 14 RODS 9 FT EAST OF SW CORNER OF SEC 09, T 09N, R 02W SLBM. RUNNING NORTH 160 RODS, EAST 25 RODS 7.5 FT, SOUTH 160 RODS, WEST 25 RODS 7.5 FT TO BEGINNING.

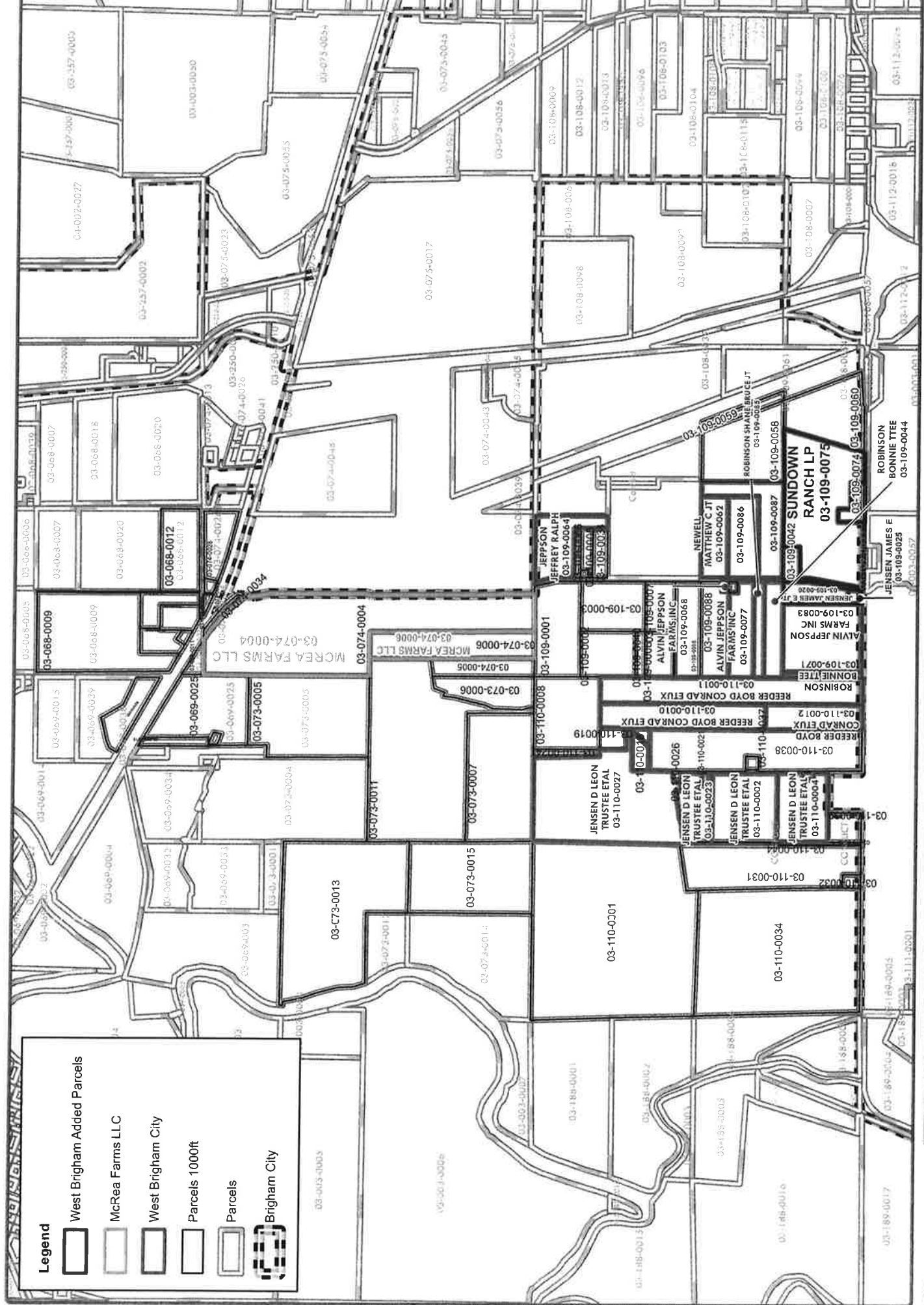


# Account Legal Description

Box Elder County

Account #	Parcel #	Owner	Mailing Address Situs Address	Tax Area Acres
R0094000	03-109-0083	ALVIN JEPSON FARMS INC	215 N 2600 W BRIGHAM CITY, UT 84302- 4406	101 Approx. 31.47

Legal THAT PART LYING OUTSIDE BRIGHAM CITY LIMITS: BEGINNING AT A POINT 82.5 FT EAST OF THE SW CORNER OF SECTION 16, T 09N, R 02W, SLM. THENCE EAST 1100.5 FT TO THE WEST LINE OF PARCEL 03-109-0025; NORTH 1320 FT; WEST 1100.5 FT M/L TO A POINT 82.5 FT EAST OF THE WEST LINE OF SECTION 16; SOUTH 1320 FT M/L TO POINT OF BEGINNING.  
 LESS: [03-109-0081] THAT PART LYING OUTSIDE BRIGHAM CITY LIMITS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE EAST 82.5 FT TO THE TRUE POINT OF BEGINNING; THENCE EAST 17.5 FEET; THENCE NORTH 1320 FEET; THENCE WEST 17.5 FEET; THENCE SOUTH 1320 FEET TO THE BEGINNING.



**Legend**

- West Brigham Added Parcels
- McRea Farms LLC
- West Brigham City
- Parcels 1000ft
- Parcels
- Brigham City

# DESCRIPTION

# SCALE

**Proposed Agricultural Protection Proposal**  
 Morris Burt, Rolfe Livestock, RP Wetlands, West Brigham City

Apr 01, 2022

This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon.

1 inch = 2,000 feet



**RESOLUTION NO. 22-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BOX ELDER COUNTY, UTAH APPROVING A PROPOSAL TO CREATE AN AGRICULTURE PROTECTION AREA.**

The Board of Commissioners of Box Elder County, Utah as the county legislative body of Box Elder County, Utah, referred to herein as the "County Commission" recite the following as the basis for adopting this Resolution:

A. A proposal was filed with the Box Elder County Commission by a landowner or landowners that a total of 892.63 acres of land in agriculture production located in Box Elder County be established and created as an agriculture protection area pursuant to the provisions of §17-41-301 of the Utah Code.

B. The Box Elder County Commission provided notice of the filing of the proposal by posting notice on the Utah Public Notice Website, posting notice at five places, designated by the Box Elder County Commission, within or near the proposed agricultural protection area, and mailing written notice to each owner of land within 1,000 feet of land proposed for inclusion within the proposed agricultural protection area, pursuant to §17-41-302 of the Utah Code.

C. After providing notice, the County Commission referred the proposal and all proposed modifications and objections to the Box Elder County Agriculture Protection Area Advisory Board and the Box Elder County Planning Commission. Reports from each of these boards were then received and reviewed by the County Commission.

D. After receiving the written reports from the Advisory Board and the Planning Commission, the County Commission scheduled and provided notice of a public hearing by publishing notice in a newspaper having general circulation within Box Elder County, on the Utah Public Notice Website, posting notice in five public places, as designated by the County Commission, within or near the proposed agricultural protection area, and mailing notice to each owner of land within 1,000 feet of the land proposed for inclusion within the proposed agricultural protection area, pursuant to §17-41-304 of the Utah Code.

E. The County Commission then conducted a public hearing on May 4, 2022 pursuant to notice as required by UCA Section 17-41-304 and received oral or written public comment from all interested persons.

F. After having considered all of the reports, comments and information provided to it, the County Commission has found and determined that the land within the proposed agriculture protection area is currently being used for agriculture production, the land is zoned for agriculture use, the land is viable for agriculture production, the extent and nature of existing or proposed farm improvements is appropriate, and the anticipated trends in

agricultural and technological conditions that might affect the proposed agriculture protection area are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Box Elder County, Utah with 3 members present and 3 members voting in favor, as follows:

Section 1. Agriculture Protection Area Created. The following land is hereby created and established as an agriculture protection area pursuant to Title 17, Chapter 41 of the Utah Code:

*(See Attachment A)*

Section 2. Notice of Creation of Agriculture Protection Area. The Box Elder County Clerk shall, within 10 days, record this resolution with the County Recorder and file it with the Box Elder County Planning Commission. Within 10 days of recording this resolution with the Box Elder County Recorder, the County Clerk shall send written notification to the Commissioner of Agriculture and Food that this agricultural protection area has been created.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 4<sup>th</sup> day of May, 2022.

  
\_\_\_\_\_  
Jeff Scott, Chairman

  
\_\_\_\_\_  
Stan Summers, Commissioner

  
\_\_\_\_\_  
Jeff Hadfield, Commissioner



ATTEST:

  
\_\_\_\_\_  
Marla R. Young, Clerk

# Acknowledgment

State of Utah )

County of Box Elder<sup>s</sup>

On this 4<sup>th</sup> day of May, in the year 2022, before me Marla R. Young a notary  
date month year notary public name

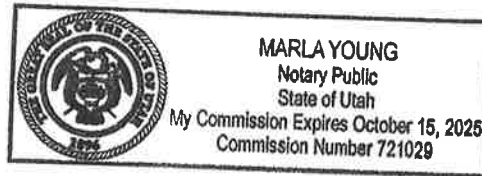
public, personally appeared Jeffrey D. Scott  
Stan Summers  
Jeff Hadfield, proved on the basis of satisfactory  
name of document signer

evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged

(he/she/they) executed the same.

Witness my hand and official seal.

Marla R. Young  
(notary signature)



(seal)

## Burt, Morris & Rolfe Livestock & RP Wetlands AG Protection Selected Parcels

### 1. Parcel 03-004-0081

Legal NE/4, E 1/2 OF NW/4, LOT 1 OF NW/4, SW/4 OF NW/4 & S 1/2 OF SEC 35, TWP 9 N, R 3 W, SLM, EXC OF ROADS

LESS: [0078] THAT PORTION LYING S OF CO (REFUGE) RD & W OF WHISTLER CANAL.

LESS: [0079] THAT PART OF NW/4 OF SEC 35 LYING W OF WHISTLER CANAL & N OF CO ROAD (REFUGE).

LESS: [0074] COM BRASS CAP MON FND SW COR SEC 35 E ALG S/L SW/4 SD SEC AS CURRENTLY MON 1149.29 FT, LEAVING SD SEC/L S 1322.18 FT TO TRUE POB, SD POB LOC W/L WHISTLER CANAL AT PT 75 FT W OF CTR/L SD CANAL, NLY ALG W R/W/L SD CANAL AT PT 75 FT W & PERP TO C/L SD CANAL FOLLOW 26 COURSES: N 18°16'53" E 269.53 FT, N 03°53'51" E 423.57 FT, N 18°12'31" E 192.26 FT, N 29°24'14" E 453.24 FT, N 04°22'43" W 595.45 FT, N 17°14'29" W 405.23 FT, N 08°18'48" E 416.30 FT, N 23°46'08" W 532.35 FT, N 12°08'47" W 179.94 FT, N 21°59'08" W 94.91 FT, N 36°05'24" W 128.69 FT, N 22°42'49" W 146.53 FT, N 06°41'10" W 180.45 FT, N 02°36'12" E 346.23 FT, N 21°29'25" E 163.52 FT, N 13°21'08" E 231.53 FT, N 02°17'14" E 58.58 FT, N 19°55'08" W 120.67 FT, N 34°05'23" W 123.20 FT, N 17°18'08" W 129.55 FT, N 04°54'34" W 240.30 FT, N 19°23'22" W 212.15 FT, N 10°37'17" E 183.53 FT, N 35°35'38" E 271.67 FT, N 04°32'07" E 386.69 FT, N 12°26'45" W 530.5 FT M/L TO S BANK BEAR RIVER, N 60°03'26" E ACROSS SD CANAL 128.8 FT TO PT ON E BANK SD CANAL & SD S OF BEAR RIVER, N 49°50'30" E ALG SD S RIVER BANK 350.69 FT TO PROJECTION OF OLD FNC/L FRM S, LEAVING SD RIVER BANK S 21°49'56" E ALG SD OLD FNC/L 994.59 FT TO PT IN SLY R/W/L OF CO RD LEADING TO BEAR RIVER MIGRATORY BIRD REFUGE, S 04°44'40" E 4744.77 FT TO PT LOC S/L AFORESAID SW/4 SEC/L AT PT WEST 499.9 FT FRM BRASS CAP MON FND AT S/4 COR SD SEC 35, S 13°17'35" W 1359.57 FT TO PT IN EXIST FNC/L, N 89°55'10" W ALG SD FNC/L & PROJECTED W ACROSS CANAL 678.5 FT TO POB.

LESS: 1.04 AC FOR CO RD. SUBJECT TO 150 FT R/W ALG WHISTLER CANAL 75 FT EACH SIDE PARA TO CTR/L SD CANAL.

LESS: [03-004-0076 BIRD REFUGE RD] A PARCEL OF LAND IN FEE LOCATED IN THE NORTH ¼ OF THE NORTH ¼ OF SECTION 35, TOWNSHIP 9 NORTH, RANGE 3 WEST, SALT LAKE BASELINE AND MERIDIAN IN BOX ELDER COUNTY, UTAH, BEING THAT PORTION OF THE RIGHT OF WAY FOR BEAR RIVER ACCESS ROAD (FHWA PROJECT NUMBER UT PLH 523-1(2)), LYING WITHIN THE PARCEL OF LAND DESCRIBED IN DEEDS RECORDED AT BOOK 825, PAGE 40, IN THE BOX ELDER COUNTY RECORDER'S OFFICE: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 25 BEING A FOUND 3.25 INCH FISH AND WILDLIFE CAP, THENCE SOUTH 00° 21' 37" WEST, ALONG THE EAST LINE OF SAID SECTION 25, A DISTANCE OF 1196.75 FEET (364.770 METERS) TO THE NORTHERLY RIGHT OF WAY OF SAID BEAR RIVER ACCESS ROAD (FHWA PROJECT UT PLH 523-1(2)) AND THE POINT OF BEGINNING; (1) THENCE ALONG SAID EAST LINE S 00 DEG. 21 MIN. 37 SEC. W A DISTANCE OF 75.38 FEET (22.975 METERS) TO THE SOUTHERLY RIGHT OF WAY OF SAID PROJECT AND CONTINUING ALONG SAID RIGHT OF WAY THE FOLLOWING FIFTEEN COURSES; (2) THENCE ALONG SAID RIGHT OF WAY S 61 DEG. 28 MIN. 18 SEC. W A DISTANCE OF 6629.10 FEET (2020.553 METERS) TO THE BEGINNING OF A CURVE TO THE LEFT; (3) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3248.60 FEET (990.176 METERS) THROUGH A CENTRAL ANGLE OF 05 DEG. 18 MIN. 23 SEC. A DISTANCE OF 300.87 FEET (91.706 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 58 DEG. 49 MIN. 06 SEC. W, A DISTANCE OF 300.77 FEET (91.674 METERS); (4) THENCE S 56 DEG. 09 MIN. 55 SEC. W A DISTANCE OF 167.30 FEET (50.993 METERS) TO THE BEGINNING OF A CURVE TO THE RIGHT; (5) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1673.80 FEET (510.176 METERS) THROUGH A CENTRAL ANGLE OF 17 DEG. 39 MIN. 00 SEC. A DISTANCE OF 515.61 FEET (157.159 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 64 DEG. 59 MIN. 25 SEC. W, A DISTANCE OF 513.58 FEET (156.538 METERS); (6) THENCE S 73 DEG. 48 MIN. 54 SEC. W A DISTANCE OF 171.50 FEET (52.272 METERS) TO THE BEGINNING OF A CURVE TO THE LEFT; (7) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3248.60 FEET (990.176 METERS) THROUGH A CENTRAL ANGLE OF 03 DEG. 42 MIN. 46 SEC. A DISTANCE OF 210.51 FEET (64.165 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 71 DEG. 57 MIN. 31 SEC. W, A DISTANCE OF 210.48 FEET (64.154 METERS); (8) THENCE S 70 DEG. 06 MIN. 08 SEC. W A DISTANCE OF 2612.51 FEET (796.296 METERS) TO THE BEGINNING OF A CURVE TO THE LEFT; (9) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 656.14 FEET (199.991 METERS) THROUGH A CENTRAL ANGLE OF 33 DEG. 43 MIN. 09 SEC. A DISTANCE OF 386.14 FEET (117.697 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 53 DEG. 14 MIN. 34 SEC. W, A DISTANCE OF 380.59 FEET (116.005 METERS); (10) THENCE S 36 DEG. 22 MIN. 58 SEC. W A DISTANCE OF 3029.27 FEET (923.323 METERS) TO THE BEGINNING OF A CURVE TO THE RIGHT; (11) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 853.40 FEET (260.117 METERS) THROUGH A CENTRAL ANGLE OF 26 DEG. 00 MIN. 27 SEC. A DISTANCE OF 387.37 FEET (118.072 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 49 DEG. 23 MIN. 12 SEC. W, A DISTANCE OF 384.06 FEET (117.061 METERS); (12) THENCE S 62 DEG. 23 MIN. 26 SEC. W A DISTANCE OF 518.66 FEET (158.089 METERS) TO THE BEGINNING OF A CURVE TO THE RIGHT; (13) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1345.64 FEET (410.152 METERS) THROUGH A CENTRAL ANGLE OF 30 DEG. 44 MIN. 38 SEC. A DISTANCE OF 722.05 FEET (220.082 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 77 DEG. 45 MIN. 45 SEC. W, A DISTANCE OF 713.42 FEET (217.450 METERS); (14) THENCE N 86 DEG. 51 MIN. 56 SEC. W A DISTANCE OF 35.94 FEET (10.955 METERS) TO THE BEGINNING OF A CURVE TO THE LEFT; (15) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2592.28 FEET (790.129 METERS) THROUGH A CENTRAL ANGLE OF 06 DEG. 33 MIN. 13 SEC. A DISTANCE OF 296.52 FEET (90.378 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 89 DEG. 51 MIN. 28 SEC. W, A DISTANCE OF 296.35 FEET (90.328 METERS); (16) THENCE S 86 DEG. 34 MIN. 51 SEC. W A DISTANCE OF 312.21 FEET (95.162 METERS); (17) THENCE LEAVING SAID RIGHT OF WAY N 03 DEG. 25 MIN. 09 SEC. W A DISTANCE OF 66.00 FEET (20.117 METERS) TO SAID NORTHERLY RIGHT OF WAY, AND CONTINUING ALONG SAID RIGHT OF WAY THE FOLLOWING TWENTY COURSES; (18) THENCE N 86 DEG. 34 MIN. 51 SEC. E A DISTANCE OF 312.21 FEET (95.162 METERS) TO THE BEGINNING OF A CURVE TO THE RIGHT; (19) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2658.28 FEET (810.246 METERS) THROUGH A CENTRAL ANGLE OF 06 DEG. 33 MIN. 13 SEC. A DISTANCE OF 304.06 FEET (92.679 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 89 DEG. 51 MIN. 28 SEC. E, A DISTANCE OF 303.90 FEET (92.629 METERS); (20) THENCE S 86 DEG. 51 MIN. 56 SEC. E A DISTANCE OF 35.94 FEET (10.955 METERS); (21) THENCE N 03 DEG. 08 MIN. 04 SEC. E A DISTANCE OF 17.00 FEET (5.181 METERS) TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT; (22) THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE HAVING A RADIUS OF 1262.64 FEET (384.854 METERS) THROUGH A CENTRAL ANGLE OF 14 DEG. 41 MIN. 19 SEC. A DISTANCE OF 323.69 FEET (98.662 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 85 DEG. 47 MIN. 25 SEC. E, A DISTANCE OF 322.81 FEET (98.392 METERS); (23) THENCE S 11 DEG. 38 MIN. 48 SEC. E A DISTANCE OF 17.00

FEET (5.181 METERS) TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT; (24) THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE HAVING A RADIUS OF 1279.64 FEET (390.035 METERS) THROUGH A CENTRAL ANGLE OF 16 DEG. 03 MIN. 16 SEC. A DISTANCE OF 358.56 FEET (109.289 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 70 DEG. 25 MIN. 04 SEC. E, A DISTANCE OF 357.38 FEET (108.931 METERS); (25) THENCE N 62 DEG. 23 MIN. 26 SEC. E A DISTANCE OF 518.66 FEET (158.089 METERS) TO THE BEGINNING OF A CURVE TO THE LEFT; (26) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 787.40 FEET (240.000 METERS) THROUGH A CENTRAL ANGLE OF 26 DEG. 00 MIN. 27 SEC. A DISTANCE OF 357.42 FEET (108.941 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 49 DEG. 23 MIN. 12 SEC. E, A DISTANCE OF 354.36 FEET (108.008 METERS); (27) THENCE N 36 DEG. 22 MIN. 58 SEC. E A DISTANCE OF 3029.27 FEET (923.323 METERS) TO THE BEGINNING OF A CURVE TO THE RIGHT; (28) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 722.14 FEET (220.108 METERS) THROUGH A CENTRAL ANGLE OF 33 DEG. 43 MIN. 09 SEC. A DISTANCE OF 424.99 FEET (129.536 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 53 DEG. 14 MIN. 33 SEC. E, A DISTANCE OF 418.88 FEET (127.675 METERS); (29) THENCE N 70 DEG. 06 MIN. 08 SEC. E A DISTANCE OF 2612.51 FEET (796.296 METERS) TO THE BEGINNING OF A CURVE TO THE RIGHT; (30) THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3314.60 FEET (1010.293 METERS) THROUGH A CENTRAL ANGLE OF 03 DEG. 42 MIN. 46 SEC. A DISTANCE OF 214.79 FEET (65.468 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 71 DEG. 57 MIN. 31 SEC. E, A DISTANCE OF 214.75 FEET (65.457 METERS); (31) THENCE N 73 DEG. 48 MIN. 54 SEC. E A DISTANCE OF 171.50 FEET (52.272 METERS); (32) THENCE N 16 DEG. 11 MIN. 06 SEC. W A DISTANCE OF 16.99 FEET (5.180 METERS) TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT; (33) THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE HAVING A RADIUS OF 1590.80 FEET (484.878 METERS) THROUGH A CENTRAL ANGLE OF 17 DEG. 39 MIN. 00 SEC. A DISTANCE OF 490.05 FEET (149.366 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 64 DEG. 59 MIN. 24 SEC. E, A DISTANCE OF 488.11 FEET (148.776 METERS); (34) THENCE N 56 DEG. 09 MIN. 54 SEC. E A DISTANCE OF 167.30 FEET (50.993 METERS); (35) THENCE S 33 DEG. 50 MIN. 06 SEC. E A DISTANCE OF 16.99 FEET (5.180 METERS) TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; (36) THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE HAVING A RADIUS OF 3314.60 FEET (1010.293 METERS) THROUGH A CENTRAL ANGLE OF 05 DEG. 18 MIN. 24 SEC. A DISTANCE OF 306.99 FEET (93.570 METERS), SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 58 DEG. 49 MIN. 06 SEC. E, A DISTANCE OF 306.88 FEET (93.536 METERS); (37) THENCE N 61 DEG. 28 MIN. 18 SEC. E A DISTANCE OF 6665.52 FEET (2031.654 METERS) TO THE POINT OF BEGINNING.

## 2. Parcel 03-004-0083

Legal LOTS 1 & 2, NW/4 OF NW/4, SW/4 OF SW/4, E 1/2 OF W 1/2, W 1/2 OF E 1/2, SEC 25, TWP 9 N, R 3 W, SLM  
LESS: THAT PART OF W/2 & N PART OF E/4 OF SEC 25, LYING N OF CO (REFUGE) RD.

LESS[03-004-0076] COM AT NE COR OF SEC 25 TO 9N R03W BEING A FOUND 3.25 INCH FISH AND WILDLIFE CAP, S 00°21'37" W ALG E/L OF SD SEC 25 A DIST OF 1196.75 FT (364.770 METERS) TO NLY R/W OF SD BEAR RIVER ACCESS RD (FHWA PROJECT UT PLH 523-1(2)) & POB; ALG SD E/L S 00°21'37" W DIST OF 75.38 FT (22.975 METERS) TO SLY R/W OF SD PROJECT & CONTINUING ALG SD R/W THE FOLLOWING FIFTEEN (15) COURSES, 1) ALG SD R/W S61°28'18"W 6629.10 FT (2020.553 METERS) TO BEG OF A CURVE TO LEFT, 2) ALG THE ARC OF SD CURVE A RADIUS OF 3248.60 FT (990.176 METERS) THROUGH A CENTRAL ANGLE OF 05°18'23" A DIST OF 300.87 FT (91.706 METERS), SD ARC SUBTENDED BY CHORD WHICH BEARS S58°49'06"W 300.77 FT (91.674 METERS), 3) S 56°09'55"W 167.30 FT (50.993 METERS) TO BEG OF A CURVE TO RIGHT, 4) ALG ARC OF SD CURVE A RADIUS OF 1673.80 FT (510.176 METERS) THROUGH A CENTRAL ANGLE OF 17°39'00" 515.61 FT (157.159 METERS) SD ARC SUBTENDED BY A CHD WHICH BEARS S64°59'25"W 513.58 FT (156.538 METERS), 5) S73°48'54"W 171.50 FT (52.272 METERS) TO BEG OF A CURVE TO LEFT, 6) ALG ARC OF SD CURVE A RADIUS OF 3248.60 FT (990.176 METERS) THROUGH A CENTRAL ANGLE OF 03°42'46" 210.51 FT (64.165 METERS) SD ARC SUBTENDED BY CHD BEARS S71°57'31"W 210.48 FT (64.154 METERS), 7) S70°06'08"W DIST OF 2612.51 FT (796.296 METERS) TO BEG OF A CURVE TO LEFT, 8) ALG ARC IF SD CURVE A RADIUS OF 656.14 FT (199.991 METERS) THROUGH A CENTRAL ANGLE OF 33°43'09" 386.14 FT (117.697 METERS) SD ARC SUBTENDED BY A CHD BEARS S53°14'34"W 380.59 FT (116.005 METERS), 9) S36°22'58"W 3029.27 FT (923.323 METERS) TO BEG OF CURVE TO RIGHT, 10) ALG ARC OF SD CURVE A RADIUS OF 853.40 FT (260.117 METERS) THROUGH A CENTRAL ANGLE OF 26°00'27" 387.37 FT (118.072 METERS) SD ARC SUBTENDED BY A CHD BEARS S49°23'12"W 384.06 FT (117.061 METERS), 11) S62°23'26"W 518.66 FT (158.089 METERS) TO BEG OF A CURVE TO RIGHT, 12) ALG ARC IF SD CURVE A RADIUS OF 1345.64 FT (410.152 METERS) THROUGH A CENTRAL ANGLE OF 30°44'38" 722.05 FT (220.082 METERS) SD ARC SUBTENDED BY A CHD BEARS S77°45'45"W 713.42 FT (217.450 METERS), 13) N86°51'56"W 35.94 FT (10.955 METERS) TO BEG OF A CURVE TO LEFT, 14) ALG ARC OF SD CURVE A RADIUS OF 2592.28 FT (790.129 METERS) THROUGH A CENTRAL ANGLE OF 06°33'13" 296.52 FT (90.378 METERS) SD ARC SUBTENDED BY CHD BEARS S89°51'28"W 296.35 FT (90.328 METERS), 15) S86°34'51"W 312.21 FT (95.162 METERS), LEAVING SD R/W N03°25'09"W 66 FT (20.117 METERS) SD NLY R/W & CONTINUING ALG SD R/W FOLLOWING TWENTY (20) COURSES, 1) N86°34'51"E 312.21 FT (95.162 METERS) TO BEG OF CURVE TO RIGHT, 2) ALG ARC OF SD CURVE RADIUS OF 2658.28 FT (810.246 METERS) THROUGH A CENTRAL ANGLE 06°33'13" 304.06 FT (92.679 METERS) SD ARC SUBTENDED BY CHD BEARS N89°51'28"E 303.90 FT (92.629 METERS), 3) S86°51'56"E 35.94 FT (10.955 METERS), 4) N03°08'04"E 17.00 FT (5.181 METERS) TO BEG OF NON TANGENT CURVE TO LEFT, 5) ALG ARC OF SD NON TANGENT CURVE A RADIUS OF 1262.64 FT (384.854 METERS) THROUGH A CENTRAL ANGLE OF 14°41'19" 323.69 (98.662 METERS) SD ARC SUBTENDED BY A CHD BEARS N85°47'25"E 322.81 FT (98.392 METERS), 6) S11°38'48"E 17.00 FT (5.181 METERS) TO BEG OF NON TANGENT CURVE TO LEFT, 7) ALG ARC IF SD NON TANGENT CURVE A RADIUS OF 1279.64 FT (390.035 METERS) THROUGH A CENTRAL ANGLE OF 16°03'16" 358.56 FT (109.289 METERS) SD ARC SUBTENDED BY CHD BEARS N70°25'04"E 357.38 FT (108.931 METERS), 8) N62°23'26"E 518.66 FT (158.089 METERS) TO BEG OF CURVE TO LEFT, 8) ALG ARC OF SD CURVE A RADIUS OF 787.40 FT (240.000 METERS) THROUGH CENTRAL ANGLE OF 26°00'27" 357.42 FT (108.941 METERS) SD ARC SUBTENDED BY CHD BEARS N49°23'15"E 354.36 FT (108.008 METERS), 9) N36°22'58"E 3029.27 FT (923.323 METERS) BEG OF A CURVE TO RIGHT, 10) ALG ARC OF SD CURVE A RADIUS OF 722.14 FT (220.108 METERS) THROUGH A CENTRAL ANGLE OF 33°43'09" 424.99 FT (129.536 METERS) SD ARC SUBTENDED BY A CHD BEARS N53°14'33"E 418.88 FT (127.675 METERS) 11) N70°06'08"E 2612.51 FT (796.296 METERS) TO BEG OF A CURVE TO RIGHT, 12) ALG ARC SD CURVE ANGLE OF 03°42'46" 214.79 FT (65.468 METERS) SD ARC SUBTENDED BY CHD BEARS N71°57'31"E 214.75 FT (65.457), 13) N73°48'54"E 171.50 FT (52.272 METERS), 14) N16°11'06"W 16.99 (5.180 METERS) TO BEG OF NON TANGENT CURVE TO LEFT, 15) ALG ARC SD NONTANGENT CURVE A RADIUS OF 3314.60 FT (1010.293 METERS) THROUGH A CENTRAL ANGLE OF 05°18'24" 306.99 FT (93.570 METERS) SD ARC SUBTENDED BY CHD BEARS N58°49'06"E 306.88 FT (93.536 METERS), 16) N61°28'18"E 6665.52 FT (2031.654 METERS) TO POB.



3. Parcel 03-004-0084

**Legal** ALL THE FOLLOWING LYING S OF FOREST ST: THE E 1/2 OF THE E 1/2 OF SEC 25, TWP 9 N, R 3 W, SLM LESS[03-004-0076] COM AT NE COR OF SEC 25 T09N R03W BEING A FOUND 3.25 INCH FISH AND WILDLIFE CAP, S00\*21'37"W ALG THE E/L OF SD SEC 25 A DIST OF 1196.75 FT TO NLY R/W OF SD BEAR RIVER ACCESS RD (FHWA PROJECT UT PLH 523-1(2)) & POB; (1) ALG SD E/L S00\*21'37"W DIST OF 75.38 FT TO SLY R/W OF SD PROJECT & CONTINUING ALG SD R/W THE FOLLOWING FIFTEEN (15) COURSES, (2) ALG SD R/W S61\*28'18"W 6629.10 FT TO BEG OF A CURVE TO LEFT, (3) ALG THE ARC OF SD CURVE HAVING A RADIUS OF 3248.60 FT THROUGH A CENTRAL ANGLE OF 05\*18'23" A DIST OF 300.87 FT, SD ARC SUBTENDE BY CHORD WHICH BEARS S58\*49'06"W 300.77 FT, (4) S56\*09'55"W 167.30 FT TO THE BEG OF A CURVE TO THE RIGHT, (5) ALG ARC OF SD CURVE A RADIUS OF 1673.80 FT THROUGH A CENTRAL ANGLE OF 17\*39'00" 515.61 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS S64\*59'25"W 513.58 FT, (6) S73\*48'54"W 171.50 FT TO THE BEG OF A CURVE TO THE LEFT, (7) ALG ARC OF SD CURVE A RADIUS OF 3248.60 FT THROUGH A CENTRAL ANGLE OF 03\*42'46" 210.51 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS S71\*57'31"W 210.48 FT, (8) S70\*06'08"W A DIST OF 2612.51 FT TO THE BEG OF A CURVE TO THE LEFT, (9) ALG ARC OF SD CURVE A RADIUS OF 656.14 FT THROUGH A CENTRAL ANGLE OF 33\*43'09" 386.14 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS S53\*14'34"W 380.59 FT, (10) S36\*22'58"W 3029.27 FT TO THE BEG OF A CURVE TO THE RIGHT, (11) ALG THE ARC OF SD CURVE A RADIUS OF 853.40 FT THROUGH A CENTRAL ANGLE OF 26\*00'27" 387.37 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS S49\*23'12"W 384.06 FT, (12) S62\*23'26"W 518.66 FT TO THE BEG OF A CURVE TO THE RIGHT, (13) ALG ARC OF SD CURVE A RADIUS OF 1345.64 FT THROUGH A CENTRAL ANGLE OF 30\*44'38" 722.05 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS S77\*45'45"W 713.42 FT, (14) N86\*51'56"W 35.94 FT TO THE BEG OF A CURVE TO LEFT, (15) ALG ARC OF SD CURVE A RADIUS OF 2592.28 FT THROUGH A CENTRAL ANGLE OF 06\*33'13" 296.52 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS S89\*51'28"W 296.35 FT, (16) S86\*34'51"W 312.21 FT, (17) LEAVING SD R/W N03\*25'09"W 66 FT TO SD NLY R/W & CONTINUING ALG SD R/W FOLLOWING TWENTY (20) COURSES, (18) N86\*34'51"E 312.21 FT TO THE BEG OF A CURVE TO THE RIGHT, (19) ALG ARC OF SD CURVE A RADIUS OF 2658.28 FT THROUGH A CENTRAL ANGLE OF 06\*33'13" 304.06 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N89\*51'28"E 303.90 FT, (20) S86\*51'56"E 35.94 FT, (21) N03\*08'04"E 17.00 FT TO THE BEG OF A NON TANGENT CURVE TO THE LEFT, (22) ALG THE ARC OF SD NON TANGENT CURVE A RADIUS OF 1262.64 FT THROUGH A CENTRAL ANGLE OF 14\*41'19" 323.69 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N85\*47'25"E 322.81 FT, (23) S11\*38'48"E 17.00 FT TO BEG OF A NON TANGENT CURVE TO THE LEFT, (24) ALG ARC OF SD NON TANGENT CURVE A RADIUS OF 1279.64 FT THROUGH A CENTRAL ANGLE OF 16\*03'16" 358.56 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N70\*25'04"E 357.38 FT, (25) N62\*23'26"E 518.66 FT TO THE BEG OF A CURVE TO THE LEFT, (26) ALG ARC OF SD CURVE A RADIUS OF 787.40 FT THROUGH A CENTRAL ANGLE OF 26\*00'27" 357.42 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N49\*23'12"E 354.36 FT, (27) N36\*22'58"E 3029.27 FT TO BEG OF A CURVE TO THE RIGHT, (28) ALG ARC OF SD CURVE A RADIUS OF 722.14 FT THROUGH A CENTRAL ANGLE OF 33\*43'09" 424.99 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N53\*14'33"E 418.88 FT (29) N70\*06'08"E 2612.51 FT TO THE BEG OF A CURVE TO THE RIGHT, (30) ALG ARC OF SD CURVE HAVING A RADIUS OF 3314.60 FT THROUGH A CENTRAL ANGLE OF 03\*42'46" 214.79 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N71\*57'31"E 214.75 FT, (31) N73\*48'54"E 171.50 FT, (32) N16\*11'06"W 16.99 FT TO THE BEG OF A NON TANGENT CURVE TO THE LEFT, (33) ALG ARC OF SD NON TANGENT CURVE HAVING A RADIUS OF 1590.80 FT THROUGH A CENTRAL ANGLE OF 17\*39'00" 490.05 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N64\*59'24" E 488.11 FT, (34) N56\*09'54"E 167.30 FT, (35) S33\*50'06"E 16.99 FT TO THE BEG OF A NON TANGENT CURVE TO THE RIGHT, (36) ALG ARC OF SD NON TANGENT CURVE A RADIUS OF 3314.60 FT THROUGH A CENTRAL ANGLE OF 05\*18'24" 306.99 FT, SD ARC SUBTENDE BY A CHORD WHICH BEARS N58\*49'06"E 306.88 FT, (37) N61\*28'18"E 6665.52 FT TO POB.

4. Parcel 03-073-0007

**Legal** BEG 1 RD NO & 619 FT W OF SE COR OF SEC 8, TWP 9 N, R 2 W, SLM. N 1056 FT W 2021 FT TO 1/2 SEC COR LINE S 1056 FT E 2021 FT TO BEG. CONTG. 49 ACS

5. Parcel 03-110-0018

**Legal** BEG AT A PT 3722.45 FT N 0\*07'18E & 861.19 FT N 89\*52'42W OF SE COR OF SEC 17 T9N R2W SLM, N 89\*52'42W 627.02 FT TO A 5/8 INCH STEEL PIN, S 0\*08'58W 257.89 FT ALG A FENCE LINE, S 89\*47'43E 368.26 FT, N 45\* 10'25E 365.79 FT TO POB. CONT 2.95 ACRES

6. Parcel 03-110-0031

**Legal** BEG AT A POINT LOCATED 2971.29 FT N 00\*12'26" E OF SE CORNER OF SW/4 OF SEC 17, T 09N, R 02W, SLM, SD POINT BEING DESCRIBED OF RECORD AS BEING 2276 FT SOUTH OF N/4 CORNER OF SD SEC 17 (BOB BEING SOUTH LINE OF SEC 17, AS WEST). THENCE S 80\*49'54" W 729.69 FT; S 01\*56'58" E 1830.70 FT; S 02\*16'35" W 691.67 FT; EAST 205.00 FT; SOUTH 309.76 FT TO NORTH LINE OF FOREST ST; EAST 469.89 FT TO EAST LINE OF SD SW/4; N 00\*12'26" E 2946.79 FT TO POB.

LESS: TRACT CONVEYED TO UTAH-IDAHO SUGAR CO (ENT# 36323F). BEG AT A POINT THAT IS 33 FT NORTH AND 2642 FT WEST FROM THE SE CORNER OF SEC 17, T 09N, R 02W, SLM. THENCE NORTH ALONG THE WEST SIDE OF THE HAMMOND CANAL A DISTANCE OF 2868 FT M/L; WEST 14 FT; SOUTH 2868 FT M/L; EAST 13 FT TO THE POB.

LESS: [03-111-0031] PART OF E/2 OF SEC 17, T 09N, R 02W, SLM. BEG AT SW CORNER OF SEC 17 AT A RR SPIKE IN ROAD. THENCE N 00\*00'00" E ALONG W LINE OF SD SEC 44.08 FT TO THE NORTHERLY R/W OF SD FHWA PROJECT #UT PLH 523-1(2); ALONG SD R/W THE FOLLOWING FIVE (5) COURSES: 1) N 89\*58'42" E 2120.84 FT; 2) N 00\*01'18" W 17 FT; 3) N 89\*58'42" E 196.9 FT; 4) S 00\*01'18" E 17 FT; 5) N 89\*58'42" E 2962.71 FT; LEAVING SD R/W ALONG SD SEC LINE S 00\*12'42" E 26.24 FT TO SE CORNER OF SD SEC; ALONG EAST LINE OF SEC 20 S 00\*12'42" E 6.76 FT TO CENTER LINE OF FHWA PROJECT # UT PLH 523-1(2); ALONG SD CENTER LINE N 89\*58'42" E 2629.15 FT TO CENTER LINE OF SEC 21; ALONG SD CENTER LINE S 00\*09'58" W 33 FT TO SOUTHERLY R/W OF SD PROJECT THE FOLLOWING SEVEN (7) COURSES: 1) S 89\*58'42" W 519.46 FT; 2) S 00\*04'22" W 17 FT; 3) S 89\*58'42" W 628.39 FT; 4) N 00\*04'22" E 17FT; 5) S 89\*58'42" W 4472.11 FT; 6) N 00\*13'08" W 7.0 FT; 7) S 89\*58'42" W 333.32 FT TO WESTERLY LINE OF PARCEL DESCRIBED IN THE DEED RECORDED IN BK 289, PG 258 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; N 00\*13'08" W 2.65 FT TO EXISTING R/W OF EXISTING BEAR RIVER ROAD DESCRIBED IN DEED RECORDED IN MISC. BK R, PG 297 IN BOX

ELDER COUNTY RECORDER'S OFFICE; S 89°46'52" W 1955.23 FT TO WEST LINE OF SD SEC 20; N 00°04'06" E 33 FT TO NW CORNER OF SD SEC AND THE POINT OF BEGINNING.

LESS: PART OF E/2 OF SEC 17, T 09N, R 02W, SLBM. BEG AT SW CORNER OF SEC 17, AT A RR SPIKE IN ROAD. THENCE N 00°00'00" E ALONG WEST LINE OF SD SEC 17 44.08 FT TO NORTHERLY R/W OF SD FHWA PROJECT # UT PLH 523-1(2); N 89°58'42" E 5280.44 FT TO EAST LINE OF SEC 17; LEAVING SD R/W ALONG SD SEC LINE S 00°12'42" E 26.24 FT TO SE CORNER OF SD SEC; ALONG EAST LINE OF SEC 20 S 00°12'42" E 6.76 FT TO CENTER LINE OF FHWA PROJECT # UT PLH 523-1(2); ALONG SD CENTER LINE N 89°58'42" E 2629.15 FT TO CENTER LINE OF SD SEC 21; ALONG SD CENTER LINE S 00°09'58" W 33 FT TO SOUTHERLY R/W OF SD PROJECT FOLLOWING ALONG SD R/W THE FOLLOWING SEVEN (7) COURSES: 1) S 89°58'42" W 519.46 FT; 2) S 00°04'22" W 17 FT; 3) S 89°58'42" W 628.39 FT; 4) N 00°04'22" E 17 FT; 5) S 89°58'42" W 4806.61 FT; 6) S 00°13'08" E 4.35 FT TO EXISTING R/W OF EXISTING BEAR RIVER ROAD DESCRIBED IN THE DEED RECORDED IN MISC. BK R, PG 297 IN BOX ELDER COUNTY RECORDERS OFFICE; 7) ALONG SD R/W S 89°46'52" W 1955.23 FT TO WEST LINE OF SD SEC 20; ALONG SD LINE N 00°04'06" E 33 FT TO NW CORNER OF SD SEC AND THE POINT OF BEGINNING.

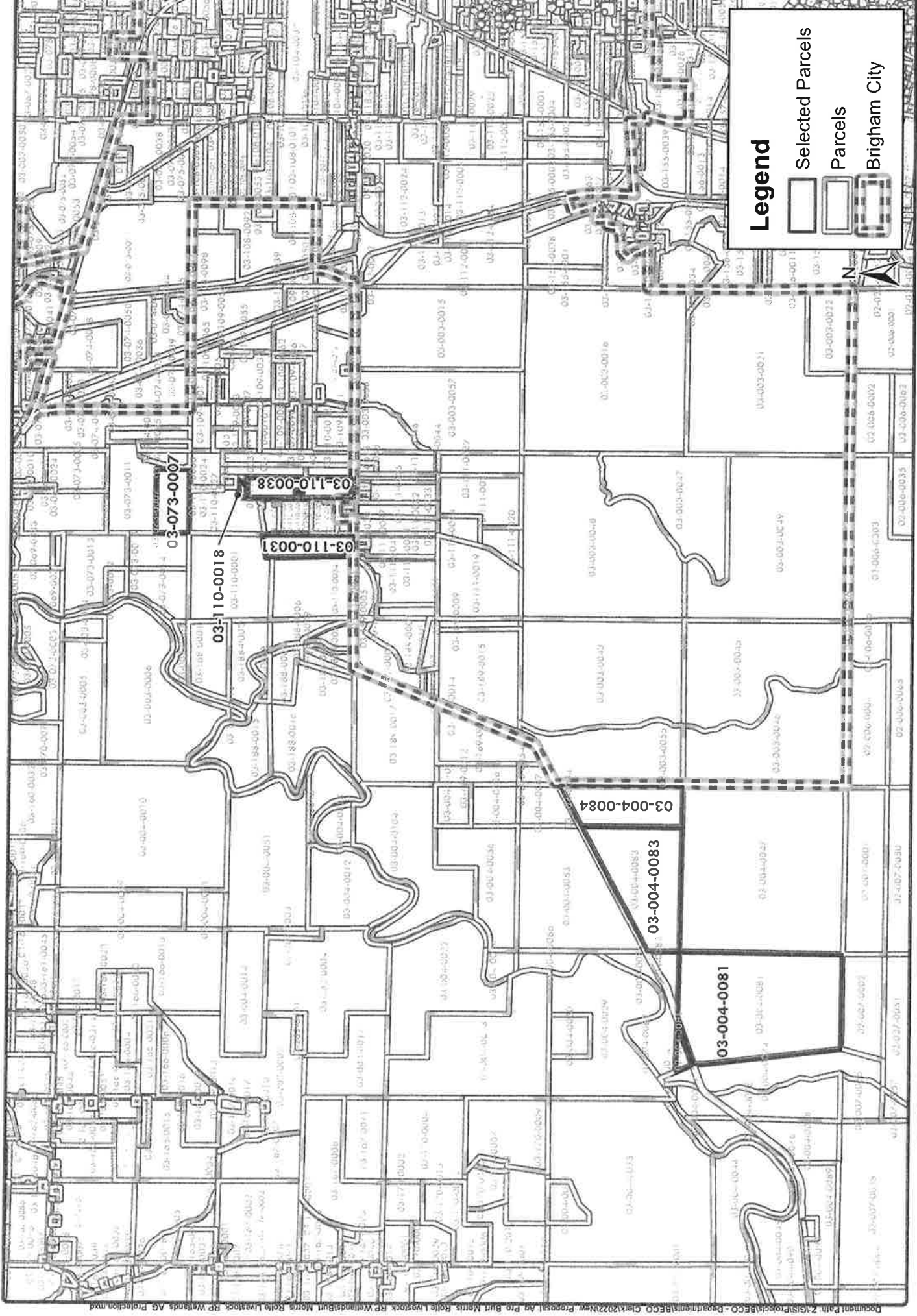
**7. Parcel 03-110-0038**

**Legal** BEG AT A POINT LOCATED 2971.29 FT N 00°12'26" E OF SE CORNER OF SW/4 OF SEC 17, T 09N, R 02W, SLM, SD POINT BEING DESCRIBED OF RECORD AS BEING 2276 FT SOUTH OF N/4 CORNER OF SD SEC 17 (BOB BEING SOUTH LINE OF SEC 17, AS WEST). THENCE S 80°49'54" W 729.69 FT; S 01°56'58" E 1830.70 FT; S 02°16'35" W 691.67 FT; EAST 205.00 FT; SOUTH 309.76 FT TO NORTH LINE OF FOREST ST; EAST 469.89 FT TO EAST LINE OF SD SW/4; N 00°12'26" E 2946.79 FT TO POB.



LESS: TRACT CONVEYED TO UTAH-IDAHO SUGAR CO (ENT# 36323F). BEG AT A POINT THAT IS 33 FT NORTH AND 2642 FT WEST FROM THE SE CORNER OF SEC 17, T 09N, R 02W, SLBM. THENCE NORTH ALONG THE WEST SIDE OF THE HAMMOND CANAL A DISTANCE OF 2868 FT M/L; WEST 14 FT; SOUTH 2868 FT M/L; EAST 13 FT TO THE POB.

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**Legend**

-  Selected Parcels
-  Parcels

Brigham City



**Proposed Agricultural Protection Proposal**  
 Morris Burt, Rolfe Livestock, RP Wetlands

**DESCRIPTION**

**SCALE**


1 inch = 4,000 feet

**BOX ELDER COUNTY**

Mar 02, 2022

This is neither a plan nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reference hereon.

Public Hearing 5-4-2022  
Exchange of parcels  
Ag Protections: West Brigham City, Rolfe-Morris

<u>Name</u>	<u>Phone #</u>
Chusee Bennett	435-734-3347
Bonnie Robinson	435-720-2099
DeAnna Hardy	
Curtis L Marble	435-730-2135
Tymer Yeates	435-279-6491
Skyler Yeates	
Shari Yeates	435-279-6558
FRED HAYES VOTE AMISH - No MACHINES	307-466-2299
ANNA THOMPSON	435-363-5222
Jason Jensen	435-730-0552
Alan Gardner	435-458-3385
Christine Gardner	801-916-5821
Lee Perry	435-720-3029
Mez Vincent	435-230-1229
Coode Polun	435-754-3080
Jenica Stander	435-734-3364
	435-230-0406
Darin McFarland	435-230-4277
Wyatt Freeze	435-230-1556
Nathan Adams	<del>435-734-3320</del> 435-734-3320
Scott Lyons	3316
Jeff Munk	385 355 1321
Shelene Larsen	435-734-3360

**UTAH DEPARTMENT OF AGRICULTURE AND FOOD**  
**GRANT AGREEMENT**

1. **CONTRACTING PARTIES:** This Grant Agreement (Agreement), is between the Utah Department of Agriculture and Food (“UDAF”), Grantor, and the following Grantee:

Grantee Name: **Box Elder County**, Contact Person: **Wyatt Freeze**,

Street Address: **01 South Main** City: **Brigham City** State: **Utah** Zip code: **84302**

A (please check one):

Sole Proprietor

Governmental Agency

Other-Specify Type

2. **GRANTEE IS AN INDEPENDENT CONTRACTOR:** Grantee is an Independent Contractor, and has no authority, express or implied, to bind the State of Utah, UDAF, or any of their officers, agents, or employees.

3. **CERTIFICATION OF NON-DEBARMENT:** For Grantees receiving any Federal funds: Grantee certifies that neither it nor its principals, officers, agents, employees, contractors or sub-contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from entering into this Agreement by any governmental entity. If Grantee cannot so certify, it shall submit a written explanation and shall obtain *prior* written approval for this Agreement from the UDAF Commissioner, or his/her designee. Failure of Grantee to obtain such prior written approval shall be considered a material breach of this Agreement.

4. **PURPOSE OF AGREEMENT:** To pass funds to Grantee for the following purpose: Invasive Species Mitigation fund for the Identifying Effective Control and Revegetation Strategies for **Rush Skeletonweed EDRR** pursuant to § UCA 4-17-114 and UCA § 4-17-115.

5. **AGREEMENT PERIOD:** This Agreement is effective **07/01/2022** and expires **06/30/2023**, unless terminated early due to a breach or other reason stated in this Agreement or extended or amended, at Grantor’s discretion and with Grantor’s approval.

6. **AGREEMENT AMOUNT:** The total amount Grantee will receive pursuant to this Agreement is **\$89,600.00**.

7. **FUNDING:** The funding provided to Grantee pursuant to this Agreement constitutes a grant of state money and/or federal pass-through money as defined in UCA § 63G-6a-103(36), § 63J-1-220, and § 51-2a-201.5. If Grantee is receiving any funding through any other source or is providing any amount of matching funds for this project, such funding must be disclosed and reported as set forth in paragraph 10 of this Agreement. As such, Grantee agrees to be bound by all applicable terms under those Utah Code sections, including, but not limited to, the auditing and reporting requirements set forth in UCA § 51-2a-101 *et seq.*

8. **EXPENDITURE OF FUNDS.** Grantee shall expend the funds provided pursuant to this Agreement only for the purpose(s) stated in this Agreement and as outlined in Grantee's FY2023 application for Invasive Species Mitigation Application (Attachment B).
9. **COMPLIANCE WITH STATE AND FEDERAL LAW.** Grantee shall comply with all state and federal laws that apply to the subject matter and purpose of the Grant.
10. **GRANTEE REPORTING AND INSPECTION REQUIREMENTS:** Grantee shall comply with the following reporting and inspection requirements:
- A. Upon request by Grantor, Grantee shall prepare and provide Grantor with the reports below:
- (1) An annual written description and an itemized report detailing the expenditure of the state money, or the intended expenditure of any state money that has not been spent;
  - (2) A final written itemized report when all the state money is spent;
  - (3) Written certification that Grantee, as defined both in this Agreement and as defined in the Additional Terms and Conditions, agrees to, and is in compliance with, all stated terms and conditions set forth in Attachment A ("Additional Terms and Conditions");
  - (4) An annual written description and an itemized report detailing the expenditure of any other funding anticipated, received or actually expended, including any such funding that has not been spent; and
  - (5) A final written itemized report regarding any funds received or expended pursuant to subsection (4).
- B. Upon request, Grantee will provide access to UDAF for inspection of the project during the planning, surveying, construction, testing and completion of the project.
11. **BILLING REQUIREMENTS:** Payments to Grantee shall be made as follows:
- A. Grantee shall submit payment requests no more often than once a month. Grantee will use the payment request process established by Grantor through the Amplifund platform and submission of a request shall be by Grantee and the contractor, sub-contractor, sub-grantee or assignee (if any) who either authorized, performed or oversaw the actual work completed, and has the legal authority to bind that specific entity.
- (1) Grantee will maintain all invoices, receipts and any other documentation associated with the project until all work undertaken pursuant to this Agreement is complete, and a final report detailing the work completed is filed with UDAF.
  - (2) Grantee shall allow UDAF to examine any and all records under paragraph 11 within a reasonable time upon request by Grantor. For purposes of this Agreement, a reasonable time shall not exceed thirty (30) days after the date of the original request, unless otherwise specified in this Agreement.
- B. Grantor may delay or deny payment to Grantee for billings or claims for services that do not meet the billing deadlines outlined below.

- (1) **Final Billings:** Grantee shall submit all billings for costs incurred on or before June 30<sup>th</sup> of a given fiscal year **no later than July 10<sup>th</sup>** of the following fiscal year, regardless of Grantee's billing period or the expiration or termination date of this Agreement. Final billings not received by UDAF by July 10<sup>th</sup> of a given fiscal year may not be reimbursed in full or in part.
- (2) **Billings Upon Termination of Agreement:** Grantee shall submit all final billings under this Agreement within 14 days of termination of the Agreement, regardless of the Grantee's billing period. Billings not received by UDAF within that 14-day period after the termination date may not be reimbursed in full or in part.

- C. Grantee and Grantor may negotiate a payment and billing budget to track payments and project progress. This budget shall not be effective or waive any provision in paragraph 11 unless it is in writing, signed and dated by both Grantee and Grantor, and unless the provision to be waived is specifically identified in that writing. In the absence of those requirements, all provisions in paragraph 11 remain in full force and effect and are legally binding.
- D. In accordance with Attachment A, UDAF may withhold 10% of the total grant award of **\$89,600.00** until all work undertaken pursuant to this Agreement is complete, the project is approved by UDAF, GIS data of the treatment areas is completed, and a final report detailing the work completed is filed with UDAF.

12. **REDUCTION OF FUNDS:** If Grantor becomes subject to a legislative change, revocation of statutory authority, lack of appropriated funds or unavailability of funds, which would render Grantee's delivery or performance under this Agreement impossible, or unnecessary, Grantor may terminate this Agreement in whole or in part. If the legislature does not appropriate funds for paying Grantor's obligations on this Agreement, or if funding to Grantor is reduced due to an order by the Governor, or is required by state law, or if federal funding (when applicable) is not provided, or requires any return or "giveback" of funds required for Grantor to continue payments, or if the federal or state executive branch mandates any cuts or holdbacks in spending, or if UDAF decides to reduce the payments pursuant to this Agreement, Grantor may terminate this Agreement or proportionately reduce the requirements of this Agreement and the amounts to be paid by Grantor to Grantee for meeting such requirements.

13. **INDEMNIFICATION:** Grantee acknowledges that Grantor is a governmental entity as defined by the Utah Governmental Immunity Act, UCA § 63G-7-101, *et. seq.* Grantor does not waive any defenses otherwise available under the Governmental Immunity Act. Unless the Utah Governmental Immunity Act also applies as to Grantee, Grantee shall indemnify, hold harmless, and release the State of Utah, and all of its officers, agents, employees and volunteers from and against any and all loss, damages, injury, liability, suits, and proceedings relating to this Agreement which are caused in whole or in part by the acts, omissions, or negligence of Grantor or any of its officers, agents, employees and volunteers.

14. **COPYRIGHT:** INTENTIONALLY DELETED

15. **ASSIGNMENT:** Grantee shall not assign, sell, sub-grant, or sub-contract its rights or responsibilities under this Agreement unless approved in writing by Grantor. If Grantee elects to so do, Grantee does so with the express understanding that no provision under this Agreement is waived by Grantor, unless specifically acknowledged in writing, and Grantee is still bound and required to fulfill all obligations, terms and conditions set forth under this Agreement, whether performed by Grantee, its officers, agents, employees, contractors or sub-contractors.

- \_\_\_ 16. **AMENDMENTS:** The parties may modify this Agreement only by written amendment signed by both parties. Any amendments shall be attached to the original signed copy of this Agreement.
- \_\_\_ 17. **REMEDIES:** If Grantor determines that Grantee, its officers, agents, employees, contractors or sub-contractors, have failed to comply with, or breached, any of the terms or conditions set forth in this Agreement (including the terms and conditions set forth in any attachments to this Agreement), Grantor may pursue any of the following remedies against Grantee, and/or its officers, agents, employees, contractors or sub-contractors, at its discretion; including but not limited to:
- a. **Disallow Costs.** Grantor may disallow any costs otherwise allowed under this Agreement to Grantee and adjust its payments to Grantee by deducting such disallowed costs.
  - b. **Withhold Payment.** It may withhold funds from Grantee for non-compliance with any of the terms of this Agreement, misuse of public funds, or failure to comply with State and federal law.
    - (1) If an audit finding or judicial determination is made that Grantee misused public funds, Grantor may also withhold funds otherwise allocated to Grantee to cover the costs of any audits, attorneys' fees and other expenses. Grantor shall give Grantee prior written notice that the payment(s) will be withheld. The notice shall specify the reasons for such withholding. Grantor shall inform Grantee whether any amounts withheld may be released, and if so, the actions that Grantee must take to bring about the release of any amounts withheld.
    - (2) If an independent CPA audit or Grantor review determines that the payments made by Grantor to Grantee were incorrectly paid or were based on incorrect information from the Grantee, Grantor may adjust or withhold Grantee's payments for the remainder of the contract period or until Grantor fully recoups the funds.
  - c. **Require Repayment.** Upon written request by Grantor, any overpayments, disallowed costs, excess payments or questioned costs are immediately due and payable by Grantee. In the alternative, Grantor shall have the right to withhold any or all subsequent payments pursuant to this Agreement until it fully recoups these funds. In such cases, Grantee shall not be relieved of meeting the requirements of this Agreement.
  - d. **Require Corrective Action.** Grantee shall comply with the terms of any corrective action plan required by Grantor.
  - e. **Pursue Any Legal Remedy.** Grantor and Grantee may avail themselves of all remedies allowed by state or federal law.
  - f. **Terminate the Agreement.** Grantor may terminate this Agreement in accordance with the termination provisions outlined below.
- \_\_\_ 18. **RIGHT TO TERMINATE UPON THIRTY DAYS NOTICE.** Grantor may terminate this Agreement, with or without cause, in advance of the Agreement's expiration date, by giving the other party 30 days written notice.

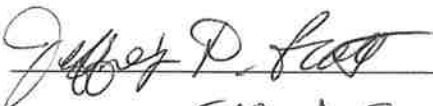


- 19. **NO THIRD-PARTY BENEFICIARY RIGHTS.** No provision in this Agreement is intended or shall create any rights with respect to the subject matter of this Agreement in any third party.
- 20. **JURISDICTION:** The provisions of this Agreement shall be construed and governed by the laws of the State of Utah. The parties will submit to the jurisdiction of the courts of Utah for any dispute arising out of this Agreement or the breach thereof. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County, Utah.
- 21. **ENTIRE AGREEMENT:** This Agreement, including any attachments and/or documents referenced herein, constitutes the entire agreement between the parties and supersedes all prior and contemporaneous oral or written agreements.
- 22. **GRANTEE HAS NOT ALTERED THIS AGREEMENT:** By signing this Agreement, Grantee represents that neither it nor its employees or representatives have in any way altered the language or provisions in the Agreement, and that this Agreement contains exactly the same provisions that appeared in this document and its exhibits when Grantor originally sent it to Grantee.
- 23. **AUTHORITY OF PERSON SIGNING FOR THE GRANTEE:** Grantee represents that the person who has signed this Agreement on behalf of Grantee has full legal authority to bind Grantee and to execute this Agreement.

**IN WITNESS WHEREOF**, the parties executed this Agreement:

**GRANTEE**

*(BOX ELDER COUNTY)*

By:   
 Type/Print Name: Jeffrey D. Scott  
 Title/Position: Commission Chair  
 Date: 5-4-2022

**GRANTOR**

*(UTAH DEPARTMENT OF AGRICULTURE)*

By: \_\_\_\_\_  
 Type/Print Name: \_\_\_\_\_  
 Title/Position: \_\_\_\_\_  
 Date: \_\_\_\_\_

Required Approvals:

\_\_\_\_\_  
 Program Manager                      Date

\_\_\_\_\_  
 Director Division of Purchasing                      Date

\_\_\_\_\_  
 UDAF Administrative Services                      Date

\_\_\_\_\_  
 Director of Finance                      Date

UDAF Contact: Aaron Eagar    Phone: 801.602.1961    Email: aeagar@utah.gov

Attachment A

Additional Terms and Conditions

1. Grantee, on behalf of itself, its officers, agents, employees, contractors, sub-contractors or assigns (hereinafter Grantee), will be liable for compliance with all local, state, and federal laws, rules and ordinances pertaining to the work being done in this agreement.
2. Grantee will provide the Utah Department of Agriculture (UDAF) a report meeting the requirements set forth in UCA § 9-8-404(1)(a)(i) and (ii) to, "take into account the effect of the expenditure or undertaking on any historic property." This report will be completed and signed by an archeologist holding a valid Principal Investigator Permit issued by Public Lands Policy and Coordinating Office.
3. Grantee will refrain from all ground disturbing activities until UDAF provides a written letter to the grantee authorizing work to proceed. This is to ensure that requirements of UCA § 9-8-404(1)(a) have been met.
4. If during ground disturbing activity, Grantee encounters any subsurface archaeological deposits including, but not limited to, prehistoric artifacts or features (pithouses, charcoal staining from hearths, etc.), historic building foundations or walls, outhouse/privies, or dense trash deposits, work must be halted within 50' of the discovery and notification made to UDAF. If known historic properties are unintentionally affected, and not previously consulted on, in a manner that alters the characteristics of the properties that make it/them eligible to the National Register, UDAF will halt work and contact the state historic preservation officer (SHPO). UDAF will continue to halt work until an assessment of the discovery is completed by the agency and communicated to the SHPO.
5. Human Remains Discovery: If human remains, potential human remains, associated or unassociated funerary objects, or objects of cultural patrimony are discovered, work within 100' will stop immediately. Verbal notification of the discovery will be made immediately to local law enforcement authorities, the appropriate land management agency official, and the Antiquities Section of the Utah Division of State History. Human remains discovered on state or privately-owned land will be treated consistent with all requirements of applicable Utah state laws regarding the treatment of human remains including UCA § 76-9-704, UCA § 9-8-302, UCA § 9-8-309, and UCA § 9-9-401 *et seq.*
6. UDAF may, in its sole discretion, withhold 10% of the total grant award until all work undertaken pursuant to the grant agreement is complete and the final GIS data and final report detailing the work completed are filed with UDAF.
7. Upon request, Grantee will provide access to UDAF for inspection of the project during the planning, surveying, construction, testing, and completion of the project.

By: \_\_\_\_\_ Type/Print Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_ Date: \_\_\_\_\_ # 2023-002

**Rush Skeletonweed EDRR**



## **Rush Skeletonweed EDRR**

Prepared by Box Elder County  
for Utah Department of Agriculture and Food FY 2023 Invasive Species Mitigation

Submitted by Wyatt Freeze

Submitted on 04/19/2022 10:43 AM Mountain Standard Time



## Opportunity Details

### Opportunity Information

Title

FY 2023 Invasive Species Mitigation

Description

The Utah Department of Agriculture and Food (UDAF) is now accepting Invasive Species Mitigation Weed Control Grant Applications for the 2022-23 season. The goal of this program is to allocate funds to projects which have management strategies with a high degree of potential success in the State of Utah.

Eligible Activities:

- Early detection and rapid response
- Treating critical acres that protect larger land use areas
- Monitoring and preventing the spread of small populations and new introductions
- Monitoring and rehabilitating established infestations
- Research related to invasive species

Awarding Agency Name

Utah Department of Agriculture and Food

Agency Contact Name

Aaron Eagar

Agency Contact Phone

(801) 602-1961

Agency Contact Email

aeagar@utah.gov

Opportunity Manager

Aaron Eagar

Public Link

<https://www.gotomygrants.com/Public/Opportunities/Details/b77faf83-0312-41cd-8483-d4451d939c48>

Is Published

Yes

### Funding Information

Total Program Funding

\$1,800,000.00

### Award Information

Award Range

\$1,000.00 - \$125,000.00

Award Period

07/01/2022 - 06/30/2023

Award Type

Competitive

Indirect Costs Allowed

Yes



Indirect Cost Description

Your administration / Indirect costs cannot exceed a total of 10% of your total project budget. Any grant application with a higher administration cost of 10% will not be accepted.

Indirect Cost Rate

10.00 %

Matching Requirement

No

### Submission Information

Submission Window

02/01/2022 12:00 AM - 04/13/2022 5:00 PM

Submission Timeline Type

One Time

Submission Timeline Additional Information

We will accept applications up the close of business day at 5:00PM

Allow Multiple Applications

Yes

Application Review Start Date / Pre-Qualification Deadline

03/18/2022 12:00 AM

Other Submission Requirements

Only complete applications will be moved to the ranking committee for project ranking. As part of UDAF's dedication to excellence, each grant application will be reviewed for completeness. Any applications which are incomplete will not be considered for ranking and funding. All applications will require a Utah Spatial Invasive Infestation Project Analysis (SIIPA) included. If you are not familiar with the Utah SIIPA, please contact program manager.

### Question Submission Information

Question Submission Open Date

Question Submission Close Date

Question Submission Email Address

aeagar@utah.gov

Question Submission Additional Information

Your project will require a Utah SIIPA geodatabase file, SIIPA project Map, and a SIIPA project report. If you are not familiar with the Utah SIIPA platform you can download the training guide below. Once you have gone through the guide if you need further assistance you can contact technical support for assistance.

Attachments

- SIIPA ISM training Guide

### Technical Assistance Session

Session Date and Time

Conference Info / Registration Link

Email Aaron Eagar @ aeagar@utah.gov to make an appointment



## **Eligibility Information**

Eligibility Type  
Public

Additional Eligibility Information

Universities; Cooperative Weed Management Areas (CWMA's); County Weed Boards; Federal or State Agencies; Federal, State, Tribal or Private Landowners; Conservation Districts, nonprofits, and/or other Political Subdivisions.

## **Additional Information**

Additional Information URL

[https://ag.utah.gov/wp-content/uploads/2019/12/Utah\\_SIIPA\\_Guide.pdf](https://ag.utah.gov/wp-content/uploads/2019/12/Utah_SIIPA_Guide.pdf)

Additional Information URL Description

This is a link to the Utah SIIPA training guide.



## **Project Information**

### **Application Information**

Application Name

Rush Skeletonweed EDRR

Award Requested

\$89,600.00

Total Award Budget

\$89,600.00

### **Primary Contact Information**

Name

Wyatt Freeze

Email Address

wfreeze@boxeldercounty.org

Address

5730 W 8800 N  
Tremonton, Utah 84337

Phone Number

435-230-1556



## Project Description

### Utah SIIPA Modeling Tool

#### SIIPA Requirements for the UDAF Grant Application

In order to be considered for ISM funding you will be required to create a Utah SIIPA model of your project area.

If you have not created a SIIPA for your project, you should save at this point and do it before filling out the rest of the grant application.

The information from your SIIPA Project Report will be needed in order to complete your application.

*Once you have built your project in the Utah SIIPA, you will be asked to save the following three files.*

- 1- Print Map of your project and save as a PDF file.
- 2- Run report and save the report as a PDF file.
- 3- Download file (zipped Geodatabase file of your project).

Email the zipped Geodatabase file to [bduncan@Utah.gov](mailto:bduncan@Utah.gov)

Use the upload buttons below to provide the PDF map of your project and the PDF Project Report.

Upload SIIPA Project Report  
SIIPA Project Report

Upload SIIPA Project Map  
SIIPA Project Map

Additional Files  
FY23 Expected In-Kind Contributions

### Restoration Activities Information

#### UDAF Grant Applications with restoration activities that include seed

In order to be considered for ISM funding you are required to provide a seed mix profile along with a map of where the seeding will take place on your project.

Upload Seed Mix





Upload Map of Restoration area



**Applicant Information**

**Organization Information**

Please list the name of the Organization applying for these State funds  
Box Elder County

Does your Organization have a Utah Vendor Number

What type of Organization are you (Please choose for the list below)

Political Subdivision

**Project Manager Contact Information**

(Project Manager) First Name  
Wyatt

(Project Manager) Last Name  
Freeze

Mailing Address  
5730 W 8800 N

City  
Tremonton

State  
UT

Zip Code  
84337

Telephone Number (XXX) XXX-XXXX  
(435) 257-3411

Cell Phone Number (XXX) XXX-XXXX  
(435) 230-1556

Email Address  
wfreeze@boxeldercounty.org

**Financial Agent Information**

Please list the name of the Fiscal Organization responsible for holding the contract for this project  
Box Elder County

(Fiscal Contact) First Name  
Tom

(Fiscal Contact) Last Name  
Kotter

Mailing Address  
01 South Main

City  
Brigham City

State  
UT



Zip Code  
84302

Telephone (XXX) XXX-XXXX  
(435) 734-3388

Cell Phone (XXX) XXX-XXXX  
(435) 734-3317

Email Address  
tkotter@boxeldercounty.org

**Project Evaluation--Internal to UDAF**

*Project Management - Infested Area (Reviewer Only)*

Select an item... ▾

*EDRR - Weed List (Reviewer Only)*

Select an item... ▾

*Economic Benefit - SGMA (Reviewer Only)*

Select an item... ▾

*Economic Benefit - Grazing Allotment (Reviewer Only)*

Select an item... ▾

*Wildlife Impact - Elk (Reviewer Only)*

Select an item... ▾

*Wildlife Impact - Mule Deer (Reviewer Only)*

Select an item... ▾

*Water Ranking - Water Quality (Reviewer Only)*

Select an item... ▾

*Water Ranking - Water Assessment Index (Reviewer Only)*

Select an item... ▾

*Wildfire Section - Wildfire Risk (Reviewer Only)*

Select an item... ▾

*Economic Benefit - Wildland Area Index (Reviewer Only)*

Select an item... ▾

*Economic Benefit - Wildfire Effect (Reviewer Only)*

Select an item... ▾

*Project Management - Priority Focus Area (Reviewer Only)*

Select an item... ▾

**Quality Throughput - VS- Operational Expense**

*What is the QT/OE score for the project (Reviewer Only)*



0

UDAF internal tracking number (Reviewer Only)  
2023-002

Ranking Committee

Cost per Acre Evaluation (Reviewer Only)

Select an item... ▾

(Reviewer Only)

*In evaluating the cost per acre, there is a wide range of possibilities for each species. Please keep in mind the following items when giving a score.*

*1- An aerial applican is always cheaper than boom spraying. Boom spraying is always cheaper then Hand spraying. Hand spraying is always cheaper then backpack spraying. Backpack spraying is always cheaper than hand pulling.*

*- Some projects might require a specific type of chemical treatment due to slope, trees, powerlines, population, federal restrictions, or other factors. Your ranking should take this in account and be reflected in how your score.*

*2- Some species cost more to treat. Russian Olive, Tamarisk, Aurundo, Phragmites, Purple Loostrife, and Garlic Mustard will naturally have a higher cost per acre for treatment.*

*3- Restoration activities add as much as 40% more to a project which will dramatically impact the cost per acre. Make sure you are aware if the cost per acre includes a restoration component.*

*Taking all of these factors into consideration, you should give the project a cost per acre score between 0-10 with 10 being the best cost per acre for this type of project.*

(Reviewer Only)

Ranking Committee

Chemical Profiles in relation to species/treatment/timing (Reviewer Only)

Select an item... ▾

(Reviewer Only)

*In evaluating the dynamics of the project there are multiple ways a project manager could approach treatment and restoration. Please keep in mind the following items when giving a score.*

*1- Are they using the right chemical for the species they have outlined as their target species and will be utilizing public money to treat.*

*2- Are they applying the chemical at the best time for the species they have identified as their target.*

*3- Are they applying a chemical which reduces / eliminates germintion prior to a restoration activity scheduled?*

*Taking all of these factors in to account. Was you able to find the necessary information in their project description and activities to give the project a ranking in this category. Give the project a socre between 0-10 with 10 being the higest score for this category.*

(Reviewer Only)

Ranking Committee



*Partnership and Matching Funds (Reviewer Only)*

Select an item... ▾

*(Reviewer Only)*

*In evaluating a score for partnership and matching funds, keep in mind that matching funds is not a requirement for funding. Please keep in mind the following items when give a score.*

- 1- Do you believe the partners listed are a list of name only partners?*
- 2- Did the Project Manager list how the partners would be involved in the project? Are you convinced of these as true partnerships?*
- 3- Does the inkind and monetary contributions listed add true value to the Project? (cost per acre, management, long term monitoring)*

*Taking all of these factors into account, do you believe the project manager gathered enough partners to make the cost to the public beneficial. Give the project a score between 0-10 with 10 being the highest score for this category.*

*(Reviewer Only)*



## Project Information

Project Name / Project Description / Project Location

For the project name, please provide a descriptive name which incorporates the organization, the location, and the species in the name is preferred.

*Some examples of project names would be:*

Cache County Goatsrue mitigation west

Tooele County Yellow Starthistle Vernon treatment

Park City Corporation Vipers bugloss Virginia Mine restoration

Virgin City Scotch thistle Peterson property treatment

Please list the name of your Project

Box Elder County Rush Skeletonweed mitigation

For the project location, it should include a general location of your project at a more detailed level than which County your project is in.

*Example:*

Project is located in Utah County at the Boy Scout camp in Payson Canyon. The Boy Scout camp is located about 8 miles up the canyon and is called Camp Maple Dell. The project incorporates the main scout camp along with known trails which lead up to the Payson lakes campground.

Please give a description of your project location

Our project is located in the Eastern half of Box Elder County, from the tip of Promontory Peninsula north to the Idaho Border. While Promontory Peninsula has the largest concentration of Rush Skeletonweed, other sizeable infestations are found in Howell Valley, Whites Valley, Pocatello Valley, Bear River Valley, and Mantua.

Project is located in which County. If your project covers multiple Counties hold down CTRL and make multiple selections  
Box Elder

## Primary and Secondary Treatment Species

The Primary and Secondary Treatment Species should be the species with the highest frequency of treatment within your project.

*Please pay attention to the following details:*

Your Primary and Secondary Treatment species should be relational to your *budget* and your *treatments*.

The Utah SIIPA will evaluate all species within your project area and define a ranking score from your overall project.

Defining your Primary and Secondary Treatment species helps to outline your treatment timing, chemical profile, and treatment methods.

You can review your project species specifics from your Utah SIIPA Project Report. Look under



the heading "Species" to see the breakout of your project.

Please select which Species is the Primary Target for treatment in your Project area.

Rush Skeletonweed

Please select which Species is the Secondary Target for treatment in your Project area.

Dyers Woad

**Primary / Secondary Treatment Species Acres**

The Primary and Secondary Treatment Acres should be reflective in your total acres listed in your Utah SIIPA Report.

*Please pay attention to the following details:*

Your Primary and Secondary Treatment Acres should be relational to your budget and your treatments.

Your Primary and Secondary Treatment Acres should be calculated from your Project SIIPA Report.

If the Project SIIPA Report Acres is not a good representation of your project, you will need to explain why in the project description.

You can review your project species specifics from your Utah SIIPA Project Report. Look under the heading "Species" to see the breakout of your project.

Please list the Primary Treatment Species Acres From SIIPA Report. You can find this under the section called "Species" and find your species in the table.

3899

Please list the Secondary Target Species Acres From SIIPA Report. You can find this under the section called "Species" and find your species in the table.

35

Please list all other Species of concern within your Project area.

Russian Knapweed, Diffuse Knapweed, Scotch Thistle, Canada Thistle, Leafy Spurge, Hoary Cress, Perennial Pepperweed, and Houndstongue

**Project Description**

Please provide a detailed description of your proposed Project .

*Please pay attention to the following details:*

Your description should include any history of the project area if necessary.

If your budget does not match (Acres, Species) listed in your SIIPA project report, you will need to explain why in your description.

If your project includes a restoration activity that will disturb soil, identify it in your description and how many acres.

If your project is not being monitored by UDAF explain how you will measure your performance on this project.



### Project Description

Box Elder County Weed Department continues at the highest level of commitment in FY23 to locate, map, spray, monitor, re-treat and control Rush Skeletonweed (RS). We desire to keep RS from spreading to the rest of our county or surrounding Utah counties. A crew lead, along with 3-4 Box Elder County Weed Department seasonal employees, will cover from the Promontory Mountain range to the Idaho border, as well as other infested areas of the county. They will use UTV's and backpack sprayers. We treat infestations with max rates of Picloram, 2,4-D Dicamba, and a high-quality surfactant. Milestone is used to replace Picloram in areas close to water, and 2,4-D Amine replaces 2,4-D Dicamba when the average temperature exceeds 80 degrees.

RS infestations from previous years (2012-2021) will continue to be monitored and treated as needed. Public education and landowner awareness continues; engaging the public to identify, spray and control this noxious weed and other secondary weeds is very important to our long-term plan; as more landowners with Rush Skeletonweed are educated on the weed and take over the treatments of said weed, we can decrease our financial input. To encourage landowner participation, we hand out relatively small amounts of herbicide to landowners that are willing to spray their own infestations. Landowners are also encouraged to spray with the RS crew when we are working on their properties to aid in this education and support.

As time goes on, there have been small populations found in neighboring counties. We put a large amount of effort into offering our expertise to the weed supervisors and agency's of those counties. The past two years we have coordinated a cooperative spray day to treat the Rush Skeletonweed infestation on Fremont Island, and will continue to be of service in future treatments in whatever capacity is needed.

Aerial spraying takes place on large infestations that occur on rough, steep and remote terrain where the weed is inaccessible to the ground crew. Infestations are mapped with GPS polygons to guide the pilot and later for monitoring spray effectiveness. Aerial spraying will continue to increase the control of spread of new infestations, especially in recent major burn areas in the county.

EDDMaps is used extensively to map new infestations and update current infestations. Our own county ArcGIS system is also used to track what work is done to treat each infestation e.g. equipment hours, employee hours, acres treated, and how much herbicide was used. This helps in evaluating how infestations are changing over time. SIIPA shows the locations we will monitor, retreat and search for new infestations in FY23. UDAF's employee, Brittany Duncan, has also supplied us with monitoring data to help us measure the performance of our project.

The long range plan is evaluated and revised each year as the Weed Department works with landowners and extension agencies to treat and control this target weed. Old infestations are slowly disappearing as their seed beds are exhausted, namely satellite populations and the Southern Point of Promontory peninsula population. New RS Infestations are being found in many unanticipated areas due to carriers such as wind currents, animals, machinery, and humans.

No restoration activities are planned due to the terrain Rush Skeletonweed is most often found in, as well as Rush Skeletonweed's ability to spread through root fragments. However, we do strongly encourage landowners to re-seed properties that contain Rush Skeletonweed and have burned.

It is important to note that we realize we will not be able to treat the total infested acres in FY2023. Consequently, our resulting budget reflects the amount of acres that can be treated with the requested ISM funds of 112,000 dollars.





## Project Land Ownership and Partners

### Land Ownership

**Please list all land ownership acres.**

**You will find the acres broken out into land ownership in the SIIPA report under the section called "Acreage Report".**

Please list all Federal Land (Acres) From SIIPA Report.

794

Please list all Private Land (Acres) From SIIPA Report.

25145

Please list all State Land (Acres) From SIIPA Report.

5

### Primary Treatment Species Acres

**Please list the acres for each land ownership for your Primary Treatment Species.**

**You will find the acres broken out into land ownership in the SIIPA report under the section called "Species".**

Primary Treatment Species Acres (Federal Land) From SIIPA Report.

183

Primary Treatment Species Acres (Private Land) From SIIPA Report.

3716

Primary Treatment Species Acres (State Land) From SIIPA Report.

0

### Secondary Treatment Species Acres

**Please list the acres for each land ownership for your Secondary Treatment Species.**

**You will find the acres broken out into land ownership in the SIIPA report under the section called "Species"**

Secondary Treatment Species Acres (Federal Land) From SIIPA Report.

1

Secondary Treatment Species Acres (Private Land) From SIIPA Report.

34

Secondary Treatment Species Acres (State Land) from SIIPA Report.

0

### Project Partner Contributions

Please list the Total In-Kind Contributions.

Total dollar amount for Private Contributions of In-Kind



\$25,000.00

Total dollar amount for State and local Government Contributions of In-Kind  
\$36,100.00

Please list the Total Monetary Contributions

Total dollar amount for Private Monetary Contributions  
\$0.00

Total dollar amount for State and local Government Monetary Contributions  
\$0.00

Total dollar amount for Federal Monetary Contributions  
\$0.00

Please list the dollar amount of the Total In-Kind Contributions  
\$61,100.00

Please list the dollar amount of the Total Monetary Contributions  
\$0.00

Please provide a complete list of Partners who are providing either In-kind value or Monetary value to your Project. Do not list partners who are not adding value to the project. You can upload a list of partners who support your project as additional information. If you list a partner here, you should have accounted for either In-Kind or Monetary contribution above.

**Private Contributors**

Ben Adams, Don Adams, Jared Anderson, ATK Ranch, Arthur Douglas, David Earl, Landen Hall, Brad Hawkes, Kristen Henrie, Thayne Hupp, Burke Jensen, Dan Keetch, Kevin Kotter, Jeff Madsen, Randy Moulding, Tim Munns, Doug Nelson, Krys Oyler, Bart Pali, Steve Peterson, Kyle Potter, Mike Reese, Travis Spencer, Todd Summers, Charlie Young, Steve Welling, Rex Larsen

**State/Local Government Contributors**

Box Elder County Weed Board, Box Elder County, National Park Service, Northern Utah Cooperative Weed Management Area, Northern Utah Conservation District, Weber River Cooperative Weed Management Area, Utah State University, Utah & Idaho Cooperative Weed Management Area, Utah Department of Transportation (Riverside, Bothwell, and Brigham City Sheds)



## Budget

### Proposed Budget Summary

#### Expense Budget

	Grant Funded	Total Budgeted
<b>Personnel</b>		
Seasonal Labor	\$28,000.00	\$28,000.00
<b>Subtotal</b>	<b>\$28,000.00</b>	<b>\$28,000.00</b>
<b>Supplies</b>		
Biocontrol Insectary	\$2,000.00	\$2,000.00
Misc. Supplies	\$2,000.00	\$2,000.00
<b>Subtotal</b>	<b>\$4,000.00</b>	<b>\$4,000.00</b>
<b>Consultants/Contracts</b>		
Aerial Spraying	\$13,000.00	\$13,000.00
<b>Subtotal</b>	<b>\$13,000.00</b>	<b>\$13,000.00</b>
<b>Chemicals</b>		
Herbicides	\$40,000.00	\$40,000.00
<b>Subtotal</b>	<b>\$40,000.00</b>	<b>\$40,000.00</b>
<b>Indirect</b>		
Administration	\$4,600.00	\$4,600.00
<b>Subtotal</b>	<b>\$4,600.00</b>	<b>\$4,600.00</b>
<b>Total Proposed Cost</b>	<b>\$89,600.00</b>	<b>\$89,600.00</b>

#### Revenue Budget

	Grant Funded	Total Budgeted
<b>Grant Funding</b>		
Award Requested	\$89,600.00	\$89,600.00
<b>Subtotal</b>	<b>\$89,600.00</b>	<b>\$89,600.00</b>
<b>Total Proposed Revenue</b>	<b>\$89,600.00</b>	<b>\$89,600.00</b>

### Proposed Budget Detail

See attached spreadsheet.



## Proposed Budget Narrative

### Personnel

Please list the total dollar amount of labor you are asking from the ISM program. Your labor can include: Private Land Owner County Employee Seasonal labor with County, Federal, Municipalities, and University.

### Seasonal Labor

This amount is the cost to pay 4 seasonal employees to complete the project.

### Supplies

Please list the total dollar amount of Supplies you are asking from the ISM program. An Example of Approved Items would include: Safety gloves, eye protection, hearing protection, first aid. Backpack and hand sprayers for remote locations. Various hand tools including shovels, rakes, and hammers. Tools needed for Monitoring. Tools needed for Mapping including gps units and tablets. Tools needed for documentation including camera, GoPro, etc. GIS cost associated with mapping. Printing, layout. Archaeological clearance, PLSS clearance with Project County. Purchase of Biological agents, material for collection. Education material such as signs, field guides, and other educational material

### Misc. Supplies

This is the cost of PPE, first aid kits, backpack sprayers, hand radios, fire extinguishers, monitoring tools, and education materials.

### Biocontrol Insectary

This is the cost to purchase a new insectary and the supplies associated with it. This insectary will be used to rear Rush Skeletonweed Root-feeder moths, of which are shown to be very effective long-term.

### Consultants/Contracts

Please list the total dollar amount for Consultants / Contracts you are asking from the ISM program. Items can include: Private companies who offer spraying services. Aerial spraying / seeding / fertilizer, Tree removal / other invasive species removal, Use of animal grazing treatments (cows, goats), Long term monitoring contract with private or Federal. Rental / Contract for equipment to complete the project Use of Range drill, agricultural drill, chain harrow. Contracted Restoration Activities Contract for either on the ground or aerial documentation.

### Aerial Spraying

This is the cost to pay for aerial spraying of ~1,100 acres (based on a mix of 2,4-D, Picloram/Milestone, and a surfactant)

### Chemicals

Please list the total dollar amount of Herbicide, Surfactant, and Fertilizer you are asking from the ISM program.

### Herbicides

This is the cost to purchase herbicide and surfactant for the completion of the project.

### Indirect

Please list the total dollar amount you will be requesting from the ISM program for administration of your project. (Your administration cost cannot exceed a total of 10% of your total project budget) Any grant application with a higher administration cost of 10% will not be accepted.



**Administration**

This is the cost to administer the project.



## Performance Plan

### Proposed Performance Plan

#### Chemical Treatment

Goal Name	Goal Type	Goal Details
UTV Treatment	Numeric	Number to be Achieved 250
Backpack Treatment	Numeric	Number to be Achieved 25
Aerial Treatment	Numeric	Number to be Achieved 1,100

#### Mechanical Treatment

Goal Name	Goal Type	Goal Details
Hand-pulling	Numeric	Number to be Achieved 1

#### Bio Control

Goal Name	Goal Type	Goal Details
Root-feeding moth	Numeric	Number to be Achieved 500

#### Invasive Species Mapping

Goal Name	Goal Type	Goal Details
Mapping	Numeric	Number to be Achieved 1,350

#### Monitoring / Documentation

Goal Name	Goal Type	Goal Details
Monitoring	Numeric	Number to be Achieved 4

#### Education / Outreach



Goal Name	Goal Type	Goal Details
Town Hall Meetings	Numeric	Number to be Achieved 20
High School Presentations	Numeric	Number to be Achieved 60
Fair Booth	Numeric	Number to be Achieved 80
Herbicide Hand-out	Numeric	Number to be Achieved 45

### Proposed Performance Narrative

#### Chemical Treatment

Please define your treatment plan. You should include the following information: -Acres treated under this activity (Type this in "Number to be Achieved") -Projected timing of this activity (which month will this activity happen) -What application type will be used (Aerial, boom, spot etc.)

#### UTV Treatment

We plan to treat 250 acres using a UTV-mounted 55 gallon sprayer. This will take place in the months May through November of FY23

#### Backpack Treatment

We will treat approximately 25 acres using backpack sprayers. This will take place on small infestations that are found on rough, steep terrain between the months of May through November in FY23.

#### Aerial Treatment

We plan to treat approximately 1100 acres in Fall 2022 aerially. This treatment is for infestations that are inaccessible to UTVs and too large to be treated efficiently with backpack sprayers.

#### Mechanical Treatment

Please define your treatment plan. You should include the following information: -Acres treated under this activity (Type this in "Number to be Achieved") -Projected timing of this activity (which month will this activity happen)

#### Hand-pulling

Throughout the months of May to November, small populations of Rush Skeletonweed will be dug/pulled and bagged.

#### Bio Control

Please define your release plan. You should include the following information: -Number of Insects being released under this activity (Type this in "Number to be Achieved") -Projected timing of this activity (which month will this activity happen) -List the species of Insects you will be releasing

Beet feeding moth



### Root-feeding moths

We hope to again be able to collect and release 500 root-feeding moths on large infestations. This will most likely happen in early July. An insectary will also be established in order to be able to collect the moths for dispersal to other infestations.

### Invasive Species Mapping

Please define your Mapping plan. You should include the following information: -Number of Acres you will Mapping under this activity (Type this in "Number to be Achieved") -Projected timing of this activity (which month will this activity happen) -List the target species you will be mapping for this activity

#### Mapping

We plan to map about 1500 combined acres of old and new Rush Skeletonweed infestations during the months of April through November.

### Monitoring / Documentation

Please define your Monitoring plan. You should include the following information: -Number of Transects you will place under this activity (Type this in "Number to be Achieved") -Projected timing of this activity (which month will this activity happen) -List the target species you will be Monitoring for this activity

#### Monitoring

In cooperation with Brittany Duncan and Amber Mendenhall, we will monitor the 5 existing transects using 1-m quadrats measuring percent cover of alive plants. We will add 1 new transect using the same method. This will take place in the months April through November.

### Education / Outreach

Please define your Education / Outreach plan. You should include the following information: -Total people impacted from this activity (Type this in "Number to be Achieved") -Projected timing of this activity (which month will this activity happen) -How this will be accomplished (meeting, brochures, flyers, webinar, etc)

#### Town Hall Meetings

We plan on presenting at 2 town hall meetings in the first half of FY23: Howell and Snowville. While general noxious weed control will be covered, we will focus on the treatment of Rush Skeletonweed.

#### High School Presentations

We will plan to present at the two local high schools in the spring of 2023. The presentations will take place in their plant science/horticulture classes. While general noxious weed control will be covered, focus will be given to Rush Skeletonweed.

#### Fair Booth

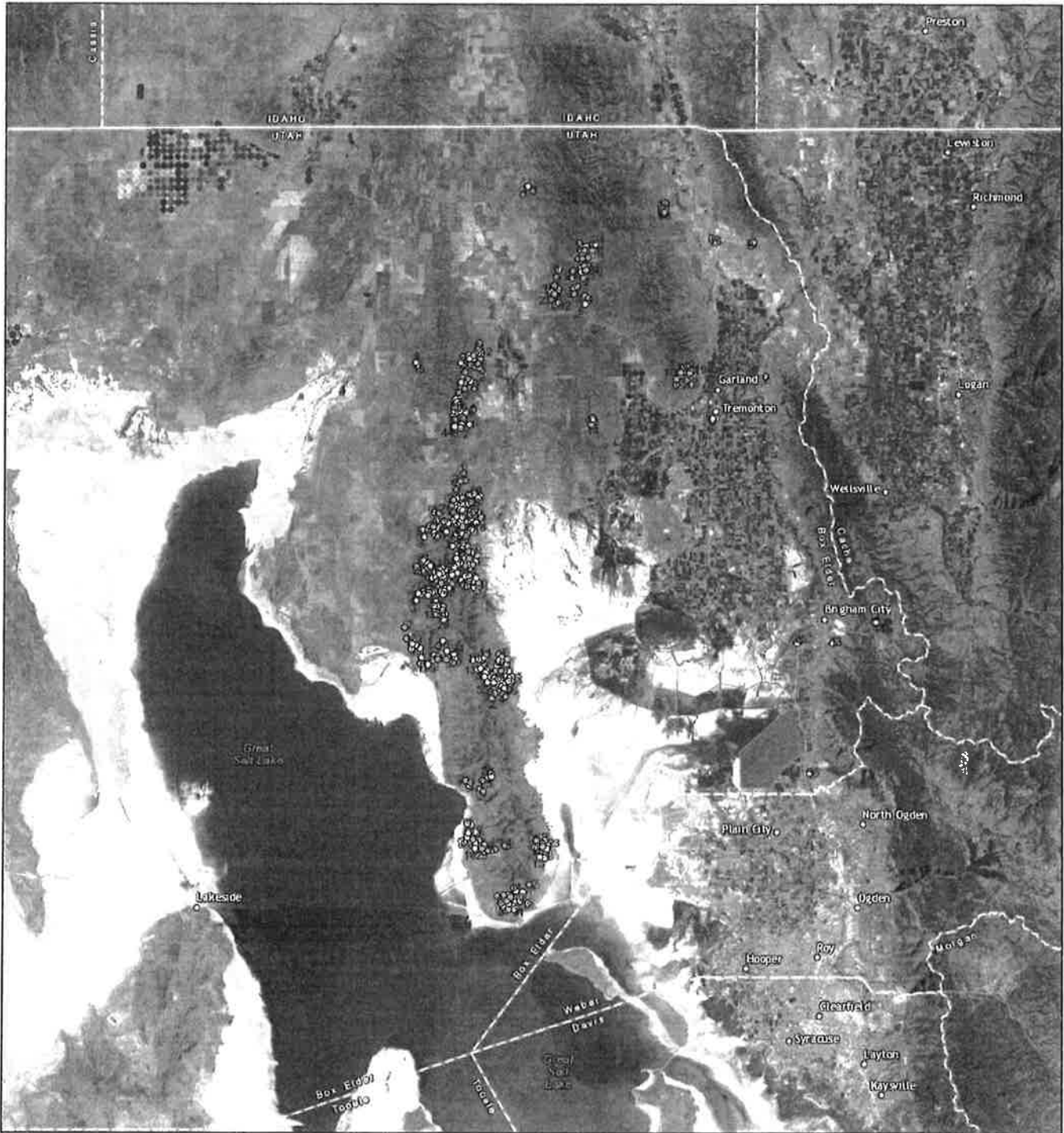
We plan to hold a booth at the Box Elder County Fair (third week of August) educating the public on noxious weed control, specifically Rush Skeletonweed.

#### Herbicide Hand-out

We hope to strategically supply at least 45 landowners with small amounts of herbicide to aid in treatment of their Rush Skeletonweed infestations. This creates opportunities for us to build relationships with landowners and educate them about noxious weeds. We have found great success through this program.



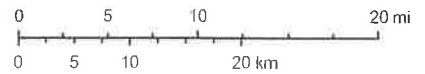
# SIIPA Map



February 9, 2022

- Project
- Priority Areas for Treatment assess
- Priority for Treatment- 1
- Priority for Treatment-2
- Priority for Treatment-3
- Priority for Treatment-4
- Priority for Treatment-5
- Priority for Treatment-6
- Priority for Treatment-7
- Priority for Treatment-8
- Priority for Treatment-9

1:577,791

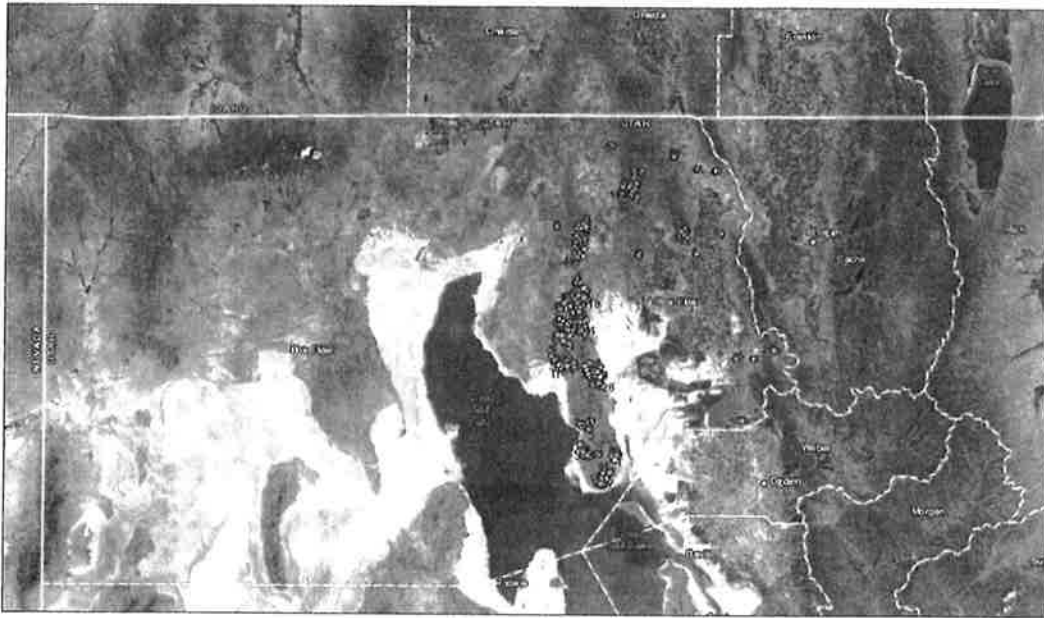


Esri, HERE, Garmin, Earthstar Geographics

2/9/22, 9:09 AM



## SIIPA Model Results



February 9, 2022

- Project
- Priority Areas for Treatment Assess
- Priority for Treatment-1
- Priority for Treatment-2
- Priority for Treatment-3
- Priority for Treatment-4
- Priority for Treatment-5
- Priority for Treatment-6
- Priority for Treatment-7
- Priority for Treatment-8
- Priority for Treatment-9



Acreege Report

GRANT ITEM	AMOUNT
TOTAL ACRES	25944
TOTAL FEDERAL ACRES	794
TOTAL PRIVATE ACRES	25145
TOTAL STATE ACRES	5
PERCENT FEDERAL	3
PERCENT PRIVATE	97
PERCENT STATE	

Project

OBJECT ID	PERCENT STATE	PERCENT FEDERAL	PERCENT PRIVATE	STATE ACRES	FEDERAL ACRES	PRIVATE ACRES	TOTAL ACRES	CENTER Y	CENTER X
1			100			4	4	41.3566	-112.0365
2		14	86		1	6	7	41.4878	-112.0543
3	33	33	33	1	1	1	3	41.4872	-112.005
4			100			24	24	41.508	-111.9475
5			100			3	3	41.7085	-112.1693
6			100			5	5	41.7525	-112.0974
7			100			16	16	41.885	-112.1146
8			100			167	167	41.9193	-112.237
9			100			10	10	41.8891	-112.1711
10			100			632	632	41.8295	-112.3649
11			100			1409	1409	41.8634	-112.3463
12			100			291	291	41.7544	-112.2146
13			100			110	110	41.9367	-112.4201
14			100			3757	3757	41.7418	-112.5034
15			100			29	29	41.7656	-112.5721
16		8	92		792	9534	10326	41.5512	-112.5279
17			100			222	222	41.6486	-112.5123
18			100			2366	2366	41.4795	-112.5339
19			100	3		3382	3385	41.4555	-112.4622
20			100			1342	1342	41.2303	-112.4386
21			100			554	554	41.2827	-112.4016
22			100	1		907	908	41.2888	-112.4859
23			100			329	329	41.3475	-112.4827
24			100			45	45	41.7051	-112.3344

Prioritization

2/9/22, 9:09 AM

TYPE	CLASS	WEIGHT	DESCRIPTION
habitat	1	1	highest priority
habitat	2	3	second highest priority
habitat	3	5	medium priority
habitat	4	7	second lowest priority
habitat	5	9	lowest priority
control	1	1	easiest to control
control	2	3	next easiest
control	3	5	medium difficulty
control	4	7	next hardest
control	5	9	hardest to control
impact	1	1	most damaging
impact	2	3	second most damaging
impact	3	5	medium damaging
impact	4	7	second least damaging
impact	5	9	least damaging
extent	1	1	highest priority
extent	2	3	medium priority
extent	3	5	lower priority
extent	4	9	lowest priority

Species

2/9/22, 9:09 AM

SUBJECT NUMBER	SUBJECT NAME	FREQUENCY	IMPACT CLASS	CONTROL CLASS	PRIVATE ACRES	FEDERAL ACRES	STATE ACRES	TOTAL ACRES	PERCENT PRIVATE	PERCENT FEDERAL	PERCENT STATE	QT	NUMBER(T)	WEED MODEL (Q)
4404	rush skeletonweed	1286	1	5	3716	183		3899	95	5		2175	75	29
4587	Dyer's woad	31	4	2	34	1		35	97	3		318	12	26.5
6507	medusahead	8	2	4	19			19	100			210	7	30
4338	field bindweed	2	4	2	2			2	100			96	6	16
2792	Canada thistle	2	3	2	2			2	100			80	4	20
4432	Scotch thistle	1	3	3		1		1		100		64	4	16
4388	Russian knapweed	1	2	4	1			1	100			48	2	24
4472	diffuse knapweed	1	3	3	1			1	100			43	2	21.5
3405	leafy spurge	1	2	4	1			1	100			32.5	1	32.5
5931	perennial pepperweed	1	5	1	4			4	100			23	1	23
5232	hoary cress	1	4	2	1			1	100			20	1	20
54552	whiteloop	1	4	2	1			1	100					
3022	Russian olive	1	4	2	1			1	100					

Habitat

2/19/22, 9:09 AM

DETAILED DESC	ECO LU	Class
Intermountain Singleleaf Pinyon - Utah Juniper - Western Juniper Woodland	Great Basin Pinyon-Juniper Woodland	3
Western North American Montane-Subalpine Marsh, Wet Meadow & Shrubland	Great Basin Foothill and Lower Montane Riparian Woodland and Shrubland	2
Arid West Interior Freshwater Marsh	North American Arid West Emergent Marsh	2
Warm & Cool Desert Alkali-Saline marsh, Playa & Shrubland	Inter-Mountain Basins Greasewood Flat	5
Great Basin Saltbush Scrub	Inter-Mountain Basins Mat Saltbush Shrubland	4
Great Basin Saltbush Scrub	Inter-Mountain Basins Mixed Salt Desert Scrub	4
Great Basin-Intermountain Tall Sagebrush Steppe & Shrubland	Great Basin Xeric Mixed Sagebrush Shrubland	3
Great Basin-Intermountain Tall Sagebrush Steppe & Shrubland	Inter-Mountain Basins Big Sagebrush Shrubland	2
Great Basin-Intermountain Tall Sagebrush Steppe & Shrubland	Inter-Mountain Basins Montane Sagebrush Steppe	2
Great Basin-Intermountain Dry Shrubland & Grassland	Inter-Mountain Basins Semi-Desert Grassland	2
Great Basin-Intermountain Dry Shrubland & Grassland	Inter-Mountain Basins Semi-Desert Shrub Steppe	4
Intermountain Basins Cliff, Scree & Badlands Sparse Vegetation	Inter-Mountain Basins Cliff and Canyon	4
Herbaceous Agricultural Vegetation	Cultivated Cropland	1
Pasture & Hay Field Crop	Pasture/Hay	1
Introduced & Semi Natural Vegetation	Introduced Upland Vegetation - Annual Grassland	2
Introduced & Semi Natural Vegetation	Introduced Upland Vegetation - Perennial Grassland and Forbland	1
Introduced & Semi Natural Vegetation	Introduced Upland Vegetation - Shrub	3
Recently Disturbed or Modified	Disturbed/Successional - Grass/Forb Regeneration	2
Recently Disturbed or Modified	Disturbed/Successional - Shrub Regeneration	2
Developed & Urban	Developed, Open Space	2
Developed & Urban	Developed, Low Intensity	3
Developed & Urban	Developed, Medium Intensity	3
Developed & Urban	Developed, High Intensity	2

Biocontrol

YEAR	AGENT	HOST COMMON	HOST GENUS	HOST SPECIES	REPORTER
2021	Bradyrhiza gilveolella	rush skeletonweed	Chondrilla	Juncea	Wyatt Freeze

SIMP

YEAR	SITE	TARGET WEED	AGENT
------	------	-------------	-------



# DECLARATION OF CONFLICT OF INTEREST

## FOR CONTRACTED OR GRANTED OBLIGATIONS WITH THE UTAH DEPARTMENT OF AGRICULTURE AND FOOD

Because contracted /grant obligations with the Utah Department of Agriculture and Food (UDAF) can be construed as "being employed" by the State of Utah you are required by state law (UCA § 67-16-101 et seq.) to disclose any conflict of interest you may have relating to your contract or grant with Utah Department of Agriculture and Food. Please list below and explain any involvement you may have with: State Government, Local Government including committees, districts, or boards, irrigation boards, Colorado River Salinity Control Program, United States Department of Agriculture, Bureau of Reclamation, Bureau of Land Management, U. S. Fish and Wildlife Service, or other party that has influence or participates with UDAF's Invasive Species Mitigation program.

- 1). *None*
- 2).
- 3).
- 4).

I understand that the filing of this Declaration of Conflict of Interest with Utah Department of Agriculture and Food satisfies the requirements of Utah's Public Officers' and Employees' Ethics Act.

I hereby declare under criminal penalty under the law of Utah that everything stated in this document is true.

*Jeff Hadfield*  
Signature

*5-10-22*  
Date

*Jeff Hadfield*  
Printed Name

*Brigham City UT*  
Location

Witnessed before me \_\_\_\_\_ on \_\_\_\_\_.

\_\_\_\_\_  
Printed Name (Witness)



**ORDINANCE NO. 558**

**AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE BOX ELDER COUNTY ZONING MAP BY REZONING 10 ACRES LOCATED AT APPROXIMATELY 1950 NORTH 2800 WEST FROM RR-20 (RURAL RESIDENTIAL 20,000 SQ. FT.) TO C-H (HIGHWAY COMMERCIAL) ZONE.**

**WHEREAS**, the applicant is requesting that the property described herein be zoned from RR-20 (Rural Residential 20,000 sq. ft.) to C-H (Highway Commercial) zone; and

**WHEREAS**, the Box Elder County Planning Commission scheduled a public hearing on the petition to rezone the property and amend the Box Elder County zoning map and provided notice of the public hearing by mailing notice to each affected property owner and each adjacent property owner, and each affected entity at least 10 calendar days before the public hearing, and by posting it on the county's official website; and by publishing it on the Utah Public Notice Website at least 10 calendar days before the public hearing; and

**WHEREAS**, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on April 21, 2022, to allow the general public to comment on this proposed rezone and amendment of the zoning map; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed rezone and amendment to the zoning map is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve the property to be rezoned are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment and adopted the conditions and findings of the staff report; and

**WHEREAS**, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the zoning map as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on May 4, 2022 to review and discuss this proposed amendment; and

**WHEREAS**, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the zoning map as set forth below is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve the property to be rezoned are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

**NOW THEREFORE**, the County Legislative Body of Box Elder County, ordains as follows:

**SECTION 1: Zoning Map Amendment.** The Zoning Map of Unincorporated Box Elder County is hereby amended by classifying the following described parcels in unincorporated Box Elder County from RR-20 (Rural Residential 20,000 sq. ft.) to C-H (Highway Commercial) zone:



PARCEL 03-069-0038

A PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 13 AND THE WEST RIGHT-OF-WAY LINE OF 2800 WEST STREET LOCATED 4611.13 FEET SOUTH 00°00'43" WEST ALONG THE EAST LINE OF SAID SECTION AND 49.50 FEET NORTH 89°59'17" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 5; RUNNING THENCE NORTH 59°28'35" WEST 1379.57 FEET ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE NORTH 30°11'03" EAST 137.40 FEET; THENCE NORTH 69°12'14" EAST 128.55 FEET; THENCE NORTH 77°50'35" EAST 370.76 FEET; THENCE SOUTH 30°18'38" EAST 404.28 FEET; THENCE SOUTH 65°10'32" EAST 476.79 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 00°00'43" WEST 393.97 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

**SECTION 2: Effective Date.** This ordinance shall become effective fifteen (15) days after its passage.

**PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED** this 4<sup>th</sup> day of May, 2022, by the Board of County Commissioners of Box Elder County, Utah,



Commissioner Summers  
Commissioner Scott  
Commissioner Hadfield

Voting Aye  
Voting Aye  
Voting Aye

Jeffrey D. Scott  
Box Elder County Commission - Chair

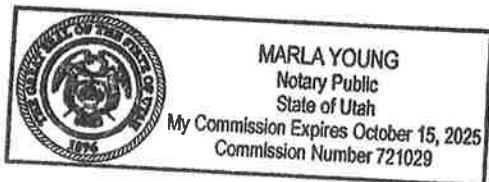
Attest:

Marla Young  
Marla Young  
Box Elder County Clerk

State of Utah )  
.ss )  
County of Box Elder )

On this 4<sup>th</sup> day of May, 2022, personally appeared before me, the undersigned notary public, Jeffrey D. Scott, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commissioner for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: October 15, 2025



Marla Young  
Notary Public

**ORDINANCE NO. 557**

**AN ORDINANCE OF BOX ELDER COUNTY AMENDING CHAPTER 5-1, REGULATION APPLICABLE TO ALL ZONES, SECTION 5-1-290, HOME OCCUPATIONS, OF THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.**

**WHEREAS**, a recommendation has been made to amend the Box Elder County Land Use Management & Development Code, Chapter 5-1, Regulation Applicable to All Zones, Section 5-1-290, Home Occupations; and

**WHEREAS**, the Box Elder County Planning Commission scheduled a public hearing on the recommendation to amend the text of the Box Elder County Land Use Management & Development code and provided notice of the public hearing by mailing notice to each affected entity at least 10 calendar days before the public hearing, and by posting it in at least 3 public locations within the County and on the County's official website; and by publishing it in a newspaper of general circulation in the area and on the Utah Public Notice Website at least 10 calendar days before the public hearing; and

**WHEREAS**, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on April 21, 2022 to allow the general public to comment on this proposed text amendment; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

**WHEREAS**, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on May 4, 2022, to review and discuss this proposed amendment; and

**WHEREAS**, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit A is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

**NOW THEREFORE**, the County Legislative Body of Box Elder County ordains as follows:

**SECTION 1: Ordinance Text Amendment.** Chapter 5-1, Regulation Applicable to All Zones, Section 5-1-290, Home Occupations, of the Box Elder County Land Use Management & Development Code is hereby amended to read in its entirety as set forth in Exhibit A.

**SECTION 2: Effective Date.** This ordinance shall become effective fifteen (15) days after its

## 5-1-290. Home Occupation.

A. An Administrative Conditional Use Permit may be approved by the Zoning Administrator for a home occupation, i.e., an occupation of a person or family where they reside and which occupation is clearly incidental and secondary to the use of the structure for dwelling and residential purposes, and does not change the residential character of the dwelling or the neighborhood, and in connection with which there is no display and/or stock of merchandise.

### B. *Definitions.*

1. "Home Occupation" shall mean any business activity, other than those listed below, which is conducted entirely within a dwelling or attached garage and is clearly incidental, secondary and in addition to the use of the structure for dwelling purposes. The purpose of the home occupation section is to allow the use of a portion of a home by one of its residents for business purposes, while establishing standards to ensure that the business use of the home will not adversely impact the residential character of the neighborhood in which the home occupation is located.

Unless otherwise prohibited herein, a home occupation is allowed as specified in respective zones provided it maintains compliance with the requirements and standards listed in this section.

### C. *Prohibited uses.* The following uses are prohibited as home occupations:

1. Ambulance service;
2. Animal and veterinary clinic;
3. Any use involving the storage or sale of inflammable, explosive, or hazardous materials;
4. Body piercing, body art, or tattoo parlor;
5. Clinic or hospital;
6. Junkyards;
7. Lawn mower or small engine repair;
8. Major appliance repair or sales (washer, dryers, refrigerators, etc.);
9. Mortuaries or crematoriums;
10. Motor vehicle, boat, or recreational vehicle repair or sales (to include auto body repair);
11. Personal or commercial storage;
12. Restaurant;
13. Sexually oriented business.
14. Towing operations;
15. Trucking or heavy equipment operations; or
16. Welding, iron works, foundries.

D. *Exemptions.* The following activities are exempted from regulation under this section:

1. Garage or yard sales; provided the sale is held for not more than three (3) consecutive days, and no more than two (2) times per year at the same location, and no consignment goods are offered for sale;
2. Temporary social gathering sales that do not exceed one (1) day, such as candle parties, book parties, etc. not to exceed four (4) occurrences per year.

E. *Requirements.* A home occupation shall comply with the following requirements:

1. An application for a land use permit with a site plan depicting the site boundaries and relevant buildings or facilities on-site shall be required in order to verify zoning requirements.
2. The property owner's written authorization shall be submitted as part of the application for the home occupation.
3. The home occupation shall obtain an annual business license.

F. *Standards.* A home occupation shall comply with the following standards:

1. The primary use of the dwelling must be residential. The extent of a home occupation shall be incidental and secondary to the use of the property for residential purposes.
2. The person(s) operating the business must reside in the dwelling on a full-time basis (at least nine months per year). Up to two additional persons may be employed by the home occupation provided the residence is on a lot with a minimum of one (1) acre in area.
3. The home occupation shall retain the general character and appearance of a residential dwelling and not change the general character of the neighborhood except for approved signage and parking. No exterior remodeling shall take place that would change the residential appearance of the home.
4. Interior structural alterations made to the home are allowed only if they are consistent with its primary use as a dwelling.
5. Except as specified herein, the home occupation shall only be allowed inside a dwelling unit or in an on-site accessory building. The home occupation shall not use any space in a yard or any space on the premises outside of the dwelling or accessory building. This does not apply to the following:
  - a. A child day care or preschool, or an adult day care may use outdoor facilities for outdoor recreation or leisure.
  - b. Instructional activities may be conducted outdoors provided that the instruction is limited to lessons and lesson-related equipment, materials, or objects in such a manner that maintains compliance with subsection F(3) of this section. Instructional activities shall not include recitals, competitions, tournaments, shows, or performances that may draw spectators. Instructional activities conducted outdoors or in an accessory building shall not involve any of the following:

- 1) Manufacturing, industrial processes, or the use of heavy equipment or machinery;
  - 2) Commercial scale assembly or creation of goods or materials;
  - 3) Commercial scale construction or contractor activities; or
  - 4) Outdoor storage.
6. Customers shall be allowed at the residence only if scheduled on an appointment basis, and are only allowed between the hours of seven a.m. (7 AM) and nine p.m. (9 PM). The hours of operation for day-care and preschool centers shall not begin any earlier than six a.m. (6 AM), or operate later than ten p.m. (10 PM) seven days a week. Group lessons or sessions shall not exceed six people at a time.
  7. When day-care and preschool centers for 4 or more children under the age of 14 for more than 4 hours a day are approved as a home occupation, the following conditions will also be required:
    - a. A license shall be issued by the Utah Department of Workforce Services for the same, and all regulations and conditions imposed by that agency observed.
    - b. Copies of all required State licenses will be attached to the application.
    - c. Outside yard space will be fenced for the protection of the children (contain them safely).
  8. Home occupations with visiting clientele will be subject to the following standards:
    - a. No more than one home occupation with visiting clientele shall be permitted on any property.
    - b. No home occupation with visiting clientele shall be allowed in multifamily dwelling units.
  9. The storage or display of supplies, inventory, equipment, or materials in any portion of the yard is prohibited.
  10. The home occupation shall not substantially increase the demand for public services in excess of those usually and customarily provided for residential uses. It shall not substantially increase foot and vehicular traffic, parking, noises, lighting, glare, vibration, odors, smoke, dust or airborne particulate matter, heat, fumes, refuse, interference with radio and/or television reception, or anything else that is uncommon to the established character of the neighborhood to such a degree as to constitute a nuisance to the residents of the immediate area.
  11. The home occupation shall not create noise in excess of 60 decibels as measured from the property line.
  12. Outdoor lighting used for the home occupation shall be downward directional and one hundred percent (100%) shielded from view from adjacent properties.
  13. In addition to the parking spaces required for the residents of the dwelling, parking for customers and for any employee(s), if allowed under subsection F(6) above, must be provided in the driveway or garage.

14. No vehicle larger than a passenger car, van, or one-ton pickup truck is allowed to be brought to, parked on, or stored on the property in conjunction with a home occupation.
15. The storage or parking on the premises of tractor trailers, semi-trucks, or other heavy equipment used for an off-premises business shall not exceed more than two 80,000 pound or less semi-trucks with trailers (Class 8 GVWR or less) and requires a minimum acreage size of 2 acres. All trucks and trailers used as part of the home occupation shall be licensed and registered, and parked in accordance with this land use code.
16. Only those tools, equipment, or electric apparatus that are commonly used as accessories to or in conjunction with residential uses are allowed to be used as part of the home occupation.
17. Barber or beautician services shall be limited to two stations per residence.
18. Tanning salons shall be limited to two tanning beds per residence.
19. The condition of the dwelling and landscaped areas shall be well maintained.
20. The home occupation shall maintain compliance with all applicable local, state, and federal regulations.

G. *Home occupation sign.* Any sign must comply with Chapter 5-3 of the Box Elder County Land Use Management and Development Code.

H. *Inspections.* Inspection during reasonable hours by county officials may occur as necessary to assure compliance with these regulations.

I. *Regulations and Enforcement.*

1. An application for a home occupation shall be submitted to the Planning and Zoning Department of Box Elder County for review and shall be accompanied by the application fee. Upon finding that the applicant understands and agrees to comply with the standards set forth in Section 5-1-290(F), the application shall be approved.
2. All home occupations are required to obtain a Box Elder County business license. The business license shall be renewed each year that the business is in operation.
3. Violations of the standards set forth in Section 5-1-290(F) shall be subject to the penalties outlined in Chapter 2-4 of this code. In addition, a business license revocation hearing may be scheduled at the discretion of the Box Elder County zoning administrator for any home occupation found to be in violation of the home occupation standards or of any other county ordinance.
4. The business owner is responsible for complying with all applicable health, fire, building and safety codes.
5. All home occupations shall be reviewed for compliance with the provisions of this section.
6. A change of business ownership and/or relocation to a new address is considered a new business and requires separate approval.

passage.

**PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED** this 4<sup>th</sup> day of May, 2022, by the Board of County Commissioners of Box Elder County, Utah,



Commissioner Hadfield  
Commissioner Summers  
Commissioner Scott

Voting Aye  
Voting Aye  
Voting Aye

James P. Scott  
Box Elder County Commission Chair

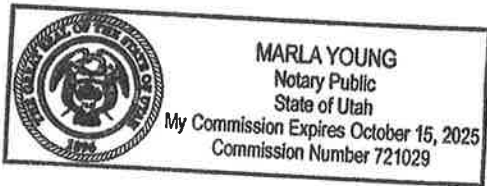
Attest:

Marla Young  
Marla Young  
Box Elder County Clerk

State of Utah )  
.ss )  
County of Box Elder )

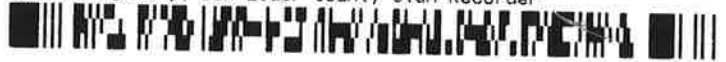
On this 4<sup>th</sup> day of May, 2022, personally appeared before me, the undersigned notary public, Jeff Scott, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commission Chairman for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct. 15, 2025



Marla Young  
Notary Public

**EXHIBIT A**



**ORDINANCE NO. 559**

**AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE BOX ELDER COUNTY ZONING MAP BY REZONING 10 ACRES LOCATED AT APPROXIMATELY 8074 WEST HWY 83 FROM RR-20 (RURAL RESIDENTIAL 20,000 SQ. FT.) TO C-N (NEIGHBORHOOD COMMERCIAL) ZONE.**

**WHEREAS**, the applicant is requesting that the property described herein be zoned from RR-20 (Rural Residential 20,000 sq. ft.) to C-N (Neighborhood Commercial) zone; and

**WHEREAS**, the Box Elder County Planning Commission scheduled a public hearing on the petition to rezone the property and amend the Box Elder County zoning map and provided notice of the public hearing by mailing notice to each affected property owner and each adjacent property owner, and each affected entity at least 10 calendar days before the public hearing, and by posting it on the county's official website; and by publishing it on the Utah Public Notice Website at least 10 calendar days before the public hearing; and

**WHEREAS**, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on April 21, 2022, to allow the general public to comment on this proposed rezone and amendment of the zoning map; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed rezone and amendment to the zoning map is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve the property to be rezoned are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment and modified the recommendation for the rezone request to be at least 2 acres in size; and

**WHEREAS**, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the zoning map as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on May 4, 2022 to review and discuss this proposed amendment; and

**WHEREAS**, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the zoning map as set forth below is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve the property to be rezoned are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

**NOW THEREFORE**, the County Legislative Body of Box Elder County, ordains as follows:

**SECTION 1: Zoning Map Amendment.** The Zoning Map of Unincorporated Box Elder County is hereby amended by classifying the following described parcels in unincorporated Box Elder County from RR-20 (Rural Residential 20,000 sq. ft.) to C- N (Neighborhood Commercial) zone:



PART OF PARCEL 04-073-0019

Part of the East 1/2 of Section 29, Township 10 North, Range 3 West SLB&M. Beginning at a point on the north right of way line of State Route 83, said point being N 01D07'14" E 2,067.27 feet and N 88D52'46" W 1,328.21 feet and N 74D28'56" W 514.14 feet from the Southeast corner of said Section 29. Running along the North Right-of-way line of State Route 83 N 74D28'56" W 478.75 feet; thence N 00D52'20" E 128.95 feet; thence S 89D07'40" E 463.20 feet; thence S 00D52'20" W 250 feet more or less to the point of beginning.

**SECTION 2: Effective Date.** This ordinance shall become effective fifteen (15) days after its passage.

**PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED** this 4<sup>th</sup> day of May, 2022, by the Board of County Commissioners of Box Elder County, Utah,



Commissioner Summers      Voting Aye  
Commissioner Scott        Voting Aye  
Commissioner Hadfield     Voting Aye

Jeffrey D. Scott  
Box Elder County Commission - Chair

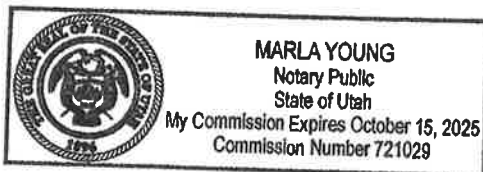
Attest:

Marla Young  
Marla Young  
Box Elder County Clerk

State of Utah            )  
                                  ) .ss  
County of Box Elder    )

On this 4<sup>th</sup> day of May, 2022, personally appeared before me, the undersigned notary public, Jeffrey D. Scott, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commissioner for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2025



Marla Young  
Notary Public

**ORDINANCE NO. 560**

**AN ORDINANCE OF BOX ELDER COUNTY ADDING CHAPTER 6-3, AGRICULTURAL SUBDIVISIONS, TO THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.**

**WHEREAS**, a recommendation has been made to add Chapter 6-3, Agricultural Subdivisions, to the Box Elder County Land Use Management & Development Code; and

**WHEREAS**, the Box Elder County Planning Commission scheduled a public hearing on the recommendation to amend the text of the Box Elder County Land Use Management & Development code and provided notice of the public hearing by mailing notice to each affected entity at least 10 calendar days before the public hearing, and by posting it on the County's official website; and by publishing it on the Utah Public Notice Website at least 10 calendar days before the public hearing; and

**WHEREAS**, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on April 21, 2022 to allow the general public to comment on this proposed text amendment; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

**WHEREAS**, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on May 4, 2022, to review and discuss this proposed amendment; and

**WHEREAS**, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit A is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

**NOW THEREFORE**, the County legislative body of Box Elder County ordains as follows:

**SECTION 1:** Ordinance Text Amendment. Chapter 6-3, Agricultural Subdivisions, of the Box Elder County Land Use Management & Development Code is hereby added to read in its entirety as set forth in Exhibit A.

**SECTION 2:** Effective Date. This ordinance shall become effective fifteen (15) days after its passage.

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 4th day of May, 2022, by the Board of County Commissioners of Box Elder County, Utah,



Commissioner Hadfield  
Commissioner Summers  
Commissioner Scott

Voting Aye  
Voting Aye  
Voting Aye

Jeffrey D. Scott  
Box Elder County Commission Chair

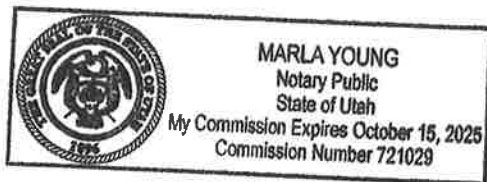
Attest:

Marla Young  
Marla Young  
Box Elder County Clerk

State of Utah )  
.ss )  
County of Box Elder )

On this 4th day of May, 2022, personally appeared before me, the undersigned notary public, Jeffrey D. Scott, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commission Chairman for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2022



Marla Young  
Notary Public

## EXHIBIT A

### Chapter 6-3 – Agricultural Subdivisions

#### Sections.

6-2-010	Purpose
6-2-020	Interpretation
6-2-030	Definitions
6-2-040	Authority
6-2-050	Agricultural Subdivisions
6-2-060	Agricultural Subdivisions with a Single Family Dwelling
6-2-070	Additional Requirements

#### **6-2-010. Purpose.**

The purpose of this Chapter, and any rules, regulations, standards and specifications hereafter adopted pursuant hereto or in conjunction herewith are:

- A. To promote and protect the public health, safety and general welfare.
- B. To align the Box Elder County Land Use Management and Development Code with Utah Code and streamline the Agricultural Subdivision process for both landowners and the County.

#### **6-2-020. Interpretation.**

The interpretation of this Chapter shall be consistent with the provisions of Section 17-27a-605 of the Utah Code, and as said provisions may be subsequently amended or revised by the State of Utah. Accordingly, any conflicts between this Chapter and Section 17-27a-605 of the Utah Code, and as said provisions may be subsequently amended, shall be resolved in accordance with Section 17-27a-605 of the Utah Code.

#### **6-2-030. Definitions.**

As used in this Chapter, the following terms shall have the following meanings:

**“Land in agricultural use”** means:

- A. land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including:
  1. forages and sod crops;
  2. grains and feed crops;
  3. livestock defined as:
    - a. a domestic animal;
    - b. a fish;
    - c. a fur-bearing animal;

- d. a honeybee; or
    - e. poultry;
  - 4. trees and fruits; or
  - 5. vegetables, nursery, floral, and ornamental stock; or
- B. land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.

**6-2-040. Authority.**

For purposes of this Chapter, the person(s) acting as the Land Use Authority is the Zoning Administrator as defined in Chapter 1-3 of this Code.

**6-2-050. Agricultural Subdivisions.**

Notwithstanding the provisions of Chapter 6-1 of this Code, a plat is not required to subdivide unincorporated land into 10 or fewer parcels of agricultural land if:

- A. The proposed agricultural subdivision:
  - a. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the county has approved the location and dedication of any public street, county utility easement, any other easement, or any other land for public purposes as the county's ordinance requires;
  - b. Has been approved by the culinary water authority and the sanitary sewer authority;
  - c. Is located in a zoned area; and
  - d. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.
- B. The parcel(s):
  - a. Qualifies as land in agricultural use; and
  - b. Is not used and will not be used for any nonagricultural purpose; and
- C. The new owner of record completes, signs, and records with the county recorder a notice:
  - a. Describing the parcel by legal description; and
  - b. Stating that the parcel is created for agricultural purposes and will remain so until a future zoning change permits other uses.
- D. Following the review and approval of a complete application, the Zoning Administrator shall provide a certificate in writing that:
  - a. The county has provided notice as required by ordinance; and
  - b. The proposed agricultural subdivision:
    - i. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the county has approved the location and dedication of any public street, county utility easement, any other easement, or any other land for public purposes as the county's ordinance requires;
    - ii. Has been approved by the culinary water authority and the sanitary sewer authority;
    - iii. Is located in a zoned area; and
    - iv. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

- E. The certificate of written approval outlined in Subsection 6-2-050(D) must be attached to the document recorded in the County Recorder's office that divides the property by a metes and bounds description in order to be considered a legal agricultural subdivision as allowed in this Chapter.

If a parcel created under Subsection 6-2-050 is used for a nonagricultural purpose, the county shall require the parcel to comply with the requirements of Section 17-27a-603 of the Utah Code and Chapter 6-1 of this Code.

### **6-2-060. Agricultural Subdivision with a Single Family Dwelling.**

Notwithstanding Chapter 6-1 of this Code, as well as Sections 17-27a-603 and 17-27a-604 of Utah Code and subject to 17-27a-605(1) of Utah Code, a plat is not required to subdivide an unincorporated parcel of land if:

- A. The parcel contains an existing legal single family dwelling unit;
- B. The subdivision results in two parcels, one of which is agricultural land;
- C. The parcel of agricultural land:
  - a. Qualifies as land in agricultural use; and
  - b. Is not used, and will not be used, for a nonagricultural purpose;
- D. Both the parcel with an existing legal single family dwelling unit and the parcel of agricultural land meet the minimum area, width, frontage, and setback requirements of the applicable zoning designation in the applicable land use ordinance; and
- E. The owner of record completes, signs, and records with the county recorder a notice:
  - a. Describing the parcel of agricultural land by legal description; and
  - b. Stating that the parcel of agricultural land is created as land in agricultural use and will remain as land in agricultural use until a future zoning change permits another use.
- F. Following the review and approval of a complete application, the Zoning Administrator shall provide a certificate in writing that:
  - a. The county has provided notice as required by ordinance; and
  - b. The proposed agricultural subdivision:
    - i. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the county has approved the location and dedication of any public street, county utility easement, any other easement, or any other land for public purposes as the county's ordinance requires;
    - ii. Has been approved by the culinary water authority and the sanitary sewer authority;
    - iii. Is located in a zoned area; and
    - iv. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.
- G. The certificate of written approval outlined in Subsection 6-2-060(F) must be attached to the document recorded in the County Recorder's office that divides the property by a metes and bounds description in order to be considered a legal agricultural subdivision as allowed in this Chapter.

If a parcel of agricultural land divided from another parcel under Subsection 6-2-060 is later used for a nonagricultural purpose, the plat exemption provided in Subsection 6-2-060 no longer applies, and the county shall require the owner of the parcel to:

- A. Retroactively comply with the subdivision plat requirements of Section 17-27a-603 of Utah Code and Chapter 6-1 of this Code; and
- B. Comply with all applicable land use ordinance requirements.

**6-2-070. Additional Requirements.**

**Minimum Acreage**

- A. A parcel must be a minimum of five (5) acres in size to qualify as an agricultural parcel.

**Access Required**

- A. Proof of access to each agricultural parcel created under this Chapter must be provided to the Zoning Administrator prior to the issuance of a certificate of approval. Access must be a minimum of 30 feet in width. Proof of access can be an existing or newly created easement. Access is not required to be improved.