

**11.02.100 Land use Change Agreement**

All applications for a Land Use Change shall be accompanied by an executed copy of the following agreement, as amended from time to time by the Town council. Said agreement shall be substantially in the following form:

LAND USE CHANGE AGREEMENT WITH APPLE VALLEY TOWN

This agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, between \_\_\_\_\_ of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, hereinafter referred to as "Land Owner," and the Town of Apple Valley, a municipal corporation of the State of Utah, located in Washington County, hereinafter referred to as the "Land Owner", on behalf of it/himself, its/his heirs, successors and assigns, hereby acknowledges, covenants and agrees that: (1) it/he has received and read a copy of the Apple Valley Land Use Code, and shall in all respects comply with the provisions contained therein, (2) pay all application fees.

**ATTORNEY FEES AND COSTS/GOVERNING LAW.** Should the Land Owner or the Town initiate a lawsuit, the prevailing party shall be entitled to costs and reasonable attorney fees. This agreement shall be governed by and construed in accordance with the laws of the State of Utah.

DATED this day of \_\_\_\_\_, \_\_\_\_\_.

_____	_____	_____	_____
Land Owner	Date	Land Owner	Date
Title _____		Title _____	

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

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

(SEAL)

NOTARY PUBLIC

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Apple Valley Town Planning & Zoning Manager

All signatures to this agreement, other than for sole proprietorships, shall be accompanied by documentation acceptable to the Town attesting to the fact that the signer hereof is authorized by the subdivider to enter into this agreement (e.g., a copy of a corporate resolution, copy of a partnership agreement, etc.).

**11.02.120 Subdivider's Agreement**

All applications for a subdivision shall be accompanied by an executed copy of the following agreement, as amended from time to time by the Town council. Said agreement shall be substantially in the following form:

SUBDIVIDER'S AGREEMENT WITH APPLE VALLEY TOWN

This agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, between \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ County of \_\_\_\_\_, State of \_\_\_\_\_, hereinafter referred to as "Subdivider," and the Town of Apple Valley, a municipal corporation of the State of Utah, located in Washington County, hereinafter referred to as the "Town." Subdivider, on behalf of it/himself, its/his heirs, successors and assigns, hereby acknowledges, covenants and agrees that: (1) it/he has received and read a copy of the Apple Valley Town Subdivision Ordinance and design standards of the Land Use Code and shall in all respects comply with the provisions contained therein, (2) all on-site and off-site improvements required to be constructed in connection with said subdivision shall be constructed and installed in accordance with the approved construction plans and drawings, and (3) in the event that legal action is required to be taken by Apple Valley to enforce the terms of this agreement, Subdivider agrees that it/he shall be liable to pay all such legal costs and expenses incurred by Apple Valley, including court costs and a reasonable attorney's fee.

**ATTORNEY FEES AND COSTS/GOVERNING LAW.** Should the Subdivider or the Town initiate a lawsuit for any other reason than the above-mentioned reason, the prevailing party shall be entitled to costs and reasonable attorney fees. This agreement shall be governed by and construed in accordance with the laws of the State of Utah.

DATED this day of \_\_\_\_\_, \_\_\_\_\_.

_____	_____	_____	_____
Subdivider	Date	Subdivider	Date
Title _____		Title _____	

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

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

(SEAL)

NOTARY PUBLIC

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_  
Apple Valley Town Planning & Zoning Manager

All signatures to this agreement, other than for sole proprietorships, shall be accompanied by documentation acceptable to the Town attesting to the fact that the signer hereof is authorized by the subdivider to enter into this agreement (e.g., a copy of a corporate resolution, copy of a partnership agreement, etc.).