

Dear Mayor Bruno and Town Council

I am opposed to approval of the Zion Park Holdings plat amendment because I believe there is misinformation on the proposed plat and ZPH is asking the Town Council to make an overall approval without detailed information.

I am specifically referencing what the applicant is calling a minor as built approval of the relocation of Canyon Spring RD. There was a lot line adjustment and relocation of Canyon Spring Rd in both the 2015 and 2017 amendment. That amendment did not take into consideration that Canyon Springs Rd from SR9 to the Canyon Springs Rd. Bridge is a specific deeded easement agreement with metes and bounds description of that location. The original deeded easement agreement is attached to every lot owner in Canyon Springs Estates and recorded as part of their deed. The easement agreement is a recorded document with Washington County and made reference to in our CC&Rs.

To my knowledge the Town has never acknowledged that this original deeded easement agreement exists and current staff have called it a perpetual easement meaning Canyon Springs Estates HOA can cross ZPH land anywhere within the the proposed plat amendment but does not provide a specific location, (metes and bounds). Canyon Springs Rd easement no longer exists in its original location. There have been significant changes to Canyon Springs Rd in the form of structures and drainage built in the location of the original easement road.

This action, as currently described by the Town, if passed, could cause a significant Title Defect to every lot owner in Canyon Springs Estates.

At the very least the Town Council should not approve the plat amendment unless a condition applies that the applicant provide a new survey including metes and bound description of the current existing Canyon Springs Rd easement and amend the original Easement Agreement dated January 23rd 1996 accordingly.

Thank you,
Brant Warner