



NIBLEY CITY COUNCIL MEETING AGENDA
Thursday, May 25, 2017 – 6:30 p.m.
Nibley City Hall 455 West 3200 South, Nibley, Utah

1. Opening Ceremonies (Councilman Hansen)
2. Call to Order and Roll Call (Chair)
3. Approval of Minutes and Agenda (Chair)
4. Public Comment Period¹ (Chair)

5. A Public Hearing regarding Ordinance 17-10: AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY

6. Discussion and Consideration of Ordinance 17-10: AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY (Second Reading)

7. A Public Hearing regarding Resolution 17-06: A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2016-17, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2017-18 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES

8. Discussion and Consideration of Resolution 17-06: A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2016-17, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2017-18 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES (Second Reading)

9. Discussion and Consideration of Ordinance 17-09: Canal Ordinance

10. Discussion and Consideration of Resolution 17-07: A RESOLUTION ACCEPTING THE DONATION OF REAL ESTATE FOR A TRAIL

11. Council and Staff Reports

Adjourn Meeting

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL (435) 752-0431 AS SOON AS POSSIBLE BEFORE THE MEETING.

¹ Public input is welcomed at all City Council Meetings. 15 minutes have been allotted to receive verbal public comment. Verbal comments shall be limited to 3 minutes per person. A sign-up sheet is available at the entrance to the Council Chambers starting 15 minutes prior to each council meeting and at the rostrum for the duration of the public comment period. Commenters shall identify themselves by name and address on the comment form and verbally for inclusion in the record. Comment will be taken in the order shown on the sign-up sheet. Written comment will also be accepted and entered into the record for the meeting if received prior to the conclusion of the meeting. Comments determined by the presiding officer to be in violation of Council meeting rules shall be ruled out of order.



**Nibley City Council
Agenda Report for
May 25, 2017**

Agenda Item #s 5 & 6

Description	A Public Hearing and Discussion and Consideration of Ordinance 17-10: AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY (Second Reading)																				
Department	City Council																				
Presenter	Shaun Dustin, Mayor David Zook, City Manager																				
Background	<p>In 2015, the City Council established a policy of adjusting elected official stipends annually at the same rate as salaries are adjusted for other employees. A 2% cost of living adjustment (COLA) is being proposed in this budget for employees, therefore elected official compensation is proposed to be increased by an equal amount. The salary for the justice court judge is proposed to be increased commensurate with raises given to other city staff, as required by state law.</p> <p>The compensation of the elected and statutory officers is proposed as follows:</p> <table border="0"> <thead> <tr> <th>Office:</th> <th>Present Salary:</th> <th>Proposed Salary:</th> <th>Increase:</th> </tr> </thead> <tbody> <tr> <td>Mayor</td> <td>\$780/month</td> <td>\$796/month</td> <td>\$16/month</td> </tr> <tr> <td>Councilmember</td> <td>\$312/month</td> <td>\$318/month</td> <td>\$6/month</td> </tr> <tr> <td>Judge</td> <td>\$1114/month</td> <td>\$1147/month</td> <td>\$22/month</td> </tr> <tr> <td>Treasurer</td> <td>\$35,096-\$51,629/yr</td> <td>\$35,797-\$52,661/yr</td> <td>\$701-1,032/year</td> </tr> </tbody> </table> <p>A public hearing regarding this ordinance is required.</p>	Office:	Present Salary:	Proposed Salary:	Increase:	Mayor	\$780/month	\$796/month	\$16/month	Councilmember	\$312/month	\$318/month	\$6/month	Judge	\$1114/month	\$1147/month	\$22/month	Treasurer	\$35,096-\$51,629/yr	\$35,797-\$52,661/yr	\$701-1,032/year
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Treasurer	\$35,096-\$51,629/yr	\$35,797-\$52,661/yr	\$701-1,032/year																		
Recommendation	Make a motion to adopt the ordinance at the second reading.																				
Financial Impact	The impact to the City budget for the increases for the Mayor and Councilmembers will amount to \$264 per year.																				
Reviewed By	Mayor, City Manager																				

Agenda Item #s 7 & 8

Description	A Public Hearing regarding and Discussion and Consideration of Resolution 17-06: A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2016-17, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2017-18 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES (First Reading)
Department	City Council
Presenter	Shaun Dustin, Mayor David Zook, City Manager
Background	<p>The first draft of the budget for the next fiscal year was presented to the City Council and public on May 4, 2017. Staff presented and reviewed various accomplishments, changes and proposals in the budget. A public hearing regarding the budget is required as part of the review process.</p> <p>State law requires the City Council to adopt the budget by the second meeting in June at the latest. The City Council intends to adopt the budget at its next meeting on June 8, 2017. Resolution 17-06 would adopt the budget for the next fiscal year, as well as make any final adjustments to the current year budget. The Resolution is on the agenda for this meeting in order to hold the public hearing and to provide another opportunity for input from the City Council.</p> <p>Approval of this resolution would increase the stormwater fee from \$6.75 to \$7.00 per month per residence and proposes to keep the property tax rate at its current rate of 0.001667. If Cache County certifies a tax rate lower than this rate, this rate will not become the final adopted rate until after the City holds a truth in taxation hearing on August 3.</p> <p>Additional minor changes to the budget are expected before final adoption.</p>
Recommendation	Hold the public hearing and provide staff with direction on any proposed changes.
Financial Impact	The total City budget for the next fiscal year is proposed to be approximately \$8 million dollars. This is an increase from last year due mostly to the Firefly Park construction project, which will be nearly a half million dollar project. There is also more than 1 million dollars in the capital project fund and several large equipment purchases proposed.
Reviewed By	Mayor, City Manager, All Departments

Agenda Item # 9

Description	Discussion and Consideration of Ordinance 17-09: Canal Ordinance (Second Reading)
Department	Planning
Presenter	Stephen Nelson, City Planner
Applicant	N/A
Background	<p>After the first review of this ordinance on April 20, 2017, the City Council asked Staff to make a few changes to the proposed ordinance. Staff has made the proposed changes. A public hearing on the ordinance was held by the City Council on May 4, 2017. The attorney for the Nibley Blacksmith Fork Irrigation Company spoke at that hearing and provided written comments to staff about some grammatical corrections. Those corrections have been made to the ordinance.</p> <p>Easement vs. Right-of-Way</p> <p>At the April 20 Council meeting, the Council expressed some concern about the difference between Rights-of-Way and Easements, as listed in the ordinance. Staff has added Sections 2 and 3 to help define them as they are used within this ordinance:</p> <p>2. Rights-of-Way or Right-of-Way as used in this Ordinance shall refer to land dedicated to the City, for use by the public, if the City chooses, as open space, park space or trails; and for the use of the irrigation company and City for conveying of irrigation and stormwater and for the maintenance and repairs of the Conveyance or other infrastructure along the Conveyance. Typically, the underlying land will be publicly owned and will be subject to the Right-of-Way and uses described in this paragraph.</p> <p>3. Easement, as used in this ordinance, shall refer to legal and permanent access granted along an irrigation conveyance or canal on private land for the use of the canal company or City for conveying of irrigation and storm water and for the maintenance and repairs of the Conveyance or other infrastructure along the Conveyance.</p> <p>Staff believes that, with these definitions in the ordinance, it will help clarify the expectations of the code. Staff and the City Attorney have gone through the proposed ordinance to clean up language after the definition clarifications were added.</p>

As part of this update, staff has removed parts of Section 7 (what used to be 5) to no longer require easements to be recorded on the plat for any land use change or new permit issued for a property.

Section 5 Table:

Nibley City staff has also added a table to section 5 to allow for easier reading of the requirements.

Capacity of Irrigation Conveyance	Required Right-of-Way Width
40 CFS or greater	30'
≥ 20 and less than 40	20'
Less than 20	15'
Piped	20'

Section 5 Concerns:

One of the main concerns about the new ordinance is that it would require developers to provide Rights-of-Way (ROW) along canals to the City according to the table above. This could possibly mean that a lot of space would be given to the City for maintenance.

Other options, instead of requiring a right-of-way, would be to encourage Rights-of-Way in areas where the City wants a ROW, by providing some incentive or less-stringent requirements. Below are some examples

“Developers who choose to establish deeded public rights-of-way along open canals and waterways shall be entitled to an increased (10%) density bonus.”

Or

“Developers must install trails along open water conveyance in areas where the Nibley City Parks and Recreation or Transportation Master Plan show a planned trail.”

Or

“If a new subdivision is providing open space or conservation space for a subdivision that has a water conveyance within the development, X% of that open space must be adjacent to the water conveyance.”

There could also be incentives to keep canals open for a developer and offer them a higher density if that open space is along an open canal. However, Irrigation Companies are within their right to pipe their canals.

Below are the Agenda Item Report notes from the April 20, 2017 City Council Meeting, for reference:

The Nibley City Planning Commission, the Nibley Blacksmith Fork and College Irrigation companies and staff have been working on a proposed Canal Ordinance with the following goals:

- To help establish and/or clarify canal easement and setbacks in the City
- To codify aspects of the operating legal agreement the City has with the Blacksmith Fork Irrigation Company
- To protect the canal from being altered or obstructed without the consent of the canal company
- To further establish legal penalties and enforcement policies for those who alter a canal without permission
- To protect the rights of residents, irrigation companies, shareholders and Nibley City
- To create options for land use next to canals as land transitions from agricultural use to other uses
- To allow the City to continue to use canals for stormwater purposes.

Here are some highlights from the proposed code:

Section 5 (formerly 3)

Section 5 establishes that easements or rights-of-way shall be dedicated to the City with new subdivisions along canals. Each easement established shall be based on the size of the canal capacity. As the canal gets smaller, the easement required also shrinks in size. The easement alignment shall be agreed upon by the City and canal company with the developer.

Section 6 (formerly 4)

Section 6 primarily deals with establishing setbacks for canals. According to Nibley's operating agreement with the Nibley Blacksmith Fork Irrigation Company, there should be a 15 ft. setback from the top of the inside bank along all both sides of open canals and 10 ft. from the centerline of both sides of a piped canal. However, the agreement also provides that this can be modified as if agreed to by the parties. Section 7 provides an option to submit to the canal company a plan to place items such as fences, bridges or other items closer to the canal with the canal company's permission.

Section 7 (formerly 5)

Section 7 requires that, when there is a change in land use, a formal easement be recorded.

Section 8 (formerly 6)

This section outlines different requirements and some conditions about Nibley’s access to the Blacksmith Fork Irrigation Company’s canals. A lot of this verbiage is taken directly from the City’s legal agreement with the Blacksmith Fork Irrigation Company. One of the primary issues this section addresses is the construction of new stormwater inlet structures and the process for the City to gain permission for these new pieces of infrastructure.

Section 12 (formerly 10)

Section 12 outlines the conditions for approval for the use of a canal for stormwater conveyance. The nature of canals is that they sometimes decrease in capacity the further down system the water goes. This is because, when used for irrigation, water is drawn out of the canal and less capacity is necessary after that point. Stormwater systems are designed to increase in size the further down system water goes as the system gains more water from runoff. Therefore it is important that the City and canal company consider the size of a canal at its smallest point when considering if it can be used for stormwater overflow. It is also important that canal water be given priority above that of stormwater. Section 10 seeks to lay out conditions for the City and canal company to consider for conveying stormwater.

Section 14 (formerly 12)

Section 14 outlines an appeal process for any land use application that is denied by the City in reference to this ordinance.

Section 15-20 (formerly 13-18)

These sections are aimed at protecting the integrity of the canal and providing a real consequence for violations. Some of these items include putting things in the canal such as green waste, garbage, poles, and other items that could cause problems or clogs in the canal. It also outlines that residents are not allowed to alter the canal, its banks or even the hillside that the canal rests on without the canal company’s permission.

Financial Impact

There are cost for enforcing and reviewing compliance with ordinances.

Recommendation	Provide further direction to staff and/or make a motion to adopt the ordinance.
Reviewed By	City Planner, City Attorney, City Public Works Director, City Engineer, City Manager, Planning Commission and Mayor, Also reviewed by the Blacksmith Fork Irrigation Company and the College Ward Irrigation Company

Agenda Item # 10

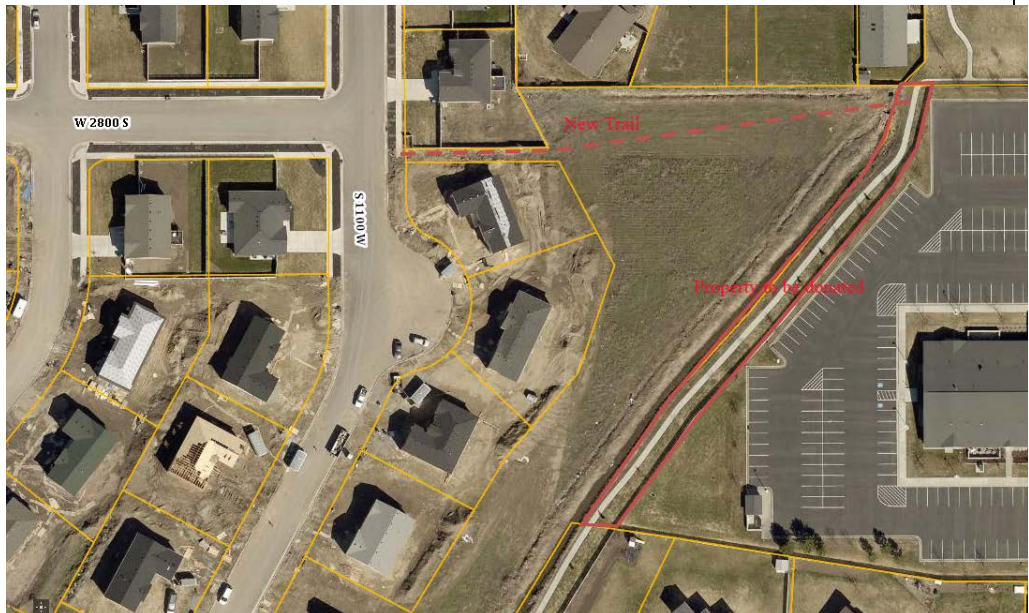
Description	Discussion and Consideration of Resolution 17-07: A RESOLUTION ACCEPTING THE DONATION OF REAL ESTATE FOR A TRAIL
Department	Parks
Presenter	David Zook, City Manager

Background

Nibley City has an existing trail along the east bank of the College Irrigation Company Canal between 1000 West and 1100 W and between 2770 S and 2980 S. A new subdivision west of the canal, Maple View Estates, includes an east-west trail connection from 1100 S to the City's trail east of the canal. It was determined that the City's trail currently exists on property owned by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints (CPB). After discussions with CPB seeking permission to connect the Maple View Estates Trail to the City's trail on CPB property, CPB agreed to donate the land upon which the City's trail currently exists to Nibley City. A survey was completed of the property to be donated and documents were prepared to effect the transfer. CPB has executed a Quit Claim Deed to convey the property upon which the City's trail exists to Nibley City. The total area of the parcel to be donated is 0.259 acres.

The purpose of this resolution of for the Nibley City Council to accept the donation of real property as detailed in the Quit Claim Deed and to authorize the Mayor to sign the deed.

Once the property is conveyed, the developer of the Maple View Estates Subdivision will complete the trail connection. The sidewalk is already constructed from 1100 West to within approximately 10 feet of the existing trail east of the canal.



Recommendation	Make a motion to adopt the resolution on the first reading.
Financial Impact	Nibley City paid for the cost to survey the property and for some legal costs to assist in preparing the documents. Nibley City will also pay to record the deed. Total costs to the City are estimated to be approximately \$2,000.
Reviewed By	Mayor, City Manager

ORDINANCE 17-10

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY

WHEREAS, elected and statutory officers are required to devote a significant amount of time and talent to the effective administration of Nibley City; and

WHEREAS, elected and statutory officers should be fairly compensated for their time and expenses; and

WHEREAS, the Nibley City Council established a policy in 2015 of annually adjusting City Council Member compensation commensurate with the cost of living adjustment provided to other City employees; and

WHEREAS, a COLA of 2% is proposed this year for city employees.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. All previous salary or compensation ordinances regarding the elected and statutory officers below are hereby repealed.
2. The compensation of the elected and statutory officers shall be as follows:

Office:	Present Salary:	Proposed Salary:	Increase:
Mayor	\$780/month	\$796/month	\$16/month
Councilmember	\$312/month	\$318/month	\$6/month
Justice Court Judge	\$1114/month	\$1147/month	\$22/month
Treasurer	\$35,096-\$51,629/yr	\$35,797-\$52,661/yr	\$701-1,032/year

3. Elected and statutory officers shall be paid on the same schedule as other municipal employees.
4. The compensation listed above is not inclusive of per diem, mileage, phone allowance or other expenses which may be incurred in the course of conducting Nibley City business.
5. This ordinance shall become effective upon posting as required by law.

Passed by the Nibley City Council this ____ day of _____, 2017.

Shaun Dustin, Mayor

ATTEST: _____
David Zook, City Recorder

RESOLUTION 17-06

A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2016-17, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2017-18 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES

BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. The attached Fiscal Year 2016-17 current-year budget is hereby adopted and approved as the amended budget for the current fiscal year ending June 30, 2017, with amendments, if any, as reflected in the attached budget document and the minutes of this meeting.
2. The attached budget entitled Final Budget FY 2017-18 is hereby adopted and approved for the fiscal year ending June 30, 2018, with amendments, if any, as reflected in the budget document and the minutes of this meeting.
3. The monthly charge for storm water shall be \$7.00 per month, per residential utility customer.
4. The adopted property tax rate is 0.001667.

Dated this _____ day of June, 2017

Shaun Dustin, Mayor

ATTEST

David Zook, City Recorder

ORDINANCE 17-09
AN ORDINANCE PRESERVING THE
SAFETY AND ALLOWING FOR MAINTENANCE OF ~~IRRIGATION~~-CONVEYANCE

WHEREAS, Nibley City has an ownership interest in all irrigation companies within the City; and

WHEREAS, Nibley residents rely on free-flowing and clean conveyances for the conveyance of irrigation water to agricultural and rural landscapes, and also for the conveyance of City stormwater; and

WHEREAS, unobstructed conveyances are critical to controlling flooding of private and public property within the City, and, in some cases, are integral parts of the City's historic stormwater infrastructure; and

WHEREAS, open conveyances provide critical wildlife habitat and corridors, opportunities for connectivity and recreation, and are an integral part of the rural landscape; and

WHEREAS, water rights are privately held property and the diversion, distribution, delivery, and use of irrigation waters existed prior to the establishment of Nibley City, and much of the City's subsequent residential development; and

WHEREAS, agricultural irrigation and its conveyance corridors are critical to the sustainability of agricultural land uses in the community, and the preservation of desirable rural characteristics; and

WHEREAS, increased development pressure is impeding conveyance owners' ability to maintain the infrastructure such that it can function for its intended purposes of [irrigation delivery and flood control](#) ~~and irrigation delivery~~; and

WHEREAS, Nibley City has certain contractual obligations with respect to the Nibley Blacksmith Fork Irrigation Company (NBFI); and

WHEREAS, Nibley City has the authority to establish policies to control the impact of development on commonly held assets and resources within the City.

NOW THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The attached ordinance, titled "AN ORDINANCE PRESERVING THE SAFETY AND ALLOWING FOR MAINTENANCE OF ~~IRRIGATION~~-CONVEYANCE" is hereby adopted.

2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.

3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS ____ DAY OF _____,
~~2016~~2017.

Shaun Dustin, Mayor

ATTEST:

City Recorder

ORDINANCE 17-~~00~~-09
AN ORDINANCE PRESERVING THE
SAFETY AND ALLOWING FOR MAINTENANCE OF ~~IRRIGATION~~ CONVEYANCE

1. Conveyance as used in this Ordinance includes surface water runoff and drainage, drainage ditches and irrigation waterways, whether surface or subsurface, and includes open canals or ditches as well as piped waterways.

2. Rights-of-Way or Right-of-Way as used in this Ordinance shall refer to land dedicated to the City, for use by the public, if the City chooses, as open space, park space or trails; and for the use of the ~~irrigation~~Conveyance company and City for conveying of irrigation and stormwater and for the maintenance and repairs of the Conveyance or other infrastructure along the Conveyance. Typically, the underlying land will be publicly owned and will be subject to the Right-of-Way and uses described in this paragraph.

3. Easement, as used in this ordinance, shall refer to legal and permanent access granted along an irrigation conveyance or canal on private land for the use of the ~~irrigation~~company or City for conveying of irrigation and storm water and for the maintenance and repairs of the Conveyance or other infrastructure along the Conveyance.

2.4. Irrigation companies shall have the right of access to irrigation Conveyance structures, fixtures, features, channels, and pipes as allowed by state law, and as permitted by the ~~easements~~Easements and ~~rights-Rights-of-way-Way~~ of such companies.

3.5. ~~Easements or rights~~Rights-of-wayWay shall be acknowledged as to the applicable irrigation company and dedicated to the City with all new subdivisions as follows:

a. Applicants shall provide on all subdivisions where an open irrigation Conveyance with 40 cubic feet per second (CFS) capacity or greater traverses the subdivision ~~an easement and right~~ Right-of-wayWay of 30' to be identified on the preliminary plat and final plat.

b. Applicants shall provide on all subdivisions where an open irrigation Conveyance with greater than 20 and less than 40 CFS capacity traverses the subdivision ~~an easement and right~~ Right-of-wayWay of 20' to be identified on the preliminary plat and final plat.

c. Applicants shall provide on all subdivisions where an open irrigation Conveyance with less than 20 CFS capacity traverses the subdivision ~~an easement and right~~ Right-of-wayWay of 15' to be identified on the preliminary plat and final plat.

d. Piped irrigation Conveyances shall have a twenty-foot (20') ~~easement~~Right-of-Way extending (10') either side of centerline for any portion that has been piped.

<u>Capacity of Irrigation Conveyance</u>	<u>Required Right-of-Way Width</u>
<u>40 CFS or greater</u>	<u>30'</u>
<u>≥ 20 and less than 40</u>	<u>20'</u>
<u>Less than 20</u>	<u>15'</u>
<u>Piped</u>	<u>20'</u>

e. Each new subdivision shall dedicate ~~easements or rights~~Rights-of-way to the City, for use by the public if the City chooses, along irrigation Conveyances ~~to the City~~. Irrigation Conveyance ~~easements or rights~~Rights-of-way will not count against zoning density requirements when preserved as an open channel or waterway. The company that is responsible for the maintenance of the Conveyance shall also have access to the ~~easement~~Right-of-Way in order to render service or maintenance to the Conveyance.

f. So far as possible, all dedicated ~~easements~~Rights-of-Way shall be directly accessible from another public ~~rights~~Right-of-way and shall provide unobstructed access for service equipment.

g. Alignment(s) of all ~~easements~~Rights-of-Way relative to the Conveyance alignment(s) shall be coordinated with the City and Conveyance company.

h. Irrigation structures such as boxes, bridges, trash racks, or similar structures or appurtenances which are wider than the open channel or piped Conveyance shall be provided with dedicated ~~easement or right~~Right-of-way no less than 15' beyond the maximum footprint of the structure, but not less than the width of the ~~right~~Right-of-way of the Conveyance upon which the structure is placed.

4.6. Setbacks to protect access to ~~irrigation~~ Conveyance structures, fixtures, features, channels, or pipes shall be established on all new construction for emergency and maintenance activities, and to provide safety to structures near waterways.

a. Open Conveyances shall be provided a setback of fifteen-feet (15') measured from the top of the inside bank of the canal, or from the toe of the canal, whichever is greater; and piped Conveyances shall be provided a 10' setback measured from the center of the pipe.

b. Setbacks shall apply to all primary and accessory structures, fences, decks or similar features that would otherwise hinder maintenance or emergency access to the Conveyance corridor regardless ~~or not if of whether~~ a permit is required.

c. The City will not require permits for existing fences or structures or permanent improvements within the fifteen-foot (15') setback if such were legal under Nibley City Ordinances when such structures were constructed.

d. Nibley City will not issue building, fence, grading or other permits that would limit, hinder, infringe or encroach upon any established irrigation canal easement~~Easement, Right-of-Way~~ or setback by deed, use or otherwise for access to or maintenance of the canals and waterways within the City.

e. If these setback requirements conflict with other City Ordinances, agreements, franchise or other document governing setbacks provisions, the greater setback requirement shall prevail.

~~5. For changes in land use, including but not limited to building permits, new subdivisions, rezones, annexations, and development:~~

~~a. Nibley City shall condition approval upon the formal recording of any reasonable irrigation Conveyance easements for access, maintenance, and public safety.~~

~~b. Easements for irrigation Conveyances and for access to the same within any new subdivision shall be required for approval of any proposed subdivision.~~

~~e-7. The~~ For changes in land use, including but not limited to building permits, new subdivisions, rezones, annexations, and development ~~the~~ City may require Preliminary Plats or other applications/petitions to be submitted to ~~canal or~~ irrigation companies who may be impacted by the subdivision for review, comment and/or approval.

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~~6-8.~~ The City adopts the following conditions and requirements with respect to any land use change, development, or improvement that may impact any NBF I irrigation Conveyance structures, fixtures, features, channels, pipes, or access routes and which, at the discretion of the City Manager, in consultation with the Mayor, may be applied to and required for other irrigation Conveyance structures, fixtures, features, channels, pipes, or access routes within the City prior to any land use change, development or improvement:

a. Authorization for New Storm Water Inlet Structures and Outlet Structures. No new or additional Storm Water Inlet Structures and Outlet Structures and no increases in the flow of such inlets or outlets beyond the Current Discharge as defined by an Agreement between the City and NBF I shall be created or maintained except in conformance with the following procedure.

(1) The City, a landowner, or a developer may at any time contact NBF I to evaluate the potential for new Inlet Structures and Outlet Structures, or the potential for an increase in the capacity of any existing Inlet Structure or Outlet Structure.

(2) The City, a landowner, or a developer shall provide a written request to NBF I for each additional Storm Water Inlet Structure or Outlet Structure and for increases in flow beyond the Current Discharge or any previously approved increase for existing Inlet Structures or Outlet Structures. The request shall be accompanied by the following:

(i) Drawings in both digital and printed copy showing the location, size, and design specifications of each Inlet Structure or Outlet Structure proposed to be added or increased.

(ii) Drawings showing the drainage area to be served by the Inlet Structure.

(iii) Expected occurrences that will cause Storm Water inflow into the irrigation Conveyance, including an estimate of the time of year during which maximum inflows are expected, subject to subsection (iv) below.

(iv) An estimate of the maximum inflow to be expected from the area to be served by the Inlet Structure (with the understanding that the maximum flow may not exceed the flow allowed by Current Design Standards). This rate is determined by completing a hydrologic analysis based on soil types to determine the runoff rates prior to any land use change, development or improvement for sites greater than 1 acre, or by assuming a historical runoff rate of 0.1 CFS per acre for sites smaller than 1 acre.

(v) Written disclosure of whether the Storm Water discharge to the irrigation Conveyance is expected to contain any Pollutant regulated under the Utah Clean Water Act and implementing regulations thereof.

(vi) Certification that the City, landowner or developer has complied and will comply with all applicable requirements of the Utah Water Quality Act and associated regulations.

(vii) Any additional documentation or information reasonably requested by NBF.

b. Any objections of any kind by NBF to a new proposed Inlet Structure, Outlet Structure, or the enlargement of either, shall be given by written notice within sixty (60) days after receipt by NBF of the written request for the same from the City, landowner or developer. NBF shall have the right to refuse such approval only if, as demonstrated by empirical data:

(1) in the case of a new Inlet Structure or enlargement of an existing Inlet Structure, water inflow into the Conveyance from such inlet will exceed the Current Discharge into the Conveyance from the drainage area to be served by such inlet;

(2) the inflows are found by a City-County Health Department or other State, County or federal agency to be physically harmful to animals, crops of any kind, or any other beneficial use of the water; or

(3) the proposed Inlet Structure or Outlet Structure will diminish the ability to utilize all of the water to which NBF is entitled under its water rights, hinder

water deliveries, or alter, damage or obstruct, diversion structures, measuring devices, or regulating headgates on the Conveyance.

c. If NBFi does not provide written objections within sixty (60) days after receipt of the City's, landowner's, or developer's written request, NBFi shall be deemed to have approved the additional Inlet Structure, Outlet Structure, or increase in capacity of either.

d. If the request for additional Inlet Structures, Outlet Structures or increase in capacity of an inlet or outlet is not agreed to, NBFi shall work with the City, landowner or developer in an attempt to reach an equitable resolution in order to provide for the same.

e. If the additional Inlet Structure, Outlet Structure or increase in flow is formally approved or deemed approved as provided herein, the City shall allow commencement of construction or modification only after a written Agreement has been agreed-to, signed by the City, landowner or developer and NBFi.

f. The City shall require, as a condition to any land use change, development or improvement approval, that infrastructure (such as fencing or other improvements) be installed by a landowner or developer as part of a land development project, when reasonably determined by the City to be necessary.

g. Landowners or developers of any land within the City must include with their plans and specifications a storm water plan that provides for all storm water to be handled at the site of such ~~any~~ land use change, development, or improvement except as may be otherwise approved by the City and NBFi.

h. Trash Racks. The City shall require landowners or developers to install, in connection with City-approved land use changes, development plans, or improvements, trash racks and inlet grates, to the design standard set by the City and NBFi, on all Inlet Structures so as to prevent clogging of the headgates, screens and pipelines situated within the Conveyance.

~~7.9.~~ If any landowner or developer of any land proposes any piping of an open Conveyance such as a canal or ditch, the construction of bridges or retaining walls, fences within the setback, the installation of culverts, or any other action which may in any way affect a ~~conveyance~~ Conveyance or access to the Conveyance, the City shall require that the plans and specifications be delivered to the irrigation company, and that the irrigation company consent to the same, in writing, prior to the approval by the City of such land development ~~by the City~~, which consent or the basis for denying such consent shall be given by the irrigation canal company within sixty (60) days after receipt of the request for approval. If the irrigation canal company does not provide a written objection within sixty days after receipt of the request, the request will be deemed to have been approved.

~~8.10.~~ Alteration of irrigation Conveyance structures, fixtures, features, channels, or pipes, including grading, modification, contouring or removal of vegetation or soil of banks ~~of~~ canals or other irrigation Conveyance ~~easements~~ Easements or ~~rights~~ Rights-of-way Way, shall

~~only~~ be done only by the irrigation company, or pursuant to a written permit issued by the irrigation company.

~~9.11.~~ Vested rights in the established irrigation ~~easements~~Easements or ~~rights~~Rights-of-wayWay for both Conveyance of water and for access and maintenance of the irrigation structures or channels or pipes shall be protected against all encroachments and no improvements shall be erected that interfere with the same and the City shall issue no permits for improvements that interfere with the same.

~~10.12.~~ Conditions to use of canals for storm water discharge and Conveyance:

a. The right to convey storm water in the canal extends to all times of the year and is not affected by the fact that during the irrigation season the ~~irrigation canal~~ company is operating the canal for the transportation and delivery of irrigation water to the ~~irrigation canal~~ company's shareholders, subject to the following:

(1) The use of the canal by the City extends only so far as the canal exists in its present state, and only to the extent of such rights as the ~~irrigation canal~~ company shall have in the canal. The ~~irrigation canal~~ company cannot authorize the City to expand the canal capacity in order to convey additional stormwater beyond that stormwater already authorized and agreed to between the ~~irrigation canal~~ company and the City.

(2) At all times, the Conveyance of irrigation water under water rights owned by the ~~irrigation canal~~ company shall have first priority in terms of the use and capacity of the canal.

(3) In evaluating the capacity of the canal as part of the City's Storm Water management program, the capacity shall be measured at the most restrictive location on the canal.

~~11.13.~~ A civil action for damages or declaratory relief to require a party to comply with this ordinance may be brought by the City or any person injured by another's actions in violation of this ordinance. Such civil action may be brought independent of any criminal action.

~~12.14.~~ If the Land Use Authority decision with respect to any land use application adversely affects an applicant, a board or officer of the City, or any other person or organization adversely affected by the Land Use Authority's decision under this Ordinance, the affected person or organization may file an appeal with the City's Appeal Authority only as provided in Section 10-3-3 of the Nibley City Code, Appealing Land Use Authority's Decision.

~~13.15.~~ It is unlawful for any person to place any pole, board or other obstruction whatsoever, or any trash, yard waste or other waste material, other than irrigation water, in any Conveyance structure, channel, or pipe for any purpose, or in any manner to interfere with the free and unobstructed flow of water in such Conveyance structure, channel, or pipe. Violation of this provision constitutes a Class B misdemeanor under this Ordinance.

~~14.16.~~ It shall be unlawful to willfully or maliciously alter, break, or injure any dam, irrigation Conveyance structures, fixtures, features, channels, pipes, or to dig away the bank or banks of any ditch, canal, toe of side slop or reservoir within the Nibley City boundaries. Violation of this provision constitutes a Class B misdemeanor under this Ordinance.

~~15.17.~~ Whenever any irrigation company has an ~~easement~~Easement or ~~right~~Right-of-way-Way for any irrigation Conveyance, it shall be unlawful for any person to place or maintain in place any obstruction, or to change the water flow by fence or otherwise, along or across or in any irrigation Conveyance structures, fixtures, features, channels, or pipes, without first receiving a written permit for the change from the irrigation company. Violation of this provision constitutes a Class B misdemeanor under this Ordinance.

~~16.18.~~ Any person who in any way unlawfully interferes with, injures, destroys, or removes any dam, head gate, weir, casing, valve, cap, pump or other appliance for the diversion, apportionment, measurement, or regulation of water, or who interferes with any person authorized to apportion water while in the discharge of his or her duties, is guilty of a class B misdemeanor under this Ordinance.

~~17.19.~~ It shall be unlawful for any person to place or cause to be placed in the ~~easement~~Easement, ~~Right-of-Way~~, channel, bed or bank of any river, stream, wash or other natural drain or within or upon any storm drain, flood control channel, reservoir, detention basin, debris basin, or other property over which the City or irrigation company has an interest, matter of any kind that may operate to impede, retard or change the normal direction of the flow of flood, storm or other waters, or that may catch or collect debris carried by such waters, or that may be carried downstream by such waters to the damage and detriment of adjacent private or public property, or that may degrade the quality of the water, without first obtaining a written permit for such placement from the City and irrigation company. Violation of this provision constitutes a Class B Misdemeanor under this Ordinance.

~~18.20.~~ In the event any person violates any of the provisions of this Ordinance and the City takes action to correct the violation in order to protect the health, safety or welfare of its residents or to protect public or private property, the violator shall pay all reasonable costs and expenses incurred by the City (including but not limited to reasonable charges for use of City equipment and employees plus ten percent (10%) overhead) when invoiced by the City. Failure to pay within thirty (30) days of invoice shall cause the amount due to bear interest at eighteen percent (18%) per annum from the invoice date until paid, plus attorney fees and costs incurred by the City in collecting the same.

J:\MPJ\Cities\Nibley\Ordinances\Canal Ordinance Revision\Canals and Waterways Ordinance 4-4-17.1.docx
N-6512.43

RESOLUTION 17-07

A RESOLUTION ACCEPTING THE DONATION OF REAL ESTATE FOR A TRAIL

BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

WHEREAS, Nibley City has an existing trail along the east bank of the College Irrigation Company Canal between 1000 West and 1100 W and between 2770 S and 2980 S; and

WHEREAS, a new subdivision west of the canal, Maple View Estates, includes an east-west trail connection from 1100 S to the City's trail east of the canal; and

WHEREAS, it was determined that the City's trail currently exists on property owned by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints (CPB); and

WHEREAS, after discussions with CPB seeking permission to connect the Maple View Estates Trail to the City's trail on CPB property, CPB agreed to donate the land upon which the City's trail currently exists to Nibley City; and

WHEREAS, CPB has executed the attached Quit Claim Deed to convey the property upon which the City's trail exists to Nibley City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

The Nibley City Council accepts the donation of real property as detailed in the attached Quit Claim Deed and authorizes the Nibley City Mayor to sign the deed.

Dated this 25th day of May, 2017

Shaun Dustin, Mayor

ATTEST

David Zook, City Recorder

**WHEN RECORDED RETURN
TO: OLSON & HOGGAN, P.C.
130 SOUTH MAIN,
STE. 200 POBOX525
LOGAN, UTAH 84323-0525**

**MAIL TAX NOTICES
TO: NIBLEY CITY
455 WEST 3200 SOUTH
NIBLEY, UTAH 84321**

QUIT CLAIM DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah Corporation, sole, Grantor of Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT CLAIMS to NIBLEY CITY, a Utah Municipal Corporation, Grantee of 455 West 3200 South, Nibley, Utah 84321, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract of land in Cache County, State of Utah:

Trail Parcel shown on exhibit "A", attached and incorporated by reference.

This Deed is to provide Nibley City with property to provide a public trail west of the existing fence running near the west boundary of Parcel #03-016-0028. It is the parties' intent that the above described real property become part of Parcel #03-166-0000, already owned by Nibley City.

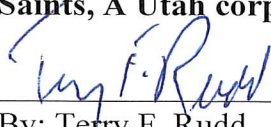
It is also the intent that the fence be the west boundary of Parcel #03-016-0028 and that the entire fence remain part of Parcel #03-016-0028. An aerial photograph marking the fence is attached as Exhibit B and incorporated by reference. The Grantor retains an easement over the east ten (10) feet of the property conveyed for purposes of repair, maintenance, inspection and replacement of the fence.

The description and a survey plat showing the remaining parcel 03-016-0028 (NOT conveyed herein) is attached as Exhibit C.

DATED this 5th day of May 2017.



**Corporation of the Presiding Bishop of
The Church of Jesus Christ of Latter-day
Saints, A Utah corporation sole**

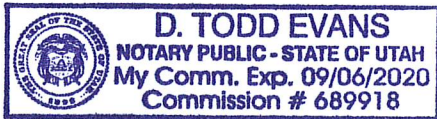

By: Terry F. Rudd
Its: Authorized Agent



STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 5 May 2017, personally appeared before me Terry F. Rudd, personally known to me to be an Authorized Agent of **CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole**, who acknowledged before me that he signed the foregoing instrument as Authorized Agent for said corporation, and that the seal impressed on the within instrument is the seal of said Corporation; and that said instrument is the free and voluntary act of said Corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said Corporation and that said Corporation executed the same.

WITNESS my hand and official seal.



Notary Public for the
State of Utah

ACCEPTED AND AGREED to this ___ day of _____, 2017.

**NIBLEY CITY, a Utah Municipal
Corporation**

David Zook, City Recorder

By: Shaun Dustin
Its: Mayor

STATE OF UTAH)
 : ss.
County of Cache)

On this ___ day of _____, 2017, personally appeared before me SHAUN DUSTIN, who, being by me duly sworn, did say that he is the Mayor of Nibley City, Utah, a Utah municipal corporation, and that the said instrument was signed in behalf of the corporation by authority of a Resolution of the City Council, and the foresaid officer acknowledged to me that said corporation executed the same.

NOTARY PUBLIC

EXHIBIT "A"

TRAIL PARCEL

PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, LOCATED IN THE CITY OF NIBLEY, COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;
THENCE S89°42'24"W 252.86 FEET ALONG THE NORTH SIXTEENTH LINE OF SAID SECTION TO THE POINT OF BEGINNING;
THENCE S12°45'56"W 54.18 FEET;
THENCE S32°32'53"W 38.55 FEET;
THENCE S39°24'35"W 159.40 FEET;
THENCE S42°31'23"W 94.59 FEET;
THENCE S35°13'56"W 115.59 FEET TO THE NORTH LINE OF NIBLEY GARDEN ESTATES SUBDIVISION;
THENCE N81°13'12"W 27.25 FEET ALONG SAID NORTH LINE;
THENCE ALONG THE EAST BANK OF THE COLLEGE IRRIGATION CANAL THE FOLLOWING SEVEN COURSES:
1. N35°16'14"E 129.13 FEET;
2. N42°39'33"E 95.40 FEET;
3. N37°46'20"E 50.16 FEET;
4. N40°03'24"E 107.16 FEET;
5. N32°15'42"E 33.21 FEET;
6. N14°41'19"E 22.35 FEET;
7. N9°24'19"E 21.67 FEET TO SAID SIXTEENTH LINE;
THENCE N89°42'24"E 25.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.259 ACRES, MORE OR LESS.

Parcel & Zoning Viewer

VERSION 2.2/UPDATED 1-20-2017



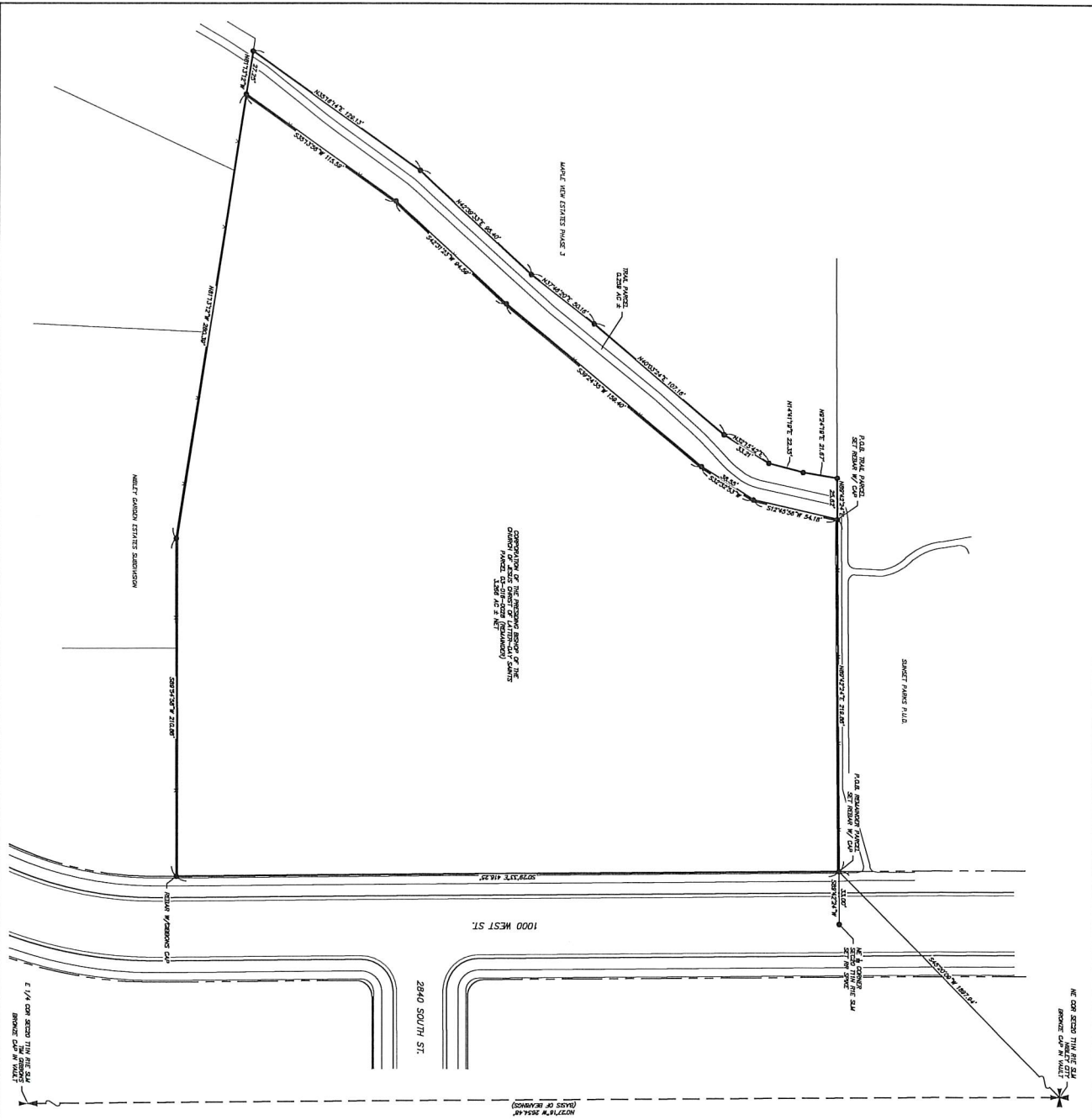
EXHIBIT C

CHURCH PARCEL 03-016-0028 (REMAINDER)

PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, LOCATED IN THE CITY OF NIBLEY, COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;
THENCE S89°42'24"W 33.00 FEET ALONG THE NORTH SIXTEENTH LINE OF SAID SECTION TO THE POINT OF BEGINNING;
THENCE S0°29'33"E 416.25 FEET ALONG THE WEST LINE OF 1000 WEST STREET;
THENCE S89°54'58"W 210.86 FEET ALONG THE NORTH LINE OF NIBLEY GARDEN ESTATES SUBDIVISION;
THENCE N81°13'12"W 280.39 FEET ALONG SAID NORTH LINE;
THENCE N35°13'56"E 115.59 FEET;
THENCE N42°31'23"E 94.59 FEET;
THENCE N39°24'35"E 159.40 FEET;
THENCE N32°32'53"E 38.55 FEET;
THENCE N12°45'56"E 54.18 FEET TO SAID SIXTEENTH LINE;
THENCE N89°42'24"E 219.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.266 ACRES, MORE OR LESS.



SURVEY CERTIFICATE

I, STEVEN C. EARL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HAVE CONTINUED TO MAINTAIN MY LICENSE AND AM REGISTERED AS SUCH WITH THE STATE OF UTAH AND THAT I HAVE MADE AND DO PERFORM ALL THE DUTIES OF THE PROFESSION AS PROVIDED BY THE BEST OF MY KNOWLEDGE AND BELIEF.



LEGAL DESCRIPTIONS

TRAIL BLAZED NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE COUNTY, LOCATED IN THE CITY OF NIBLEY, COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION; POINT OF BEGINNING; THENCE S72°45'30"W 54.18 FEET; THENCE S89°24'57"W 158.40 FEET; THENCE S42°10'21"W 94.49 FEET; THENCE N81°17'27"W 22.29 FEET ALONG SAID NORTH LINE; THENCE ALONG THE EAST BANK OF THE COLLIERE IRRIGATION CANAL, THE FOLLOWING SEVEN COURSES:

1. N47°03'47"E 55.40 FEET;
2. N42°33'47"E 55.40 FEET;
3. N47°03'47"E 55.40 FEET;
4. N42°33'47"E 55.40 FEET;
5. N89°11'19"E 22.29 FEET;
6. N89°11'19"E 22.29 FEET;
7. N89°11'19"E 22.29 FEET.

THENCE N89°11'19"E 22.29 FEET TO THE POINT OF BEGINNING CONTAINING 0.289 ACRES, MORE OR LESS.

PARCEL 03-016-0028 (REARPORT)

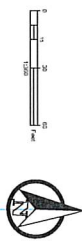
PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE COUNTY, LOCATED IN THE CITY OF NIBLEY, COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION; THENCE S89°42'24"W 15.00 FEET ALONG THE NORTH SUTHEIN LINE OF SAID SECTION TO THE POINT OF BEGINNING; THENCE S17°48'25"W 418.25 FEET ALONG THE WEST LINE OF 1000 WEST STREET; THENCE S89°54'56"W 210.68 FEET ALONG THE WEST LINE OF 1000 WEST STREET; THENCE N81°17'27"W 210.68 FEET ALONG SAID NORTH LINE; THENCE S89°54'56"W 210.68 FEET ALONG SAID NORTH LINE; THENCE N42°33'47"E 94.49 FEET; THENCE N42°33'47"E 94.49 FEET; THENCE N42°33'47"E 94.49 FEET; THENCE N42°33'47"E 94.49 FEET; THENCE N89°11'19"E 22.29 FEET TO SAID SUTHEIN LINE; THENCE N89°11'19"E 22.29 FEET TO THE POINT OF BEGINNING CONTAINING 1.888 ACRES, MORE OR LESS.

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY JUSTIN WILSON OF NIBLEY CITY TO CREATE A PARCEL FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS. THE ORIGINAL SURVEY CONTROL FOR SURVEY 2004-127 WAS USED TO REFERENCE THE BOUNDARIES OF SAID SECTION. THE SURVEY WAS CONDUCTED ON 08/28/2017. NO MONUMENTS OR MARKERS WERE FOUND AT THE BASE OF A COLUMN LINE FEWER THAN 10 FEET. NO MONUMENTS WERE FOUND. REBAR WAS STAMPED STEVEN C. EARL PLS 216527 WHERE SET WHERE INDICATED HEREON.

LEGEND



<p>BOUNDARY SURVEY FOR NIBLEY CITY & THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS</p>		<p>PARCEL 03-016-0028 2835 SOUTH 1000 WEST NIBLEY, UT 84321</p>	<p>S20 T11N R1E SLM</p>
<p>DATE: 08/28/2017</p> <p>SCALE: 1" = 30'</p> <p>CONTRACT NO.: 2017-08-001</p> <p>PROJECT NO.: 2017-08-001</p> <p>APPROVED BY: STEVEN C. EARL</p> <p>PREPARED BY: STEVEN C. EARL</p> <p>INVESTIGATOR: STEVEN C. EARL</p>	<p>DATE: 08/28/2017</p> <p>SCALE: 1" = 30'</p> <p>CONTRACT NO.: 2017-08-001</p> <p>PROJECT NO.: 2017-08-001</p> <p>APPROVED BY: STEVEN C. EARL</p> <p>PREPARED BY: STEVEN C. EARL</p> <p>INVESTIGATOR: STEVEN C. EARL</p>	<p>DATE: 08/28/2017</p> <p>SCALE: 1" = 30'</p> <p>CONTRACT NO.: 2017-08-001</p> <p>PROJECT NO.: 2017-08-001</p> <p>APPROVED BY: STEVEN C. EARL</p> <p>PREPARED BY: STEVEN C. EARL</p> <p>INVESTIGATOR: STEVEN C. EARL</p>	<p>DATE: 08/28/2017</p> <p>SCALE: 1" = 30'</p> <p>CONTRACT NO.: 2017-08-001</p> <p>PROJECT NO.: 2017-08-001</p> <p>APPROVED BY: STEVEN C. EARL</p> <p>PREPARED BY: STEVEN C. EARL</p> <p>INVESTIGATOR: STEVEN C. EARL</p>