

Parcels: 04-070-0-0068; 04-066-0-0066; 04-070-0-0067; 05-019-0-0068

Legal descriptions:

See "Facts"

Ent: 371250 - Pg 1 of 5

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Jerry M. Houghton, Recorder

Tooele County Corporation

For: TOOELE COUNTY ENGINEERING DEP

# CONDITIONAL USE PERMIT

#2012-12 Questar Relocation – Mountain View Road

(Issued pursuant to Chapter 7 of the Uniform Zoning Ordinance of Tooele County)

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## Facts

1. Property owners Skull Valley Co., Ltd.; Uintah Land Company LC; Beaver Creek Investments, L.C.; and Arimo Corporation authorize agent Rick Hellstrom of Questar Gas Company to seek a Conditional Use Permit (CUP) for relocating a public service utility line that extends more than 300 feet.
2. This application is for the relocation of approximately 1,600 feet of Questar Gas utility line to the west side of the Mountain View Road corridor.
3. The legal description of parcel number 04-070-0-0068 is:

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SEC 35, T1S, R4W, SLB&M, MORE PARTICULARLY DESC AS FOLL: BEG AT THE SW COR OF BLUE BEACON SUBDIVISION AS RECORDED IN THE OFFICE OF THE TOOELE COUNTY RECORDER AS ENTRY NO. 160892, BK 669, PG 9; WHICH PT IS ALSO S 89°24'42" E 744.89 FT AND N 0°35'18" E 2055.47 FT FR THE TOOELE COUNTY MONUMENT FOUND MARKING THE S 1/4 COR OF SD SEC 35; TH ALG SD SUB BDY THE FOLL (2) COURSES: (1) S 89°40'24" E 216.26 FT, (2) N 36°14'43" E 537.49 FT TO A PT ON THE S LI OF NATIONAL AUTO/TRUCKSTOPS PPTY AS DESC BY THAT CERTAIN SWD RECORDED APRIL 15, 1993, AS ENTRY NO. 55600, BK 349, PG 566; TH ALG SD S BDY S 89°48'21" E 31.43 FT M/L TO THE W LI OF THE CARY EDWARD TRATOS PPTY AS DESC IN THAT CERTAIN WD REC FEB 18, 1997, AS ENTRY NO. 93664, IN BK 448, PG 757; TH S 00°16'04" W 708.18 FT ALG THE W LI OF SD TRATOS PPTY; TH S 89°43'56" E 323.06 FT; TH ALG THE SKULL VALLEY COMPANY LTD ETAL PPTY AS DESC IN SWD ENTRY NO. 173242, BK 723, PG 282 OF OFFICIAL RECORDS, THE FOLL (5) COURSES: (1) S 23°25'44" W 808.89 FT, (2) TH ALG A NON-TANGENT 631.00 FT RADIUS CURVE TO THE LEFT, OF WHICH THE RADIUS PT BEARS S 37°29'28" W; TH NWLY 30.57 FT ALG SD CURVE THRU A C/ANGLE OF 2°46'34"; (3) TH ALG A NON-TANGENT 120.00 FT RADIUS CURVE TO THE LEFT, TH NWLY 250.63 FT ALG SD CURVE THRU A C/ANGLE OF 119°39'58"; (4) TH ALG A 660.00 FT RADIUS CURVE TO THE LEFT, TH NWLY 213.19 FT ALG SD CURVE THRU A C/ANGLE OF 18°30'26"; (5) TH N 89°20'09" W 171.62 FT TO THE E LI OF THE FLYING "J" SUBDIVISION AMENDED, A PUD ON FILE IN SD OFFICIAL RECORDS; TH ALG SD E LI N 0°36'25" E 559.58 FT; TH ALG A COMMON LI REFERED TO IN BOUNDARY LI AGREEMENTS RECORDED AS ENTRY NO 106670, BK 490, PG 259 AND ENTRY NO. 106072, BK 488, PG 297, N 1°28'02" E 278.77 FT TO THE POB. BALANCE OF 4-70-61 AFTER 4-70-66 FOR 2002 YEAR. 16.91 AC 01/16/2002 01/16/2002

4. The legal description of parcel number 04-070-0-0066 is:

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SEC 35, T1S, R4W, SLB&M, MORE FULLY DESC AS FOLL: BEG AT THE NW COR OF THE PASTURES AT SADDLEBACK PLAT 1, A SUBDIVISION ON FILE IN THE RECORDS OF THE TOOELE COUNTY RECORDER, AND TH S 00°14'50" W 102.06 FT ALG THE W LI OF SD SUBDIVISION TO THE NE COR OF THE GRIFFITH PPTY AS DESC BY THAT CERTAIN BDY LI AGREEMENT REC AS ENTRY NO. 120446 IN BK 535, PG 191 OF SD RECORDS; TH N 89°24'42" W 607.44 FT ALG THE NLY LI OF SD GRIFFITH PPTY AND ITS EXTENSION; TH N 00°19'45" W 499.05 FT; TH N 34°15'23" W 350.22 FT TO A PT OF TANGENCY OF A 150.00 FT RADIUS CURVE TO THE LEFT; TH NWLY 26.86 FT ALG SD CURVE THRU A C/ANGLE OF 10°15'40" TO A PT OF TANGENCY OF A 100.00 FT RADIUS CURVE TO THE LEFT; TH SWLY 234.85 FT ALG SD CURVE THRU A C/ANGLE OF 134°33'39"; TH N 82°15'30" W 67.99 FT TO A PT OF NON-TANGENCY OF A 333.11 FT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS PT BEARS N 87°09'05" E; TH NELY 52.53 FT ALG SD CURVE THRU A C/ANGLE OF 9°02'04" TO A PT OF NON-TANGENCY OF A 339.50 FT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS PT BEARS S 80°38'15" E; TH NELY 48.99 FT ALG SD CURVE THRU A C/ANGLE OF 8°16'04" TO A PT OF NON-TANGENCY OF A 104.50 FT RADIUS CURVE TO THE LEFT, OF WHICH THE RADIUS PT BEARS N 72°22'11" W; TH NELY 36.39 FT ALG SD CURVE

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Legal descriptions:

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THRU A C/ANGLE OF 19°57'00" TO A PT OF NON-TANGENCY OF A 120.00 FT RADIUS CURVE TO THE RIGHT, OF WHICH RADIUS PT BEARS N 46°09'59" E; TH NWLY 98.59 FT ALG SD CURVE THRU A C/ANGLE OF 47°04'26" TO A PT OF NON-TANGENCY OF A 540.00 FT RADIUS CURVE TO THE LEFT, OF WHICH THE RADIUS PT BEARS S 15°34'03" W; TH NWLY 140.46 FT ALG SD CURVE THRU A C/ANGLE OF 14°54'11"; TH N 89°30'09" W 171.50 FT TO THE E LI OF THE FLYING "J" SUBDIVISION AMENDED, A PUD ON FILE IN SD RECORDS; TH N 00°36'25" E 120.00 FT ALG SD E LI; TH S 89°20'09" E 171.62 FT TO A PT OF TANGENCY OF A 660.00 FT RADIUS CURVE TO THE RIGHT; TH SELY 213.19 FT ALG SD CURVE THRU A C/ANGLE OF 18°30'26" TO A PT OF NON-TANGENCY OF A 120.00 FT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS PT BEARS S 23°34'15" E; TH SELY 250.63 FT ALG SD CURVE THRU A C/ANGLE OF 119°39'58" TO A PT ON NON-TANGENCY OF A 631.00 FT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS PT BEARS S 37°29'28" W; TH SELY 30.57 FT ALG SD CURVE THRU A C/ANGLE OF 2°46'34"; TH N 23°25'44" E 808.89 FT; TH S 89°43'56" E 23.44 FT; TH N 00°16'04" E 1.98 FT; TH S 89°43'56" E 477.84 FT; TH S 00°14'50" W 1583.03 FT TO THE POB. OUT OF 4-70-61 FOR 2002 YEAR. 28.19 ACRES 01/14/2002 01/14/2002

5. The legal description of parcel number 04-070-0-0067 is:

BEG AT THE NE COR OF THE SHERMAN DALE AND CAROLYN WILLIAMS GRIFFITH PPTY, WHICH PT IS N 0°16'04" E 613.21 FT AND N 89°43'56" W 1110.99 FT, FR THE SE COR OF SEC 35, T1S, R4W, SLB&M, TH N 34°15'23" W 350.22 FT TO A PT OF TANGENCY OF A 150.00 FT RADIUS CURVE TO THE LEFT; TH NWLY 26.86 FT ALG SD CURVE THRU A C/ANGLE OF 10°15'40" TO A PT OF TANGENCY OF A 100.00 FT RADIUS CURVE TO THE LEFT; TH SWLY 234.85 FT ALG SD CURVE THRU A C/ANGLE OF 134°33'39"; TH N 82°15'30" W 67.99 FT TO A PT OF NON-TANGENCY OF A 333.11 FT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS PT BEARS N 87°09'05" E; TH NELY 52.53 FT ALG SD CURVE THRU A C/ANGLE OF 9°02'04" TO A PT OF NON-TANGENCY OF A 339.50 FT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS PT BEARS S 80°38'15" E; TH NELY 48.99 FT ALG SD CURVE THRU A C/ANGLE OF 8°16'04" TO A PT OF NON-TANGENCY OF A 104.50 FT RADIUS CURVE TO THE LEFT, OF WHICH THE RADIUS PT BEARS N 72°22'11" W; TH NELY 36.39 FT ALG SD CURVE THRU A C/ANGLE OF 19°57'00" TO A PT OF NON-TANGENCY OF A 120.00 FT RADIUS CURVE TO THE RIGHT, OF WHICH RADIUS PT BEARS N 46°09'59" E; TH NWLY 98.59 FT ALG SD CURVE THRU A C/ANGLE OF 47°04'26" TO A PT OF NON-TANGENCY OF A 540.00 FT RADIUS CURVE TO THE LEFT, OF WHICH THE RADIUS PT BEARS S 15°34'03" W; TH NWLY 140.46 FT ALG SD CURVE THRU A C/ANGLE OF 14°54'11"; TH N 89°30'09" W 171.50 FT TO THE E LI OF THE FLYING "J" SUBDIVISION AMENDED, A PUD ON FILE IN THE TOOELE COUNTY RECORDER'S OFFICE; TH S 00°36'25" W 482.07 FT; TH S 0°45'20" W 397.37 FT TO THE NW COR OF THE MICHAEL W & LESLIE A BOND PPTY RECORDED AS ENTRY NO. 69723, BK 385, PG 234; TH ALG SD BOND PPTY THE FOLL (2) COURSES: (1) S 89°24'42" E 197.21 FT; (2) S 00°35'18" W 217.80 FT TO THE S LI OF SD SEC 35; TH S 89°24'30" E ALG SD S LI 208.02 FT M/L TO THE SW COR OF HOWARD M & CLARINE G DAVIES TRUSTEES PPTY; TH N 0°35'18" E 333.79 FT; TH S 89°24'42" E 175.18 FT TO THE W LI OF SHERMAN P & CAROLYN W GRIFFITH PPTY; TH ALG SD GRIFFITH PPTY THE FOLL (2) COURSES: (1) N 0°26'24" W 284.44 FT; (2) S 86°21'12" E 209.83 FT TO POB. BALANCE OF 4-70-61 AFTER 4-70-66 FOR 2002 YEAR. 12.37 AC 01/14/2002 01/16/2002 01/16/2002

6. The legal description of parcel 05-019-0-0068 is:

BEG AT A PT ON THE N LI OF SUNSET ROAD AS ESTABLISHED BY ORDINANCE 2000-11. FOUND AS ENTRY # 147866, BK 622/716 IN THE OFFICE OF THE TOOELE COUNTY RECORDER, SD PT LIES N 0°18'27" E 2379.10 FT ALG THE TOOELE COUNTY DEP RESURVEY SEC LI AS SHOWN ON THE RECORDED PLAT OF THE PASTURES AT SADDLEBACK PLAT 1 SUBDIVISION FOUND AS ENTRY # 152356, BK 638/88 IN THE OFFICE OF THE TOOELE COUNTY RECORDER, AND N 89°11'19" W 777.803 FT ALG THE N LI OF SEUSET ROAD FROM THE TC DEPENDENT RESURVEY MONUMENT REPRESENTING THE E 1/4 COR OF SEC 2, T2S, R4W, SLB&M TH ALG SD N LI OF SUNSET ROAD, N 89°11'19" W 125.036 FT; TH ALG AN OLD ESTABLISHED FENCE LI CONSISTING OF CINDER BLOCK, CHAIN LINK FABRIC AND WOVEN/BARBED WIRE, N 0°33'16" W 378.248 FT; TH ALG A LI ESTABLISHED BY THAT CERTAIN BOUNDARY LI AGREEMENT FOUND AS ENTRY 152355, BK 638/84 IN THE OFFICE OF TCR, S 89°24'42" E 125.025 FT; S 0°33'16" E 378.735 FT TO THE POB. OUT OF 5-19-63 FOR 2005 YEAR. 1.09 AC 02/23/2004 02/23/2004

7. A Conditional Use Permit (CUP) is a land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. [Tooele County Land Use Ordinance (TCLUO) 7-1]

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Legal descriptions:

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8. The purpose of this relocation is to align the utility line closer to the property and road boundary line.

9. The application states:

Beginning in June 2012, Questar Gas Company (Questar) is replacing several miles of high-pressure natural gas pipeline in the Lake Point area of Tooele County, Utah. This project is designed to enhance the overall safety and reliability of our pipeline system by making this pipeline easier to monitor and maintain. The project will also increase pipeline capacity in order to help Questar meet growing customer demand for natural gas on its system. The pipeline is being replaced in its existing corridor of private rights-of-way and franchise rights.

This Conditional Use Permit Application is for a proposed relocation of a section of this pipeline. In the area of Mountain View Road and Saddleback Boulevard, Lake Point, Utah, Questar is proposing to relocate a section of the pipeline, approximately 1,600 feet in length, from its existing corridor 200' to the east of Mountain View Road, to a new location on the west side of the Mountain View Road corridor, to accommodate future development potential. See the attached drawings for the approximate location of the existing and proposed pipelines.

The pipeline will be located in a 30' wide right-of-way, to be granted to Questar by the property owner. Construction of the replacement pipeline will be completed in adherence to all applicable State and Federal pipeline safety standards.

10. The estimated time of completion is by December 31, 2012.

11. Relocation of this gas line next to Mountain View Road will have some impact on Mountain View Road. The Tooele County Roads Department Director, Rod Thompson, has been in contact with Questar regarding this request; Mr. Thompson has no objection has long as Questar follows the Roads Department requirements which Questar intends to do.

12. Staff has received one verbal public comment from an adjacent property owner in favor of granting a CUP to the three associated CUP applications.

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### *Applicable Law*

Tooele County Land Use Ordinance: Chapter 7 Conditional Uses, Chapter 15 Multiple Use, Agricultural, and Rural Residential Districts

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Legal descriptions:

See "Facts"

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### ***Decision and Recommendation***

We, the Tooele County Planning Commission, on June 6, 2012, with a five of five vote, do hereby **GRANT** this Conditional Use Permit for the relocation of approximately 1,600 feet of Questar gas line in the Mountain View Road area (maps available in file CUP #2012-12) involving parcels 04-070-0-0068; 04-070-0-0066; 04-070-0-0067, and 05-019-0-0068 with the condition that the applicant follow all Tooele County Roads Department requirements.

Failure of the permittee to observe any condition specified herein may result in revocation of this permit (Section 7-13). Unless there is substantial action under this permit within one year of its issuance, the permit expires (Section 7-10). The zoning administrator will make periodic inspections to insure compliance with all conditions imposed (Section 7-9).

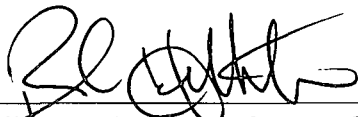
Any person aggrieved by a decision of the planning commission or the zoning administrator regarding the issuance, denial or revocation or amendment of a conditional use permit may appeal such decision to the board of county commissions within 30 days of the date of the decision appealed from (Section 7-8).

Dated this 21 day of June, 2012

  
Julie Pawlak, Chair, Tooele County Planning Commission

I, the above applicant -- RICK HELLSTROM, do hereby accept the foregoing conditions and agree to abide by all of them.

Dated this 25<sup>th</sup> day of June, 2012

  
Rick Hellstrom, Applicant, Questar Gas Company

State of Utah)  
                  )s.s.  
County of Tooele)

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On the 25<sup>th</sup> day of June, 2012, personally appeared before me, Rick Hellstrom, the signer of the Conditional Use Permit, who duly acknowledged to me that he/they, signed it freely and voluntarily and for the uses and purposes therein mentioned.

Cindy D. Coombs

Notary residing in Tooele County

My Commission expires on Oct. 19, 2012

