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ERNEST D ROWLEY, WEBER COUNTY RECORDER
26-MAR-07 121 PM FEE \$.00 DEP SGC
REC FOR: PLAIN CITY

Pioneer Boundary Annexation Petition

ORDINANCE # 2007-01

AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF PLAIN CITY CERTAIN PARCELS OF LAND AND THE EXTENDING OF THE CORPORATE BOUNDARIES OF THE CITY

Section 1. Recitals

WHEREAS, certain owners of real property have requested that Plain City annex said property, described fully in Exhibit A, into the corporate limits of Plain City, Utah; and

WHEREAS, said real property is located within the area proposed by the cities' policy plan 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 contiguous, unincorporated area contiguous to the boundaries of Plain City and the annexation thereof will not leave or create an unincorporated island or peninsula; and

WHEREAS, the petitioning 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 August 18, 2006, the Plain 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 in accordance with the provisions of Section 10-2-407, Utah Code Annotated, 1953, as amended; and

WHEREAS, several written protests were filed by effected entities opposing this annexation petition; and

WHEREAS, Weber County established a Boundary Commission to hear the filed protests; and

WHEREAS, the Boundary Commission held a public hearing on the annexation protests on November 16, 2006; and

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WHEREAS, the Boundary Commission, on November 30, 2006, determined the protests were not sufficient to prevent the annexation petition and therefore made one minor modification to the proposed annexation and then approved it; and

WHEREAS, Section 10-2-408, Utah Code Annotated, 1953, as amended, authorizes the Plain City Council to grant the annexation petition by ordinance, without further public hearings, after receipt of the Boundary Commission's decision; and

WHEREAS, the Plain City Council passed Ordinance 2006-20, on December 7, 2006 which officially annexed part of the Pioneer Boundary Annexation but because of engineering constraints this ordinance is necessary to complete the Pioneer Boundary Annexation.

NOW THEREFORE, pursuant to Section 10-2-408, Utah Code Annotated 1953, as amended, the City Council of Plain 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 PLAIN CITY, UTAH.

THEREFORE, BE IT ORDAINED by the City Council of the city of PLAIN CITY as follows:

Section 2. Annexation of Territory

There is hereby annexed to the City of Plain City, County of Weber, State of Utah, and incorporated within the corporate boundaries thereof, the territory fully described in Exhibit A which is attached to this Ordinance.

Section 3 – New Corporate Limits.

The corporate limits of the City of Plain City are hereby extended and increased so as to include and embrace within the corporate limits of the City, the territory described in Exhibit A and such territory is hereby declared to be a part of the City of Plain City.

Section 4 – Classification for Zoning Purposes.

The territory herein annexed is classified into the same zone as it had been previously classified by Weber County.

Section 5 – Accuracy of Map and Annexed Territory.

The map or plat attached to this Ordinance as Exhibit B is an accurate map of the territory annexed and such map is hereby adopted as the official map of the territory annexed, and the Mayor of the City of Plain City, is hereby authorized and directed to certify the map as an accurate map of the territory annexed under the provisions of this Ordinance, and to record in the Office of the Weber County Recorder, State of Utah, this Ordinance, together with a certified copy of the official map attached hereto.

Section 6. Prior Ordinances And Resolutions

The body and substance of any and all prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted and enforceable within the new city boundaries of Plain City.

Section 7. Repealer Of Conflicting Enactments

All orders, ordinances and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance Amendment, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

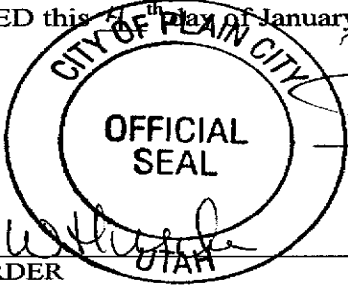
Section 8 - Savings Clause

If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of Plain City.

Section 8 - Date Of Effect

This Ordinance shall be effective immediately after publication or posting as required by law.

DATED this 4th day of January, 2007



PLAIN CITY, a municipal corporation

MAYOR

ATTEST:

Drave [Signature]
CITY RECORDER

Voting:

Council member Costley	aye	Council member White	aye
Council member Weston	aye	Council member Smith	aye
Council member Higley	aye		

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Exhibit "A"

ANNEXATION DESCRIPTION # 2

A part of Section 3, Township 6 North, Range 2 West, Salt Lake Base and Meridian. Being more particularly described as follows:

Beginning at the Southeast corner of Cobble Glen Park Phase-4 Subdivision, as recorded in the Weber County Recorder's Office, which point is also South 00°07'39" East 2636 feet along the ~~Boundary~~ of said Section 3; Continuing thence South 00°07'39" East 1958.3 feet along the East Line of said Section 3, to the Centerline of Four Mile Creek said point also being a corner common to Farr West City, Marriott-Slaterville and unincorporated Weber County, thence the following courses and distances along the Centerline of four mile creek coincident with the North line of Marriott-Slaterville and the Centerline of said creek more particularly described as follows; (1) North 54°27'03" West 93.66 feet; (2) North 50°06'46" West 116.44 feet; (3) North 59°24'21" West 243.74 feet; (4) South 89°52'55" West 76.03 feet; (5) South 80°45'19" West 96.52 feet; (6) South 54°17'46" West 202.09 feet; (7) South 10°10'48" West 58.36 feet; (8) South 55°39'04" West 70.48 feet; (9) North 84°59'34" West 85.98 feet; (10) North 29°26'41" West 81.00 feet; (11) North 77°50'33" West 39.20 feet; (12) North 48°16'24" West 56.37 feet; (13) North 25°05'01" West 63.80 feet; (14) North 52°49'30" West 98.88 feet; (15) North 25°36'41" West 129.78 feet; (16) North 39°58'49" West 93.71 feet; (17) North 25°41'37" West 106.02 feet; (18) North 42°34'45" West 76.56 feet; (19) North 49°03'01" West 299.41 feet; (20) North 47°34'03" West 414.31 feet, to the Existing Plain City Corporate Boundary Line, said point also being the Northwest most corner of Parcel No. 15-007-0011;

Continuing the remaining courses, distances, and calls along the Existing Plain City Corporate Boundary Line for which courses, distances, and calls are designed as a guide to explain that portion of the Existing Plain City Corporate Boundary Line that will cease to exist forever; Continuing thence East along the North Line of said Parcel, to the West Line of Parcel No. 15-007-0004; thence North 09°51' East 595.09 feet along said West Line to the Southeast corner of Parcel No. 15-007-0002; thence the following courses and distances along the South Line of said Parcel; (1) North 65°08' West 203.8 feet; (2) North 72°08' West 250 feet; (3) North 75°49' West 444.02 feet to the South Line of Parcel No. 15-006-0011; thence East along said South Line to the Southwest corner of Parcel No. 15-006-0014; thence the following courses and distances along said Parcel; (1) North 38.6 feet; (2) South 89°41' East 1059.31 feet to a point on the Southwesterly Line of Poplar Estates Subdivision Phase 2; as recorded in the Weber County Recorder's Office; thence Southeasterly along said Southwesterly Line to the North Line of Parcel No. 15-007-0001, thence South 89°06'35" East along said South Line to the point of beginning.

Contains 60 Acres more or less

* Section Line from the northeast corner

15-007-0004 ✓, 0005 ✓, 0002 ✓, 0022 ✓, 0023 ✓, 0024 ✓

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ANNEXATION DESCRIPTION # 3

A part of the Northeast Quarter of Section 4, and a part of Section 3, Township 6 North, Range 2 West, and a part of the Southwest Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point common to the West Line of Parcel No. 15-007-0003 and the Centerline of Four Mile Creek, which point is also South 00°03'58" East 427.17 feet along the West Line of said Section 3, and North 89°56'02" East 2497.87 feet from the West Quarter corner of said Section 3; Continuing thence the following courses and distances along the Centerline of four mile creek coincident with the North line of Marriott-Slaterville and the Centerline of said creek more particularly described as follows; (1) North 78°47'01" West 374.33 feet; (2) North 45°11'17" West 30.65 feet; (3) North 02°51'05" West 76.32 feet; (4) North 33°22'48" West 196.09 feet; (5) North 15°49'03" West 65.75 feet; (6) North 07°16'24" East 61.12 feet; (7) North 26°01'53" West 72.90 feet; (8) North 06°54'53" West 172.69 feet to an intersection in the creek; (9) South 86°31'06" West 119.42 feet; (10) South 77°39'55" West 322.58 feet; (11) South 68°38'51" West 105.49 feet; (12) South 88°13'13" West 303.69 feet; (13) South 89°13'53" West 475.91 feet; (14) North 69°41'13" West 202.47 feet; (15) North 81°21'04" West 69.43 feet; (16) South 77°40'07" West 46.75 feet; (17) South 74°33'52" West 99.06 feet; (18) South 51°06'04" West 66.26 feet; (19) North 86°30'03" West 125.68 feet; (20) North 73°10'11" West 203.30 feet to the Southeast corner of Parcel No. 15-010-0010;

Continuing the remaining courses, distances, and calls along the Existing Plain City Corporate Boundary Line for which courses, distances, and calls are designed as a guide to explain that portion of the Existing Plain City Corporate Boundary Line that will cease to exist forever; Continuing thence North 0°01'08" East along the East Line of said Parcel to the Southwest corner of Parcel No. 15-009-0033; thence East along the South Line of said Parcel to the Southwest corner of A.J. Robson Estates Phase 1, as recorded in the Weber County Recorder's Office; thence South 88°43'31" East 498.64 feet along the South Line of said Subdivision to the Southwest corner of Plain View Subdivision; thence the following courses and distances along said Subdivision; (1) South 89°06'27" East 328.71 feet; (2) North 1°12'50" East 273.15 feet; (3) South 88°47'10" East 330.00 feet; (4) North 1°12'50" East 961.89 feet to the South Line of Parcel No. 15-009-0015; thence the following courses and distances along said Parcel; (1) West 26.30 feet; (2) North 0°12'20" East 397.00 feet; (3) East 26.30 feet; (4) North along the West Line of said Parcel to a Point which is South 340 feet from the Center of 1975 North Street; thence East Parallel to said Street to a point of Intersection in the North Line of Parcel No. 15-009-0011; thence South 63°53' East to a point of Intersection in the North Line of Parcel No. 15-006-0050; thence East along said North Line to the Northerly extension of the West Line of Parcel No. 15-006-0011; thence the following courses and distances along said West Line; (1) South 985 feet; (2) West 607.5 feet; (3) South 06°45' West 805 feet; (4) North 86°45' West 70.55 feet; (5) South 9°17' East 540 feet; (6) East to the Northwest corner of Parcel No. 15-007-0003; thence the following courses along the West Line of Said Parcel, (1) South 11°39' West; (2) South 09°17' East to the point of beginning.

15-009-0004 ✓, 0005 ✓, 0032 ✓, 0027 ✓, 0010 ✓, 0025 ✓, 0007 ✓, 0008 ✓,
 0009 ✓, 0011 ✓, 0013 ✓, 0014 ✓, 0015 ✓, 0002 ✓, 0024 ✓, 0012 ✓
 15-006-0056 ×, 0012 ×, 0050 ×
 15-008-0006 ✓, 0038 ✓
 15-007-0018 ×
 15-009-0026 ✓ A

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Contains 110 Acres more or less.

ANNEXATION DESCRIPTION # 4

19-021-0008 ✓

A part of the Southwest Quarter of Section 27, Township 7 North, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point which is the Northeast most corner of parcel No. 19-021-0034, which is also the Northeast corner of the Plain City Corporate Boundary, as previously described in Book 65 page 23, said point also being located North 88°33'22" West along the Section Line 610.03 feet and North 894.56 feet from the Southeast corner of said Southwest Quarter and running thence North 88°14'43" West 327.26 feet along the North Line of said Parcel 19-021-0034 which is also the North Line of said Plain City Corporate Boundary to a Southerly extension of the West Line of Parcel No. 19-021-0008; thence North 01°33'22" East 701.85 feet along said West Line and it's Southerly extension to the Northwest Corner of said Parcel; thence South 88°44'37" East 325.23 feet along the North Line of said Parcel; thence South 01°23'27" West 704.69 feet along the East line of said Parcel and it's Southerly extension to the point of beginning.

Includes all of Parcel No. 19-021-0008, as previously described by the "AS SURVEYED DESCRIPTION WEST PARCEL" Record of Survey No. 000312 as recorded in Weber County Recorder's Office and that portion of an Existing Road.

Containing 5.27 Acres More or Less.

ANNEXATION DESCRIPTION # 5

19-038-0002 ✓

A part of the Southwest Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning North 894 feet, more or less, and North 88°40'19" West 581.47 feet from the Southeast Corner of said Quarter Section, said point is on the Plain City Limits Line running thence North 1°39' East 209 feet, thence North 0°22' West 837 feet, more or less, to the South Line of 2200 North Street; thence West along Street 117.15 feet, thence South 1020 feet, more or less, to a point West of Beginning, thence East 116.48 feet, more or less, to the point of Beginning.

Contains 2.74 Acres More or Less.

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ANNEXATION DESCRIPTION # 6

15-012-0023 ✓

A part of the Southwest Quarter of Section 4, Township 6 North, Range 2 West, Salt Lake Base and Meridian, being more particular described as follows:

Beginning at a point on the South Line of Rose Hill Subdivision as recorded in the Weber County Recorder's Office; said point being South 89°12'47" East 760 feet along the Quarter Section Line from the West Quarter Corner of said Section 4; Continuing thence South 89°12'47" East 587.23 feet along said Quarter Section Line to the Centerline of the Warren Canal; thence the following courses and distances along said Centerline and coincident with the Marriot-Slaterville Corporate Boundary Line; (1) South 55°47'33" West 32.55 feet; (2) South 64°25'24" West 86.91 feet; (3) South 79°46'35" West 119.48 feet; (4) South 73°28'59" West 109.02 feet; (5) South 61°28'33" West 126.40 feet; (6) South 55°16'29" West 185.65 feet to a point which is a Southerly extension of the West Line of Parcel No. 15-012-0023; thence North 00°47'13" East 282.22 feet along said West Line to the point of Beginning.

Includes all of Parcel No. 15-012-0023 and the North half of the Warren Canal.

Contains 2 Acres More or Less.

ANNEXATION DESCRIPTION # 7

15-016-0001 ✓, 15-012-0015 ✓

A part of the Southeast Quarter of Section 5, and the Southwest Quarter of Section 4, Township 6 North, Range 2 West, Salt Lake Base and Meridian, being more particular described as follows:

Beginning at the South most Corner of Lot 55 Pioneer Village No. 3 as recorded in the Weber County Recorder's Office, said point also being on the Marriott-Slaterville Corporate Boundary Line, and being South 89°12'47" East 225.53 feet along the Quarter Section Line and South 00°47'13" West 1342.04 feet from the West Quarter Corner of said Section 4; running thence South 36°51'40" West 130.97 feet along said Marriott-Slaterville Corporate Boundary Line to the Centerline of the Weber River; thence the following (5) courses and distances along the Centerline of the Weber River; (1) North 59°26'14" West 223.36 feet; (2) North 81°03'02" West 379.11 feet; (3) North 63°24'35" West 205.99 feet; (4) North 50°18'06" West 319.86 feet; (5) North 63°41'39" West 513.83 feet to the Southeast corner of Record of Survey No. 000336 as recorded in the Weber County Recorder's Office; thence North 00°45'14" East 767.20 feet along the West Line of said Record of Survey and it's Northerly extension to the North Line of the Southeast Quarter of said Section 5; thence South 89°14'46" East 26 feet along said North Line to a Northerly extension of the West Line of Pioneer Village Subdivision Phase 2; thence following courses and distances along said Subdivision and Pioneer Village Subdivision Phase 3 (1) South 00°37'44" West 555.00 feet extended; (2) South 89°14'46" East 212.00 feet; (3) South

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67°44'46" East 500.00 feet; (4) South 61°44'46" East 220.00 feet; (5) South 51°14'46" East 163.00 feet; (6) South 42°14'46" East 361.38 feet; (7) South 62°14'46" East 303.30 feet to the point of beginning.

Contains 11.1 Acres more or less.