

Minutes of a Planning Commission meeting held at City Hall, 68 East Main Street on November 10, 1987, at 8:00 P. M.

Present were Chairman Grant Pay and members Ione Anderson, Ken Kelley and Lynne Smith. Also present were Dorothy Robertson and her daughter. Minutes were recorded by Ramona Rosenlund. Councilman Sherman Jones entered the meeting at 8:40 P. M.

Mr. Pay called the meeting to order at 8:15 P. M.

Minutes of previous meeting: Minutes of the meeting held October 27, 1987, were approved.

Robertson/Hansen Annexation proposal: There was a note which had been left on the table by the librarian stating that Mr. Hansen would not be able to attend this meeting as he didn't know about it soon enough and must attend another meeting. Mrs. Robertson said she was surprised as he had indicated he would be here.

Mr. Pay asked if they had settled the water situation and Mrs. Robertson said they had agreed that she and Mr. Hansen owned it together and they would like both their properties annexed into the city and would give the springs to the city. Mr. Pay said they need to know how much water there will be. Mrs. Robertson said she talked to Sherman Jones and he said if they get something signed about this they could go on with the annexation. They have agreed they own the springs together and they would deed them to the city. The letter written by her attorney shows this. Also, that Mr. Jones said the city would see what they can do. She said Mr. Jones told her that during the deer hunt he would go up there and look at the springs.

Mr. Pay said the ordinance requires two water shares or it's equivalent be given to the city for each acre to be annexed and asked if she had any idea of how much water there was. Mrs. Robertson said if it were opened up, which she didn't think would cost much to have done, there might be a lot more. She said she thought that when they determined who owned the water, they could just go ahead and they have agreed they own it together. Her daughter said that they were told if they agreed to own it together, then it would be alright.

Mr. Kelley read from the minutes of the meeting held August 25, which says: "Mr. Jones said there appears to be about enough water for 40 homes, based on what Mrs. Robertson showed from the State engineer. He said if the property were annexed, the owners would have to pay for the improvements. If she could come in and say exactly what they have, then maybe the city could do something. Mr. Jones suggested Mrs. Robertson talk to an engineer and he could advise her. He suggested Don Coles in Salem and gave Mrs. Robertson his phone number." Mr. Kelley said they can only go by this. Mrs. Robertson said she thought the city would do the opening up of the springs.

Mrs. Smith said the owners of the property must do any improvements required. Mrs. Robertson said she can't do that, she can't go to the expense of having it done. She thought the city had equipment for that sort of thing. Someone had told her the city would do this. She said the man at the Water Resources office said for them to agree about ownership of the water then get a letter to the city and then the city would put the water with some they already had and clean out the springs.

Mr. Kelley said the springs are too far away from the city's other sources and there would be no way they could be put in the system to be chlorinated and used domestically. Mrs. Smith said the city can't do this. Mrs. Robertson will have to know how much water is there and what she will give to the city. Mrs. Robertson said Mr. Hansen thought the city would be glad to get this water.

Mr. Jones entered the meeting at 8:40 P.M. He said he did not get up to the springs when he thought he would be able to. He asked Mrs. Robertson what are the plans for the land, was it to be used for homes, commercial or what if it were annexed. Mrs. Robertson said that depends on when she can sell it and who to. Mr. Jones said there might be two ways the city could work with her on the annexation. First, it has to be done at no cost to the city. Mrs. Robertson again said she thought if they turned the water to the city the city would do everything. Second, the city could go ahead and develop everything but she would have to pick up the bill and this would depend on what it would be used for, or she could develop it herself and then turn it to the city.

Mrs. Robertson asked what the city would do for her if she did all these things. Mr. Jones said she would become part of the city and have their police protection, fire protection, etc. Mr. Kelley said it would also allow her to sell smaller size lots as now while the property is in the county it takes 50 acres for a home. Mr. Jones said the water from her springs would have to be put into a separate system as it is too far from the city and based on what people in the city use, it might take care of 40 homes. He said the city is looking for sources of water they do not have to pump. Mrs. Robertson said she just wants to sell it.

Mr. Jones said he did not know what else to do. Mrs. Robertson said she was told a Mr. Greenhalgh could open up the springs and have a lot of water come out, but if they were held to what has been filed on, that wouldn't do any good. Mr. Jones said he is not an enginner and doesn't know the law, etc., but the water would need to meet the state requirement for purifacation. He said the city would be interested in buying Mrs. Robertson's share of the springs if she can get clear title to it, but not the land. Mrs. Robertson's daughter said then there would be no water to go with the land. Mrs. Robertson said she had spoken with Commissioner Morris who said the county is working to change their zoning and it might be that they would allow acre or half acre lots to be sold off after the first of the year when they expect to have the study done.

Mr. Jones^{said} if she had one acre lots she would need two shares of water to annex each lot as the city doesn't have extra water. Water shares are selling for about \$1,100 per share so this would increase the price of her lots by \$2,200 per acre and she would need to bring in water with the land.

There was a discussion of the city limits with Mrs. Robertson saying she was told by someone in the county that the homes along SR-6 were all in the city. Mr. Pay explained where the city boundarys are and said she would have to have enough water from the springs to equal enough shares at 2 shares per acre in order to annex all the property owned by her and Mr. Hansen and Mr. Jones said the water she had filed on would barely take care of 40 homes.

Mr. Pay read a paragraph from the letter drafted by Mrs. Robertson's attorney which says: "If there is insufficient water in the two springs to support annexation of the entire property, different arrangements between the undersigned (Mrs. Robertson and Mr. Hansen), with regard to water and

annexation will be made." He said there is not enough water to annex the entire 205 acres. Mrs. Smith said if they can find enough shares, but they probably can't, they could be given to the city and the property could be annexed. Mr. Jones said if the springs were developed and she had the title, they would be more valuable.

Mrs. Robertson said it would help if the county would rezone for 1/2 acre lots where it is now 50 acre lots, but she is not thinking of anything but to sell it and she felt the city would open up the springs. Mr. Pay again explained that the property owner has to put in all improvements and then turn them over to the city.

Mrs. Anderson asked if Mrs. Robertson would consider annexing just her 45 acres and Mrs. Robertson said no, she could not do that as the water is owned jointly and is on Mr. Hansen's property. Because her husband did the improving that was done and it is on his property, she and Mr. Hansen felt both parties should have a 50/50 interest.

Mr. Kelley said, for example, if they annexed 45 acres with enough water for 45 homes and then sold and subdivided into 1/2 acre lots, half of them would be without any water but the city would be required to supply them water if they were in the city limits and the city would not have the water to do it. The county would be in the same situation if they are talking of allowing development of 205 acres with only enough water for 45 acres.

Mrs. Smith said maybe it would be best to see what the county came up with in rezoning the area. Mrs. Robertson said she thought the city would be glad to have the property in and she would have a better chance to sell it if it were in the city. She asked what zone it could be annexed in that would not require water. Mrs. Anderson told her Industrial was all and if it came in that way and later she wanted to change it to something else, she would then have to come up with the water at that time.

Mr. Kelley said the city would like to see it in as it would bring in other things if it were developed but they can't annex without water.

Mrs. Robertson and her daughter left the meeting at 9:25 P.M.

There followed a short discussion about Mrs. Robertsons property. It was felt she now knows what the situation really is and not what she would like it to be.

Change of time for meetings: There was a short discussion about changing the time for Planning meetings from 8:00 to 7:00 P. M. during the winter months. Mr. Jones had left the meeting to take care of a problem, so was not here for the discussion but it was decided to go to 7:00 P.M. beginning with the next meeting on November 24th.

Survey of housing: Mr. Pay reported 28 substandard houses and 9 vacant out of 83 houses. Mrs. Anderson reported 40 substandard and 2 vacant out of a total of 153. Mr. Kelley reported 5 substandard and 5 vacant out of 154 houses. Mrs. Smith did not have her survey finished and will phone the results into the city office.

Mrs. Anderson made a motion to adjourn this meeting. Mr. Kelley seconded the motion which passed unanimously.

Meeting adjourned at 9:35 P.M.

Jane Anderson
Chairman

11/24/57
Date approved

Ramona Rosenlund
Secretary

ROBINSON AND GLAZIER

Attorneys and Counselors at Law
Mark F. Robinson
David L. Glazier
Marilyn Moody Brown
Of Counsel
Claude E. Zobell

November 3, 1987

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Santaquin City Planning and
Zoning Commission
68 East Main Street
Santaquin, Utah 84655

Gentlemen:

This letter is written as a letter of intent between landowners in support of their request for annexation of property into Santaquin City.

The letter is written on behalf of Dorothy Robertson, A & H Investment, and Wendell Hansen. Those parties own approximately 205 acres contiguous to Santaquin City, Mrs. Robertson owning approximately 45 acres, A & H approximately 110 acres, and Wendell Hansen approximately 50 acres. It is my understanding that some or all of those parties have petitioned the City Planning and Zoning Commission for annexation into Santaquin City, and that part of the problem with that annexation is water.

This letter of intent is to inform Santaquin City, in connection with the above-referenced annexation requests, that the undersigned parties are willing to convey to Santaquin City all of the water from the two springs located on the property if and when Santaquin City annexes the entire property upon terms acceptable to the undersigned.

If there is insufficient water in the two springs to support annexation of the entire property, different arrangements between the undersigned with regard to water and annexation will be made.

Please submit this letter of intent and commitment to convey water to the Planning and Zoning Commission in support of the above-referenced annexation request.

Yours very truly

Dorothy B. Robertson
DOROTHY B. ROBERTSON

Maffei
attorney at law

A & H INVESTMENT

By: *Wendell Hansen*
General Partner

Wendell Hansen
WENDELL HANSEN