

ORDINANCE 19-07

VHD, LLC

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 31st day of July 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: 325 East 800 South, Smithfield

Cache County Tax Parcel: 08-119-0002

Part of the Southeast Quarter of Section 34, Township 13 North, Range 1 East of the Salt Lake Baseline and Meridian described as follows:

Commencing at the Southwest Corner of Section 34, Township 13 North, Range 1 East of the Salt Lake Baseline and Meridian monumented with a rebar; thence N 89°38'45" E 2676.36 feet along the south line of the Southwest Quarter of said Section 34 to the South Quarter Corner of said Section 34 monumented with an Aluminum Cap; thence N07°23'37"E 1349.91 feet to the POINT OF BEGINNING and running

thence N 01°28'20" E 329.65 feet (N 01°41'21" E, By Record) to a Knighton rebar;
thence N 01°51'42" E 349.89 feet (N 02°04'43" E, By Record) to a 5/8" rebar;
thence N 89°56'40" E 660.28 feet to a Knighton rebar;
thence S 01°35'07" W 685.49 feet to a 5/8" rebar;
thence N 89°32'14" W 661.17 feet to the point of beginning

CONTAINING 10.36 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 28th day of August, 2019.

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder