

**ORDINANCE 19-08**

DAVID & MERILEE OLSON

**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: 560 North 400 West, Smithfield

**PARCEL NUMBER 08-043-0009**

LOT 1 LEGAL DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE SOUTH LINE OF BRADIE HANSEN SUBDIVISION, FIRST AMENDMENT LOCATED SOUTH 89°54'32" WEST, A DISTANCE OF 2,312.09 FEET AND NORTH 00°00'00" EAST, A DISTANCE OF 678.85 FEET AND SOUTH 89°50'46" WEST, A DISTANCE OF 16.50 FEET AND NORTH 02°05'00" EAST, A DISTANCE OF 391.05 FEET AND SOUTH 85°33'57" EAST, A DISTANCE OF 6.69 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 21 AND RUNNING THENCE ALONG SAID SOUTH LINE SOUTH 85°33'57" EAST, A DISTANCE OF 313.77 FEET; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 128.15 FEET; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 308.61 FEET; THENCE NORTH 01°35'10" WEST, A DISTANCE OF 152.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.00 ACRES

**PARCEL NUMBER 08-043-0042**

LOT 2 LEGAL DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT LOCATED SOUTH 89°54'32" WEST, A DISTANCE OF 2,312.09 FEET AND NORTH 00°00'00" EAST, A DISTANCE OF 678.85 FEET AND NORTH 89°50'46" EAST, A DISTANCE OF 15.18 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 21 AND RUNNING THENCE NORTH 01°35'10" WEST, A DISTANCE OF 237.87 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 308.61 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 128.15 FEET TO THE SOUTH LINE OF BRADIE HANSEN SUBDIVISION, FIRST AMENDMENT; THENCE ALONG SAID SOUTH LINE SOUTH 85°33'57" EAST, A DISTANCE OF 227.94 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE OREGON SHORTLINE RAILROAD; THENCE ALONG SAID WEST LINE SOUTH 08°02'14" WEST, A DISTANCE OF 353.82 FEET; THENCE NORTH 89°45'23" WEST, A DISTANCE OF 479.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.34 ACRES

**PARCEL NUMBER 08-043-0043**

REMAINDER PARCEL LEGAL DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT LOCATED SOUTH 89°54'32" WEST, A DISTANCE OF 2,312.09 FEET AND NORTH 00°00'00" EAST, A DISTANCE OF 678.85 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 21 AND RUNNING THENCE SOUTH 89°50'46" WEST, A DISTANCE OF 16.50 FEET; THENCE NORTH 02°05'00" EAST, A DISTANCE OF 391.05 FEET; THENCE SOUTH 85°33'57" EAST, A DISTANCE OF 6.69 FEET; THENCE SOUTH 01°35'10" EAST, A DISTANCE OF 390.34 FEET; THENCE SOUTH 89°50'46" WEST, A DISTANCE OF 15.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.17 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**

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Jeffrey H. Barnes, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder