

ORDINANCE 19-06

CKC Properties

WHEREAS, the owners of certain real property, described below, desire to annex such real property to the corporate limits of Smithfield City, Utah; and

WHEREAS, said real property is located within the area proposed for annexation and covers a majority of the private land area within the area proposed for annexation; and

WHEREAS, said real property is equal in value to at least one-third (1/3) of the value of all private real property within the area proposed for annexation; and

WHEREAS, said real property is a contiguous, unincorporated area contiguous to the boundaries of Smithfield City and the annexation thereof will not leave or create an unincorporated island or peninsula; and

WHEREAS, said property is undeveloped and covers an area that is equivalent to less than five percent (5%) of the total land mass of all private real property within Smithfield City; and

WHEREAS, said owners have caused a Petition for Annexation to be filed with the city, together with an accurate plat of the real property which was made under the supervision of a competent, licensed surveyor; and

WHEREAS, on the 8th day of May 2019, the Smithfield City Council received the required Notice of Certification from the City Recorder certifying that the annexation petition meets the requirements of State law; and

WHEREAS, the City Council published and mailed notice of the Certification, as required by law and no timely protests have been filed in accordance with the provisions of Section 10-2-407, Utah Code Annotated, as amended; and

WHEREAS, the City Council held the required public hearing after giving notice as required by law, and has determined the referenced annexation is desirable;

NOW THEREFORE, pursuant to Section 10-2-407, Utah Code Annotated, as amended, the City Council of Smithfield City, Utah, hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP, ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF SMITHFIELD CITY, UTAH.

BE IT ORDAINED, by the City Council of Smithfield City, Cache County, State of Utah, as follows:

1. The real property, more particularly described in Paragraph 2, below, is hereby annexed to Smithfield City, Utah, and the corporate limits of the City are hereby extended accordingly.
2. The real property which is the subject of this Ordinance is described as follows:

The Property is located at: South of 830 South and west of 200 West, Smithfield

Cache County Tax Parcels: 08-109-0016

A PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT LOCATED NORTH 89°50'39" EAST, A DISTANCE OF 1,238.59 FEET AND NORTH 01°22'45" EAST, A DISTANCE OF 441.50 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 33 AND RUNNING THENCE NORTH 88°43'13" WEST, A DISTANCE OF 600.87 FEET; THENCE NORTH 01°09'29" EAST, A DISTANCE OF 714.80 FEET MORE OR LESS TO THE EXISTING SMITHFIELD CITY CORPORATE LIMITS LINE; THENCE ALONG SAID LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 88°43'13" EAST, A DISTANCE OF 603.63 FEET MORE OR LESS (2) SOUTH 01°22'45" WEST, A DISTANCE OF 714.80 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINS 9.88 ACRES

3. The real property described in Paragraph 2, above, shall be classified as being in the A-10 (Agricultural 10-Acre) District of the Agricultural zone in accordance with the provision of Section 17.08.050 of the Smithfield Municipal Code, and the Zoning Map of Smithfield City shall be amended to include the real property described above.
4. A copy of this Ordinance and an original plat describing the property so annexed shall be filed with the Cache County Recorder within thirty (30) days after the date this Ordinance is adopted.
5. This ordinance shall be effective upon the posting in each of three (3) public places within the corporate limits of Smithfield City.

ADOPTED AND PASSED by the Smithfield City Council this 12th day of June, 2019.

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder