

**NOTICE OF PUBLIC HEARING
MILLARD COUNTY PLANNING COMMISSION
APPLICATION # Z-2020-016 TO AMEND
A C-2 CONDITIONAL USE PERMIT FOR
AN EXISTING DAIRY—A LEVEL 3
CONFINED ANIMAL FEEDING OPERATION
JOHN NYE—APPLICANT**

Notice is hereby given that the Millard County Planning Commission will conduct a public hearing on Wednesday, June 3, 2020 at 6:30 p.m. for the purpose of receiving public comment on application #Z-2020-016 to amend Conditional Use Permit #C-95-024, and allow for an increase in animal units at an existing Level 3 Confined Animal Feeding Operation on property located north of Delta and is more particularly described as:

APN: DO-3328-A-2

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN.

APN: DO-3326-A-2

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN.

APN: DO-3328-A-7

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THEREFROM A STRIP OF LAND 66 FEET WIDE AS GRANT TO MILLARD COUNTY, A BODY CORPORATE AND POLITIC OF THE STATE OF UTAH IN QUIT-CLAIM DEED AS RECORDED DECEMBER 04, 1995 AS ENTRY NO. 104366 IN BOOK 293 AT PAGE 134 OF OFFICIAL RECORDS. BEING 33 FEET PERPENDICULARLY DISTANT ON EACH SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING ON THE EAST RIGHT OF WAY BOUNDARY FENCE OF A MILLARD COUNTY ROAD (THE "JONES ROAD") AT A POINT THAT BEARS NORTH 1466.2 FEET AND WEST 438.5 FEET FROM THE ONE QUARTER SECTION CORNER COMMON TO SECTIONS 25 AND 26, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 85°32' EAST 1785.2 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN.

ALSO LESS AND EXCEPTING THEREFROM THAT PORTION THAT WAS DEEDED TO MICHAEL J. CHERNISKE AND LINDA CHERNISKE IN WARRANTY DEED RECORDED DECEMBER 20, 1999 AS ENTRY NO. 128787 IN BOOK 349 AT PAGE 162 OF OFFICIAL RECORDS:

BEGINNING NORTH 1433.8 FEET AND WEST 444.7 FEET FROM THE QUARTER SECTION CORNER COMMON TO SECTIONS 25 AND 26, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN; SAID POINT BEING ON THE EAST RIGHT OF WAY BOUNDARY OF A MILLARD COUNTY ROAD (THE "JONES ROAD"); THENCE SOUTH 79°24'45" EAST 1320 FEET; THENCE NORTH 10°35'15" EAST 141.75 FEET TO THE NORTH BOUNDARY OF AN ACCESS ROAD; THENCE NORTH 85°32'00" WEST 1327.6 FEET PARALLEL TO SAID ACCESS ROAD TO BEGINNING.

ALSO LESS AND EXCEPTING:

BEGINNING AT A POINT THAT BEARS NORTH 1433.8 FEET AND WEST 444.6 FEET FROM THE ONE QUARTER SECTION CORNER COMMON TO SECTION 25 AND 26, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN (SAID POINT BEING ON THE EAST RIGHT OF WAY BOUNDARY FENCE OF THE "JONES ROAD"); THENCE SOUTH 79°24'45" EAST 1320.0 FEET; THENCE SOUTH 10°35'15" WEST 2640 FEET IN A LINE PARALLEL TO THE EAST RIGHT OF WAY BOUNDARY FENCE OF THE "JONES ROAD";

THENCE NORTH 79°24'45" WEST 1320 FEET; THENCE ON A RECORD BEARING NORTH 10°35'15" EAST 2640 FEET ALONG SAID RIGHT OF WAY FENCE TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THAT PORTION THAT WAS DEEDED TO MICHAEL J. CHERNISKE AND LINDA CHERNISKE IN WARRANTY DEED RECORDED DECEMBER 18, 1997 AS ENTRY NO. 119385 BOOK 322 AT PAGE 414 OF OFFICIAL RECORDS:

BEGINNING AT A POINT THAT BEARS NORTH 1362.8 FEET AND EAST 885 FEET, MORE OR LESS, FROM THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN (SAID POINT BEING IN THE APPROXIMATE CENTER OF AN ACCESS ROAD); THENCE SOUTH 85°32'00" EAST 475.70 FEET ALONG SAID ROAD TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 25; THENCE CONTINUING ALONG SAID ROAD SOUTH 85°56'50" EAST 1347.7 FEET TO A POINT BEARING SOUTH 0°59'00" 109.4 FEET FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 25; THENCE SOUTH 25°10'48" WEST 1798.75 FEET; THENCE SOUTH 16°24'57" EAST 837.8 FEET; THENCE SOUTH 0°21'16" WEST 415.30 FEET; THENCE SOUTH 62°26'51" WEST 324.9 FEET; THENCE NORTH 73°54'56" WEST 188 FEET; THENCE SOUTH 20°46'52" WEST 193.35 FEET; THENCE NORTH 78°54'00" WEST 922.35 FEET; THENCE NORTH 47°46'47" WEST 465 FEET; THENCE NORTH 10°35'15" EAST 2814.5 FEET TO THE POINT OF BEGINNING.

APN: DO-3328-A-8

THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN.

ALSO: BEGINNING AT A POINT WHICH BEARS SOUTH 00°59' EAST 109.4 FEET FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 85°56'50" WEST 1347.7 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 25; THENCE EAST ALONG THE SOUTH BOUNDARY LINE OF THE SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER TO THE SOUTHEAST CORNER OF THE SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 00°59' EAST 109.4 FEET TO THE POINT OF BEGINNING.

APN: DO-3326-A

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND DISCLOSED IN WARRANTY DEED RECORDED MAY 20, 2003 AS ENTRY NO. 142975 IN BOOK 399 AT PAGE 763 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING NORTH 00°01'56.1" WEST 601.79 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°58'03.9" WEST 145.28 FEET TO THE RIGHT OF WAY LINE OF THE COUNTY ROAD; THENCE NORTH 10°35'15" EAST 251.47 FEET ALONG THE RIGHT OF WAY LINE OF THE COUNTY ROAD; THENCE ALONG A CURVE TO THE LEFT 104.46 FEET (CHORD BEARS NORTH 10°04'05.5" EAST 104.46 FEET) ALONG THE RIGHT OF WAY LINE OF THE COUNTY ROAD; THENCE NORTH 89°58'03.9" EAST 705.62 FEET; THENCE SOUTH 00°01'56.1" EAST 350 FEET; THENCE SOUTH 89°58'03.9" WEST 625 FEET TO THE POINT OF BEGINNING.

APN: DO-3326-A-4

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN.

APN: DO-3319-3

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°01'56.1" WEST 601.79 FEET ALONG THE SECTION LINE; THENCE SOUTH 89°58'03.9" WEST 145.28 FEET TO THE RIGHT OF WAY LINE OF A COUNTY ROAD; THENCE SOUTHWESTERLY ALONG SAID COUNTY ROAD RIGHT OF WAY TO THE SOUTH LINE OF SAID SECTION 23; THENCE SOUTH 89°41'16" EAST 257.83 FEET TO THE POINT OF BEGINNING.

APN: DO-3319-1

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 89°41'16" WEST 257.83 FEET ALONG THE SOUTH LINE OF SECTION 23 TO THE EAST LINE OF THE COUNTY ROAD RIGHT OF WAY; THENCE NORTH 10°35'15" EAST 862.17 FEET ALONG THE EAST LINE OF THE COUNTY ROAD RIGHT OF WAY; THENCE ALONG THE EAST LINE OF THE COUNTY ROAD RIGHT OF WAY ALONG A CURVE TO THE LEFT 483.20 FEET (CHORD BEARS NORTH 08°11'07.3" EAST 483.06 FEET) TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23; THENCE SOUTH 89°41'15.5" EAST 29.90 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23 TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23; THENCE SOUTH 00°01'56.1" EAST 1326.87 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23 TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND DISCLOSED IN WARRANTY DEED RECORDED MAY 20, 2003 AS ENTRY NO. 142975 IN BOOK 399 AT PAGE 763 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 89°41'16" WEST 257.83 FEET ALONG THE SOUTH LINE OF SECTION 23 TO THE EAST LINE OF THE COUNTY ROAD RIGHT OF WAY; THENCE NORTH 10°35'15" EAST 862.17 FEET ALONG THE EAST LINE OF THE COUNTY ROAD RIGHT OF WAY; THENCE ALONG THE EAST LINE OF THE COUNTY ROAD RIGHT OF WAY ALONG A CURVE TO THE LEFT 104.45 FEET (CHORD BEARS NORTH 10°04'05.5" EAST 104.46 FEET); THENCE NORTH 89°58'03.9" EAST TO THE EAST LINE OF SECTION 23; THENCE SOUTH 00°01'56.1" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23 TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND DISCLOSED IN WARRANTY DEED RECORDED MAY 20, 2003 AS ENTRY NO. 142975 IN BOOK 399 AT PAGE 763 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 16 SOUTH, RANGE 7 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 11°10' WEST 1004.5 FEET; THENCE WEST 442.1 FEET; THENCE NORTH 11°10' EAST 1004.5 FEET; THENCE EAST 442.1 FEET TO THE POINT OF BEGINNING.

[Approximately 317.9 Acres Total]

During this time, the Planning Commission will be hosting public meetings electronically pursuant to Millard County Resolution 20-03-24C declaring a State of Emergency. Commission Members and the public may connect to the meeting remotely. All interested persons are invited to participate and make comment. Please email arichins@co.millard.ut.us for instructions on how to join the virtual meeting or to provide written comments.

A copy of the application to amend the Conditional Use Permit is available for review and may be obtained by emailing the Millard County Planner at arichins@co.millard.ut.us or by calling 1-435-864-1406.

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