

**Toquerville City**  
**FINAL PLAT APPLICATION**  
Fee: See Current Fee Schedule

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Fax No. \_\_\_\_\_

Email: \_\_\_\_\_

Agent (If Applicable): \_\_\_\_\_ Telephone: \_\_\_\_\_

Address/Location of Subject Property: \_\_\_\_\_

Subdivision Name & Phase: \_\_\_\_\_

Tax ID of Subject Property: \_\_\_\_\_ Number of Lots: \_\_\_\_\_

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**Submittal Requirements: 1 Engineer's paper copy, and 1 disk in the latest Auto-Cad format.**

**1. The final plat shall show:**

- \_\_\_\_\_ a. The name or designation of the subdivision that is distinct from any plat already recorded in the County Recorder's office, as approved by the Planning Commission.
- \_\_\_\_\_ b. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.
- \_\_\_\_\_ c. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.
- \_\_\_\_\_ d. Every existing right-of-way and easement grant of record for communications infrastructure, for underground facilities as defined in Section 54-8a-2 of the Utah Code and for other utility facilities. Where the same is granted to a specific entity, that entity must be clearly identified.
- \_\_\_\_\_ e. True angles and distances to the nearest established street lines or official monument, which shall be accurately described on the plat and shown by appropriate symbols.
- \_\_\_\_\_ f. All street center line data must be shown, together with its relationship to the property lines, corners, etc.
- \_\_\_\_\_ g. The accurate location of all monuments shall be shown on the plat, and shall be identified, including all United States, State, County or other official monuments.
- \_\_\_\_\_ h. The dedication to the public of all streets and highways included in the proposed subdivision (except approved private streets).
- \_\_\_\_\_ i. Street monuments shall be installed by the subdivider in accordance with the requirements of City Standards. Locations of said monuments shall be approved by the City Engineer and indicated on the subdivider's plat by the appropriate symbols.

- \_\_\_\_j. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses by all property owners.
- \_\_\_\_k. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the City Attorney.

2. **Required Forms & Certificates:** In addition the final plat shall contain the standard forms for the following:

- \_\_\_\_a. A registered professional land surveyor's certificate of survey, together with a statement that: (a) the surveyor holds a license in accordance with the Utah Code Professional Engineers and Professional Land Surveyor's Licensing Act; (b) the surveyor has completed a survey of the property described on the plat in accordance with Section 17-23-17 of the Utah Code and has verified all measurements; (c) has placed monuments as represented on the plat. **Plat must signed and stamped by the licensed surveyor prior to final plat submittal.**
- \_\_\_\_b. The owner's certificate of dedication of all streets, roads, rights-of-way or other parcels intended for the use and benefit of the general public.
- \_\_\_\_c. Mortgagee or other lien holder's Consent to Record, if applicable.
- \_\_\_\_d. A notary public's acknowledgement of the signature of the mortgagee or each owner signing the plat.
- \_\_\_\_e. Certificate of approval of Ash Creek Special Service District.
- \_\_\_\_f. Certificate of approval of the Planning Commission, as evidenced by the signature of the Planning Commission chairperson.
- \_\_\_\_g. Certificate of approval of the City Engineer.
- \_\_\_\_h. Certificate of approval of the City Council, as evidenced by the signature of the Mayor attested by the City Recorder.
- \_\_\_\_i. Certificate of approval as to form executed by the City Attorney.
- \_\_\_\_j. A one and one-half inch by five inch (1 ½" x 5") space in the lower right-hand corner of the drawing for the use of the County Recorder.
- \_\_\_\_k. Certificate of approval of the County Treasurer.

3. **Other Information Required:** The following information or documentation shall be submitted:

- \_\_\_\_a. An original copy for Staff review of the proposed deed restrictions or CC&Rs in proposed final form with signature lines for all owners of any interest in the subdivision who would sign the final subdivision plat must be submitted with final plat application. After being approved by staff this document shall be signed, acknowledged by a notary public, and recorded in the office of the County Recorder along with the final plat.
- \_\_\_\_b. Title report for the property being subdivided.
- \_\_\_\_c. A disk of the final plat prepared in the latest Auto-Cad Format.

## **Application Process:**

- ▶ Once construction drawings are approved, a completed application for final plat approval and the required fee of \$250.00 is then submitted to the Planning Department by no later than 12:00 noon on Wednesday two weeks before a Planning Commission meeting. A paper copy of the plat will be submitted to the City Engineer for review. The City Engineer will red line the plat and email the subdivision engineer of required changes that need to be made. If a plat is still not ready for the City Engineer's signature after the second submittal, an additional fee must be paid before the Engineer performs another review.
- ▶ Once the City engineer has signed off on the plat, approval of the plat will be placed on the next Planning Commission agenda.
- ▶ A recommendation from the Planning Commission is then passed on to City Council. The City Council then considers the plat for final approval at the next regular City Council meeting.
- ▶ Once the City Council has given approval of a final plat and adequate financial security is in place, the developer may schedule a pre- construction meeting with the City Public Works Department. Construction of the subdivision may then proceed.
- ▶ Once the subdivision infrastructure is built and preliminarily accepted, the subdivision may be recorded.

## **Recording Requirements:**

1. Final plat approval.
2. Financial security in place.
3. Payment of HCP impact fee as required by Washington County Habitat Conservation.
4. Three disks of the final plat prepared in the latest Auto-Cad format or as required by each entity – one for the City, one for the County Recorder, and one for the Washington County Conservancy District.
5. A title report prepared and submitted to the City Attorney.
6. Satisfaction for water impact fee to Washington County Water Conservancy District.
7. All signatures must be on the mylar, including property owners of record according to the title report, City officials and Ash Creek Special Service District Superintendent. The City Attorney is the last signer of the Mylar just prior to recordation.
8. Someone from the City Attorney's office will accompany the developer's representative to the County Recorder's office for recordation. The developer pays recording fees.

## **Miscellaneous information:**

A development with CC&R's should submit a copy of the CC&R's to the Planning Staff and one to the City Attorney for review at the time the final plat is submitted.

Any special easements, pump stations, transformers, etc. can delay approvals.

Building permits are not issued within a subdivision until the plat has been recorded and the Public Works Department has signed off on all the improvements required for the subdivision, whether on or off site, signifying their completion and initial acceptance.

**Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the third Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.**

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(Office Use Only)

DATE RECEIVED: \_\_\_\_\_ COMPLETE: YES \_\_\_\_\_ NO \_\_\_\_\_

DATE APPLICATION DEEMED TO BE COMPLETE: \_\_\_\_\_

COMPLETION DETERMINATION MADE BY: \_\_\_\_\_

Signature

**PROPERTY OWNER**  
**AFFIDAVIT & AGENT AUTHORIZATION**

STATE OF UTAH )  
 )ss:  
COUNTY OF \_\_\_\_\_)

**AFFIDAVIT**

I (we), \_\_\_\_\_, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements therein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received adequate instructions regarding the process for which I (we) am (are) applying and the Toquerville City Planning Staff has advised me that they are available to answer questions should I need assistance.

**AGENT AUTHORIZATION**

(Note: Do not complete if you will be representing yourself(vcs))

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body of the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

**ACKNOWLEDGEMENT**

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by the above-reference Property Owner(s).

\_\_\_\_\_  
(Notary Public)

## AGREEMENT FOR THE PAYMENT PROFESSIONAL FEES

This Agreement for the Payment of Professional Fees ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_\_\_\_, by and between \_\_\_\_\_ ("Applicant(s)"), and Toquerville City, a Utah municipal corporation ("the City"). Throughout this Agreement Applicant(s) and the City may be referred to individually as a "Party" and collectively as "the Parties".

### RECITALS

WHEREAS Applicant(s) has/have submitted the following "Application(s)" to the City:

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WHEREAS the City has made an initial review of the Application for completeness and is prepared to accept the Application and the payment of any applicable application fee as set forth in the City's Uniform Fee Schedule, as may be amended from time to time.

WHEREAS because of the nature of the Application, the Parties recognize that there may be a need for the City to engage professionals outside of the City to assist it in analyzing and determining whether or not the Application complies with all requirements of the Toquerville City Code, including, but not limited Title 10 (Land Uses) and any applicable building or safety code that has been adopted by the City.

### AGREEMENT

The Parties, on behalf of itself/himself, its/his heirs, successors and assigns, and for good and valuable consideration, do hereby acknowledge, covenant, and agree as follows:

1. Engagement of Professionals. Within reason (considering the proportionality between the benefit of the Application sought and the cost of professional services needed) the City may, at its sole discretion, engage the professional services of appropriate individuals and firms to assist the City in determining an Application's compliance with applicable sections of the Toquerville City Code, the Toquerville City Standards and Specifications for Public Improvements and all uniform building and safety codes which the City has adopted.
2. Payment of Professional Fees & Costs. Applicant acknowledges and agrees that, in addition to the application fee as set forth in the City's Uniform Fee Schedule, he, she, they, it will pay to the City One Hundred Percent (100%) of all fees and costs associated with the provision of professional services rendered to the City relating to the review of Applicant's Application. Payment to be made within twenty (20) days of the City issuing a written pay request to Applicant.
3. Authorization Threshold. Applicant agrees that when the City has or will engage the services of a professional to review and consult with the City regarding an Application and the anticipated professional fees for said review or consultation will exceed Five Hundred Dollars (\$500.00), the City will advise you of the same and obtain your written authorization to proceed.
4. Interest On Late Payments & Collection Costs. In the event Applicant fails to pay in full any written pay request for professional service within Twenty (20) days if its issuance (mailing), interest will begin to accrue on any unpaid balance at the rate of Twelve Percent (12%) per annum. Upon Applicant's failure to

pay in full any written pay request within Thirty (30) days after its issuance (mailing), the City may initiate legal proceedings to collect the same any state court of competent jurisdiction in Washington County, State of Utah. Should the City be required to initiate legal proceedings, the Parties stipulate that the City is entitled to recover all attorney's fees and costs incurred in said proceeding, regardless of whether the matter proceeds and concludes with a trial or judgment on the merits.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
Title

ACKNOWLEDGMENT

STATE OF UTAH

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)ss:

COUNTY OF WASHINGTON

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On the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, personally appeared before me \_\_\_\_\_  
\_\_\_\_\_, as the signer(s) of the above instrument, who duly  
acknowledged to me that he/she/they/it executed the same on behalf of the Applicant.

\_\_\_\_\_  
Notary Public

(SEAL)