

14-003 0007-0008,

, 0093, 0094

352-0005

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0008
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JUN 23 2003

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RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2003 JUN 23 2:18 PM FEE .00 DEP JC
REC'D FOR CLINTON CITY

VARIANCE TO TITLE 24, CLINTON CITY CODE OF REVISED ORDINANCES

A VARIANCE TO THE CLINTON CITY CODE OF REVISED ORDINANCES TITLE 24, "SIGNS" APPROVING A SIGN PACKAGE FOR CLINTON PINES SUBDIVISION PHASE 2 AND OTHER PROPERTIES AS OUTLINED IN THIS VARIANCE.

WHEREAS; A petition for a variance to the sign ordinance of Clinton City under §24-7-7 of the Code of Revised Ordinances has been requested by SB Clinton L.C., developers of the Clinton Towne Center as part of a signage package for all facilities within the "Center".

WHEREAS; The Clinton City Council has determined that the overall affect of the package, as presented would not be detrimental to the property owners in the vicinity, a literal interpretation of the height requirements of the ordinance would create a hardship for the interior retail pads in the center, and that granting the variance would enhance the general objectives of the code in that a overall reduction of pylon signs would be obtained.

THEREFORE; BE IT GRANTED BY THE CITY COUNCIL OF THE CITY OF CLINTON, DAVIS COUNTY, UTAH TO PROPERTY DESCRIBED WITHIN THIS VARIANCE.

SECTION 1.

This variance applies to Clinton Pines Subdivision Phase 2 and other properties identified with tax ID numbers 14-003-0007, 14-003-0008, 14-003-0081, 14-003-0090 and 14-003-0080 as indicated in Attachment Three and the legal descriptions in Attachment One. Additionally the developer commits to the City that if he acquires any additional property within the Northwest ¼ of the Southwest ¼ of Section 27. T5N; R2W; SLB&M.

SECTION 2.

ITEM 1: Pylon Signs

Variance to §24-4-4(2) and (7) and (8) and (9):

Two signs 31-feet high shall be permitted, one each on 2000 West and 1800 North for display of businesses located within the area described in Section 1 above and depicted in Attachment Four of this document.

Signs are to significantly match the detail presented during the hearing and attached to this variance for reference as Attachment Two of this document.

Occupants within the area depicted in Attachment Three of this document shall be permitted space on the pylon signs as depicted in the detail Attachment Two of this document.

Sign shall be allowed to be lighted; however lighting shall comply with the sign ordinance to minimize disturbance to residences across 1800 North or 2000 West.

No projecting signs will be allowed within the development area.

No pylon signs other than described in this variance shall be allowed.

ITEM 2: Monument Signs

Monument signs are as described in Attachment Six of this document.

Lots in Clinton Pines Subdivision Phase 2 identified as lots 7, 8, and 9 Attachment Four fronting on 2000 West shall be allowed one monument sign per lot, Attachment Six of this document.

Property on 1800 North shall be permitted three monument signs as depicted in Attachment Six of this document.

In the event that there is more than one occupant per lot they will share the monument sign and no increase in allowed size shall be permitted.

Signs are to significantly match the detail presented during the hearing and attached to this variance for reference.

Sign shall be allowed to be lighted; however lighting shall comply with the sign ordinance to minimize disturbance to residences across 1800 North or 2000 West.

ITEM 3: Accessory Sign

Variance to §24-4-1-(6): One additional accessory sign as depicted in Attachment Five of this document shall be allowed in the Wal-Mart Parking Lot at the location indicated in Attachment Four of this document.

ITEM 4: Applicability of Ordinance

No other signage shall be allowed as street frontage signs free standing signs.

All signs shall comply with lighting and other requirements as outlined in the sign ordinance.

All signs associated with the buildings, wall signs, marquee signs, mansard signs, roof signs, etc. shall comply with the requirements outlined in the sign ordinance.

SECTION 3: Any variance, not specifically outlined here in or depicted on the attached drawings is not implied or given. Any deviation from the sign ordinance not addressed in this document shall be brought before the City Council for consideration as outlined in the sign ordinance.

SECTION 4: This variance is assigned to the subdivision known as Clinton Pines Subdivision Phase 2 and other properties as outlined in this document and is transferable to and binding upon all future owners, renters, purchasers, consignees, or other persons, corporations, or parties associated with this subdivision or property. This variance shall remain in full effect and binding upon both the current and future property owners and consignees and upon the City until such time that an amendment, by application is requested of and approved by the Clinton City Council.

SECTION 5: Providing knowledge of and providing copies of this variance to any renters, purchasers, consignees or other persons, corporations, or parties in need of this information is the responsibility of the owners and developers of Clinton Pines Subdivision Phase 2 and other properties described or subsequent consignees, purchasers, or otherwise receivers of responsibility for transfer of such information related to the property.

SECTION 6: This variance shall be recorded with the Davis County Records Office against those properties outlined within this document. If any signers of this document acquire any additional property within the boundaries of the Northwest ¼ of the Southwest ¼ of Section 27, T5N; R2W; SLB&M, this document shall be recorded against those properties.

Approved by the City Council of the City of Clinton, Utah, this 25th day of March, 2003

CLINTON CITY, A Municipal
Corporation of the State of Utah:

BY: *L. Mitch Adams*

L. MITCH ADAMS, MAYOR

ATTEST:
Dennis W. Cluff
DENNIS W. CLUFF, CITY RECORDER

ACKNOWLEDGEMENT OF CLINTON CITY OFFICIALS

State of Utah }

§

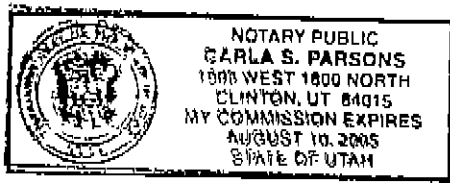
County of Davis }

On the 20 day of June, 2003, personally appeared before me L. Mitch Adams, Mayor of Clinton City and Dennis W. Cluff, Clinton City Recorder, who being by me duly sworn or affirmed, did say that they are the Mayor and City Recorder respectively and signed in behalf of Clinton City by authority of the Clinton City Council and acknowledged to me that the Clinton City Council executed the same.

Carla S. Parsons
NOTARY PUBLIC

COMMISSION EXPIRES 08-10-2005

Seal



DEVELOPER

BY:

Gary M. Wright
(signature)

Gary M. Wright
Print Developer's Name

LANDSTAR DEVELOPMENT LLC
Print Developer's Company Name

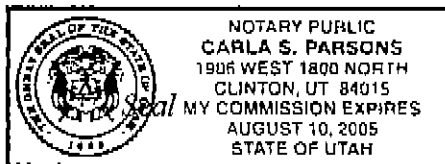
1544 North Woodland Park Dr. Suite 300
Layton, UT 84041
Print Developer's Address Including City and Zip

(801) 775-8853
Developer's Phone Number

**ACKNOWLEDGMENT OF DEVELOPER
LANDSTAR DEVELOPMENT LLC**

STATE OF UTAH }
COUNTY OF *Davis* } §§

On the *5* day of *June*, 2003, personally appeared
before me *Gary M. Wright*, who, being duly
sworn, did state that he is the *MEMBER* of
LANDSTAR DEVELOPMENT LLC, that this document was signed on behalf of said
corporation by his signature under authority of a resolution of its Board of Directors and
acknowledged to me that said corporation executed the same.



Carla S. Parsons
NOTARY PUBLIC

COMMISSION EXPIRES *08-10-2005*

WAL-MART STORES, INC.,
A Delaware Corporation

BY: Assistant Vice President

[Signature]
(signature)

DFR
6/12/03

John E. Clark
Print Developer's Name

Wal-Mart Stores Inc.
Print Developer's Company Name

2001 SE 10th St. Bentonville, AR 72712-0550
Print Developer's Address Including City and Zip

479/273-4000
Developer's Phone Number

ACKNOWLEDGMENT OF DEVELOPER
WAL-MART STORES, INC.

STATE OF Arkansas }
COUNTY OF Benton } §§

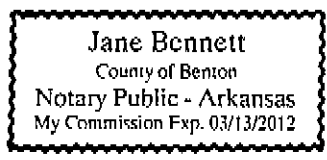
On the 10th day of June, 2003, personally appeared
before me John Clark, who, being duly

sworn, did state that he is the Assistant Vice President of
WAL-MART STORES, INC., that this document was signed on behalf of said corporation by his
signature under authority of a resolution of its Board of Directors and acknowledged to me that said
corporation executed the same.

[Signature]
NOTARY PUBLIC

COMMISSION EXPIRES 3/13/2012

Seal



Approved as to legal terms only
by [Signature]
WAL-MART LEGAL DEPT.
6/12/03

LEGAL DESCRIPTIONS

14-003-0007

Part of SW ¼ Sec 27; T5N; R2W; SLB&M: Beginning on the South line of a street 36.5 Feet South and 26 Rods East of the Northwest corner of the Southwest ¼ of Section 27; T5N; R2W; SLB&M: Thence East 79 Feet; Thence South 271.5 Feet; Thence West 79 Feet; Thence North 271.5 Feet to the Point of Beginning. Contains 0.489 acres

14-003-0008

Part of SW ¼ Sec 27; T5N; R2W; SLB&M: Beginning on the South line of a street 36.5 Feet South and 508 Feet East of the Northwest corner of the Southwest ¼ of Section 27; T5N; R2W; SLB&M: Thence East 82 Feet; Thence South 271.5 Feet; Thence West 82 Feet; Thence North 271.5 Feet to the Point of Beginning. Contains 0.508 acres

14-003-0093

Part of SW ¼ Sec 27; T5N; R2W; SLB&M Beginning at a point on the South right-of-way line of 1800 North, said point being 590.0 Feet East along the ¼ Section line and 42.0 Feet South from the Northwest corner of said ¼ Section: Running Thence East 145.33 Feet along said right-of-way line; Thence South 311.99 feet to the North line of Clinton Pines Phase 2; Thence West 307.18 Feet along said line; Thence North 45.55 feet, more or less, Thence East 161.0 Feet; Thence North 267.0 feet to the Point of Beginning. Contains 1.18 acres.

14-003-0094

Part of SW ¼ Sec 27; T5N; R2W; SLB&M: Beginning at a point on the South right-of-way line of 1800 North, said point being 785.18 Feet East along the ¼ Section line and 42.0 Feet South from the Northwest corner of said ¼ Section: Running Thence the following 7 courses and distances; 1) North 89°58'59" East 99.70 Feet; 2) South 00°09'39" West 118.10 Feet; 3) North 89°59'21" East 107.50 Feet; 4) South 00°09'39" West 71.90; 5) North 89°58'59" East 82.00 Feet; 6) North 00°09'39" East 190.01 Feet; 7) North 89°58'59" East 248.69 Feet to a point on the East line of the Northwest ¼ of said Southwest ¼ of Section 27; Thence South 00°06'50" West along said East line 484.15 Feet; Thence South 89°59'55" West 536.92 Feet; Thence North 00°00'00" West 484.00 Feet to the point of Beginning. Contains 5.27 Acres

14-352-0006

Part of SW ¼ Sec 27; T5N; R2W; SLB&M
All of Lot 6 Clinton Pines Subdivision Phase 2 Contains 22.60 acres.

14-352-0007

Part of SW ¼ Sec 27; T5N; R2W; SLB&M
All of Lot 7 Clinton Pines Subdivision Phase 2 Contains 0.71 acres

14-352-0008

Part of SW ¼ Sec 27; T5N; R2W; SLB&M
All of Lot 8 Clinton Pines Subdivision Phase 2 Contains 0.92 acres.

14-352-0009

Part of SW ¼ Sec 27; T5N; R2W; SLB&M
All of Lot 9 Clinton Pines Subdivision Phase 2 Contains 1.21 acres.

Attachment One

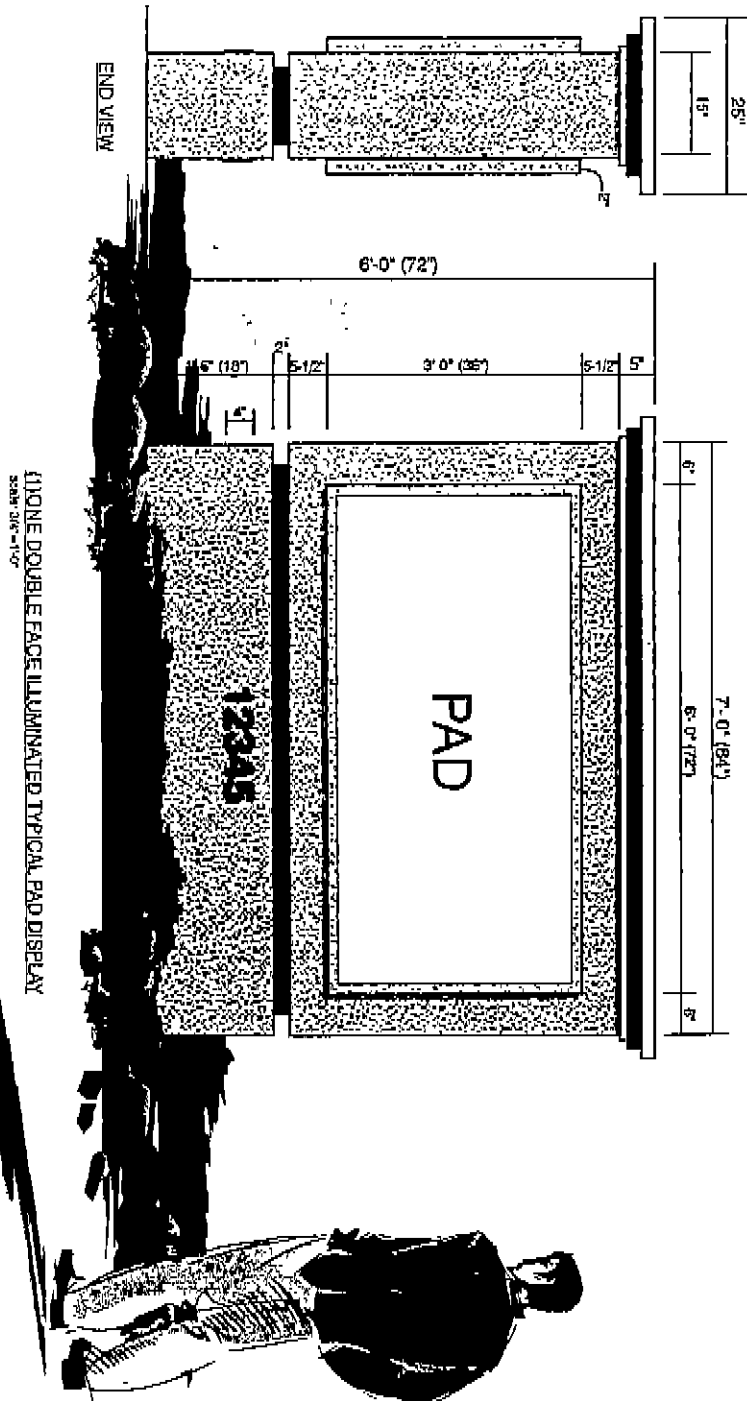


(1) ONE DOUBLE FACE ILLUMINATED MAIN PYLON DISPLAY
Scale: 1/4" = 1'-0"

Rev 1- Added a larger base w/ 2 poles. Rev 2- Reduced size of Walmart cabinet from 60" x 240" to 48" x 200" aluminum RW around cabinet.

CLIENT: WALMART SUPERCENTER #3234	DATE: 2-18-02	BY: BOOZ & DUKE
ADDRESS: Clinton, Utah	PROJECT: 0-028-00	PHONE: (402) 272-4054
DESIGNER: Bill Williams	DATE: 3-21-02	FAX: (402) 272-4999
DESIGN # L-1028-00-R3		EMAIL: www.boozandduke.com
DATE: 01-29-2002	SCALE: As Noted	SHEET: 1 OF 1

BOOZ & DUKE Signs



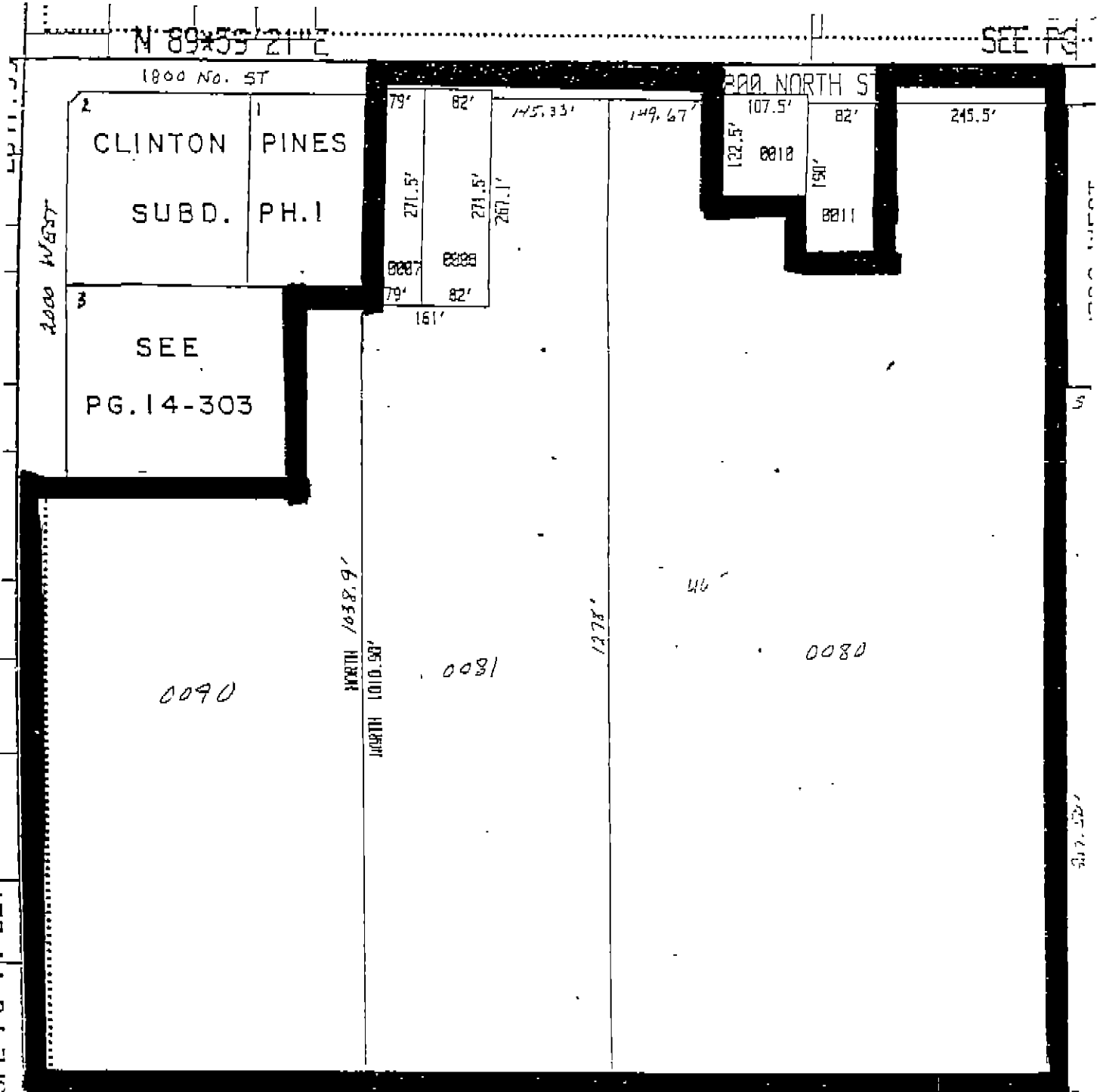
See Reduced CAD from 8'-0" to 6'-0" and everything else proportional.

CLIENT: WALMART SUPERCENTER #3234				111 ADDRESS: 404 W. WYATTEN PKW., AZ. DUNN 111 PHONE: (402)-272-8366 111 FAX: (402)-272-8888 111 E-MAIL: www.doozer.com	
ADDRESS: Citrus, Utah					
SALESMAN: Ben Gibson					
Designer: Lisa Williams		DESIGN #: L-1065-03-R1			
DATE: 03-21-2009	SCALE: AS NOTED	PAGE: 1 OF 1			

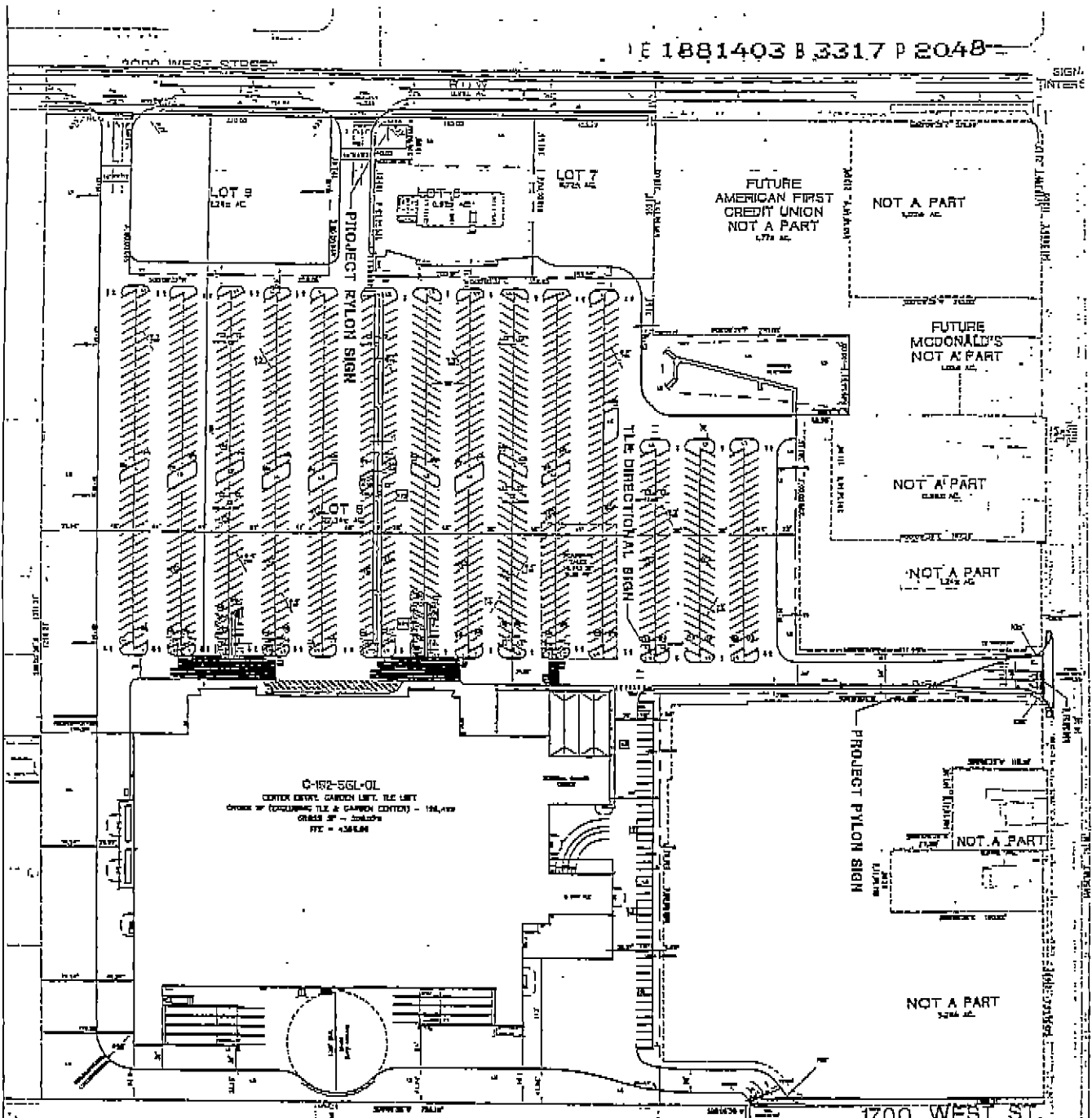
Attachment Two

SW SECTION 27 T5NR2W

Salt Lake Meridian Day



Attachment Three



UNITS OF THE OFFICE OF THE
 COUNTY CLERK
 801-582-5000
 801-582-5001
 801-582-5002
 801-582-5003
 801-582-5004
 801-582-5005
 801-582-5006
 801-582-5007
 801-582-5008
 801-582-5009
 801-582-5010

—RECORDER'S MEMO—
 LEGIBILITY OF TYPING OR PRINTING
 UNSATISFACTORY IN THE DOCUMENT
 WHEN RECEIVED

DATE	DESCRIPTION	BY
08/03/04	RECEIVED	...
08/10/04	RECEIVED	...
08/17/04	RECEIVED	...
08/24/04	RECEIVED	...
08/31/04	RECEIVED	...
09/07/04	RECEIVED	...
09/14/04	RECEIVED	...
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