

ORDINANCE NO. CO-21-05

AN ORDINANCE OF MORGAN COUNTY AMENDING A PORTION OF THE MORGAN COUNTY ZONING MAP FROM THE RURAL RESIDENTIAL (RR-10) ZONE TO THE RESIDENTIAL (R1-20) ZONE IN THE MOUNTAIN GREEN AREA.

WHEREAS, pursuant to State law, Morgan County has adopted a General Plan and a Future Land Use Map as an advisory guide to orderly development and growth within the County; and

WHEREAS, the 2010 General Plan Land Use Map designates areas of the unincorporated Morgan County within the Mountain Green area as Residential; and

WHEREAS, a landowner, owning land in said certain area of unincorporated Morgan County, as better described in Exhibit "A", has petitioned the County for a zone change of their land to the Residential (R1-20) zone from the current Rural Residential (RR-10) zone; and

WHEREAS, it has been determined that the zone change is in conformance with the Morgan County General Plan and that changed or changing conditions exist to merit the request; and

WHEREAS, the Morgan County Planning Commission held public hearings, received meaningful input, and formulated a recommendation to present to the County Commission regarding the request; and

WHEREAS, all required notices have been provided and public hearings have been held in accordance with State law and County Ordinances to amend the Morgan County Zoning Map;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF MORGAN COUNTY, STATE OF UTAH, AS FOLLOWS:

Section 1. Map Amendment. The Morgan County Zoning Map is hereby amended for a .65 acre property in the Mountain Green area more particularly described in the attached Exhibit "A" from the Rural Residential (RR-10) zone to the Residential (R1-20) zone.

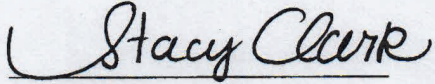
Section 2. Severability. If any section, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding or invalidity shall not affect the remainder thereof and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part thereon. The remainder of this ordinance, after exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included therein.

Section 2. Effective Date. This Ordinance shall become effective after subsequent publication in accordance with State Law, but not before 15 days after its passage.

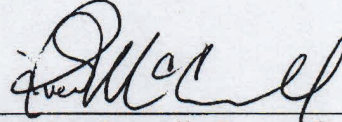
PASSED AND ADOPTED BY THE COUNTY COMMISSION OF MORGAN COUNTY,
STATE OF UTAH, THIS 6th DAY OF APRIL 2021.

ATTEST:

MORGAN COUNTY GOVERNING BODY

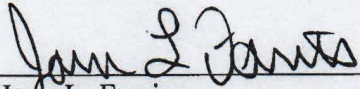


Stacy Clark
Morgan County Clerk



Robert McConnell, County Commission Chair

APPROVED AS TO FORM



Jann L. Farris
Morgan County Attorney

Commission members

Voting:

	AYE	NAY	ABSENT
Robert McConnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Newton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jared Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blaine Fackrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Exhibit A**SMITH ZONING MAP AMENDMENT LEGAL DESCRIPTION:**

A tract of land located in the Northeast Quarter of Section 23, Township 5 North, Range 1 East, Salt Lake Base and Meridian, having a basis of bearing between a found Stone monument for the Northeast Corner and a rebar and cap monument for the East Quarter corner of said Section 23 of South 00°29'17" West, said tract being described as follows:

BEGINNING at the Southeasterly corner of Lot 50, Trapper's Pointe P.R.U.D. Plat "B" as recorded in the Morgan County Recorder's office as County Recorder No. 74271 as M 133-123 on December 15, 1997, (said point being located the following Five (5) courses.

- 1) 2526.37 feet North 89°16'00" West (N 89°16'10" W by plat record), and
- 2) 1427.56 feet South 00°00'10" West (South by plat record), and
- 3) 1021.68 feet North 88°41'50" East said line being coincident with the south lot line of said Lot 49 (said south lot line has a bearing of record of N 88°41'40" E),
- 4) South 77°33'23" East (S 77°33'34" E by plat record) 61.77 feet, to the southwest corner of said Lot 50 said Trapper's Pointe P.R.U.D. Plat "B";
- 5) North 88°41'51" East (N 88°41'40" E by plat record) 123.92 feet, to said southeasterly corner of Lot 50;

FROM said Northeast corner of Section 23;

RUNNING thence the following Two (2) courses along a portion of the south boundary of said Trapper's Pointe P.R.U.D. Plat "B":

- 1) North 00°30'45" East (N 00°30'35" E by plat record) 20.01 feet, to an angle point of said Lot 50;
- 2) North 88°41'51" East (N 88°41'40" E by plat record) 43.11 feet;

Thence South 01°18'05" East 141.00 feet;

Thence South 01°19'23" West 121.01 feet;

Thence South 06°05'13" West 241.61 feet;

Thence South 01°30'49" West 120.86 feet;

Thence South 88°41'51" West 38.35 feet, to a point on the easterly boundary of a parcel described in document recorded as Entry number 102322, said line being evidenced by an old existing fence line;

Thence North 02°11'46" East 603.35 feet, along said easterly boundary and old existing fence line, to the point of beginning.

Containing 28,278 square feet, more or less. A part of parcel # 00-0002-5757