

**TOWN OF DANIEL**

**Daniel Ordinance No. 2008-02-01B**

**AN ORDINANCE GRANTING THE PETITION FOR ANNEXATION TO THE MUNICIPALITY OF DANIEL, UTAH "LITTLE SWEDEN"**

WHEREAS, the Petition for Annexation to the Municipality of Daniel, Utah "Little Sweden" ("Little Sweden Petition") was submitted to the Town of Daniel and filed with the Town Clerk pursuant to the requirements of Utah Code Ann. §10-2-403;

WHEREAS, the property subject to the Little Sweden Petition is an unincorporated area contiguous to the boundaries of the Town of Daniel within Wasatch County, and all of the parcels of real property within the annexation area are contiguous to each other, and the annexation thereof will not leave or create an unincorporated island or peninsula, and the property is located entirely within the Town of Daniel's annexation-expansion area;

WHEREAS, the signatures affixed to the Little Sweden Petition are those of the owners of private real property that:

- a. is located within the area proposed for annexation;
- b. is not within an agricultural protection area created under Title 17, Chapter 41 of the Utah Code and covers a majority of the private land areas within the areas proposed for annexation; and
- c. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;

WHEREAS, the area proposed for annexation does not include part of a parcel of real property and exclude part of that same parcel and does not include some or all of an area proposed to be incorporated in a duly filed petition under Utah Code Ann. § 10-2-125;

WHEREAS, the Little Sweden Petition was filed accompanied by an accurate and recordable map prepared by a licensed surveyor, which depicts and legally describes the area proposed for annexation, the legal description of which is attached hereto as Exhibit "A" and incorporated herein by this reference;

WHEREAS, proper notice was sent to all affected entities pursuant to the requirements of § 10-2-403(3)(c)(ii);

WHEREAS, the Little Sweden Petition was certified by the Daniel Town Recorder as meeting the requirements of Utah Code Ann. §§ 10-2-403(2), (3), and (4);

WHEREAS, the Town of Daniel has in place an Annexation Policy Plan pursuant to Utah Code Ann. §10-2-401.5 that was considered in conjunction with and is consistent with the Little Sweden Petition;

WHEREAS, the Town of Daniel is not annexing the property in the Little Sweden Petition and described in Exhibit "A" for the sole purpose of acquiring municipal revenue or to retard the capacity of another municipality to annex the same or a related area;

WHEREAS, no timely protest to the Little Sweden Petition has been filed by any affected entity under Utah Code Ann. §10-2-407;

WHEREAS, pursuant to Utah Code Ann. §10-2-407(3)(b)(ii)(A), a public hearing was held on February 1, 2008, regarding the Little Sweden Petition;

WHEREAS, notice of the public hearing was published in the Wasatch Wave pursuant to Utah Code Ann. §10-2-407(3)(b)(ii)(B);

WHEREAS, after public comment and careful consideration, the Town Council of Daniel has determined to annex the referenced property and, therefore, finds that it should grant the Little Sweden Petition.

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANIEL,  
UTAH:**

1. The real property described on the attached Exhibit "A," is hereby annexed to the Town of Daniel and the town limits of the Town of Daniel are hereby amended and extended to incorporate the real property described herein;
2. Pursuant to Utah Code Ann. § 10-2-425(1)(a), the Town of Daniel shall send written notice of the boundary change resulting from this Ordinance to each affected entity within thirty (30) days after enacting this Ordinance;
3. Pursuant to Utah Code Ann. § 10-2-425(1)(b), the Town of Daniel shall file with the Lieutenant Governor of the State of Utah a certified copy of this Ordinance, together with a plat or map prepared by a licensed surveyor, approved by the Town of Daniel, and filed with the county surveyor in accordance with Utah Code Ann. § 17-23-17, showing the new boundaries of the affected area;
4. Pursuant to Utah Code Ann. § 10-2-425(1)(b)(ii)(A), the Town of Daniel shall amend its articles of incorporation reflecting the annexation adjustment, as provided in Utah Code Ann. § 10-1-117;
5. Pursuant to Utah Code Ann. § 10-2-425(1)(b) and (c), the Town of Daniel shall file the certified copy of this Ordinance, together with a plat or map prepared by a licensed surveyor, approved by the municipal legislative body, with the county surveyor and with the Department of Health;
6. Pursuant to Utah Code Ann. § 10-2-425(3), the Town of Daniel shall comply with the notice requirements of Utah Code Ann. § 10-1-116;

- 7. The mayor or the designee of the mayor is authorized to notify and implement this annexation with respect to local, county, and state governmental entities;
- 8. Pursuant to Utah Code Ann. § 10-2-425(5)(b)(ii), this ordinance shall be effective upon the issuance by the Lieutenant Governor of the State of Utah a certification of amended articles under Utah Code Ann. § 10-1-117(3).

ADOPTED by the Town Council of the Town of Daniel, this \_\_\_1<sup>st</sup>\_\_ day of February, 2008.

**TOWN COUNCIL OF THE TOWN OF DANIEL**

(Against)

(For)

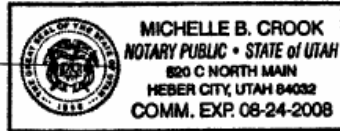
\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
*E. Bahr*  
 \_\_\_\_\_  
*Gary Weston*  
 \_\_\_\_\_  
*[Signature]*

**MAYOR OF TOWN OF DANIEL**

(Disapproved)

(Approved)



\_\_\_\_\_  
*Michael Duggin*  
 \_\_\_\_\_  
*Michelle B. Crook*

ATTEST:

\_\_\_\_\_  
*[Signature]*  
 Marilou Hall, Town Recorder

Approved as to form:  
 \_\_\_\_\_  
*Dale Gardiner*  
 Dale Gardiner,  
 Town of Daniel Attorney

**Town of Daniel**  
 Recorder's Office  
 Date:  
 2-1-08  
 \_\_\_\_\_  
*[Signature]*

## Little Sweden Annexation

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 3600 SOUTH AS DEFINED BY EXISTING STREET IMPROVEMENTS SAID POINT BEING NORTH 89°52'15" EAST 103.13 FEET ALONG THE SECTION LINE AND SOUTH 19.10 FEET FROM THE NORTHWEST CORNER OF SECTION 21 TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT BEING ON THE EXISTING TOWN OF DANIEL BOUNDARY, THENCE RUNNING ALONG SAID RIGHT-OF-WAY AND TOWN BOUNDARY SOUTH 89°53'23" EAST 3132.82 FEET TO A POINT ON THE NORTH PROPERTY LINE OF DERRELL AND MARILIN MILLER RECORDED AS ENTRY NUMBER 275085 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID PROPERTY LINE AND TOWN BOUNDARY THE FOLLOWING THREE (3) CALLS; (1) THENCE SOUTH 130.42 FEET; (2) THENCE SOUTH 37°50'00 EAST 814.40 FEET; (3) THENCE NORTH 89°42'22" WEST 577.28 FEET TO POINT ON THE EAST PROPERTY LINE OF SCOTT AND ARLENE SIMMONS RECORDED AS ENTRY NUMBER 275516 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG TOWN BOUNDARY SOUTH 00°16'39" EAST 522.39 FEET ALONG SAID PROPERTY TO THE NORTH PROPERTY LINE OF THE GEORGIO SUBDIVISION RECORDED AS ENTRY NUMBER 187559 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID SUBDIVISION AND TOWN BOUNDARY THE FOLLOWING THREE (3) CALLS; (1) THENCE NORTH 89°56'29" EAST 757.30 FEET; (2) THENCE SOUTH 7.12 FEET; (3) THENCE SOUTH 17°46'00" EAST 336.55 FEET TO A POINT ON THE NORTH PROPERTY LINE OF LARRY AND BARBARA CALLISTER RECORDED AS ENTRY NUMBER 252568 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID PROPERTY LINE THE FOLLOWING EIGHT (8) CALLS: (1) THENCE ALONG TOWN BOUNDARY SOUTH 17°46'00" EAST 368.45 FEET; (2) THENCE ALONG TOWN BOUNDARY SOUTH 53°16'00" EAST 20.41 FEET; (3) THENCE SOUTH 89°44'27" WEST 64.74 FEET; (4) THENCE NORTH 64°10'40" WEST 468.50 FEET; (5) THENCE NORTH 55°35'40" WEST 228.60 FEET; (6) THENCE SOUTH 714.76 FEET; (7) THENCE WEST 324.50 FEET; (8) THENCE SOUTH 244.33 FEET TO A POINT ON THE EAST/WEST QUARTER SECTION LINE OF SAID SECTION 21; THENCE WEST 1815.00 FEET ALONG SAID SECTION LINE TO A POINT ON THE SOUTH PROPERTY LINE OF TOM RAWLINGS RECORDED AS ENTRY NUMBER 161651 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE NORTH 964.03 FEET ALONG SAID PROPERTY LINE TO A POINT ON THE SOUTH PROPERTY LINE OF OTHO AND LINDA GLASGOW RECORDED AS ENTRY NUMBER 160874 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID PROPERTY LINE THE FOLLOWING TWO (2) CALLS; (1) THENCE NORTH 71°30'00" WEST 253.33 FEET; (2) THENCE NORTH 80°00'00" WEST 17.86 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF BRANSON AND KATHLENE CALL PROPERTY RECORDED AS ENTRY NUMBER 319848 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE NORTH 80°00'00" WEST 77.86 FEET TO THE SOUTH PROPERTY LINE OF DANIEL DOMESTIC WATER COMPANY RECORDED AS ENTRY NUMBER 91167 IN THE WASATCH

COUNTY RECORDERS OFFICE; THENCE ALONG SAID PROPERTY THE FOLLOWING TWO (2) CALLS; (1) THENCE NORTH 80°00'00" WEST 156.64 FEET; (2) THENCE NORTH 64°39'34" WEST 86.37 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF BRANSON KATHLENE CALL RECORDED AS ENTRY NUMBER 319848 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID PROPERTY LINE THE FOLLOWING FIVE (5) CALLS; (1) THENCE NORTH 64°39'34" WEST 266.17 FEET; (2) THENCE NORTH 68°15'37" WEST 311.79 FEET; (3) THENCE NORTH 70°42'02" WEST 128.26 FEET; (4) THENCE NORTH 16°27'55" WEST 381.07 FEET; (5) THENCE NORTH 89°12'55" WEST 3.07 FEET TO A POINT ON THE EAST PROPERTY LINE OF LITTLE SWEDEN THREE LLC. PROPERTY LINE RECORDED AS ENTRY NUMBER 324087 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID PROPERTY LINE THE FOLLOWING ELEVEN (11) CALLS; (1) THENCE SOUTH 00°23'14" EAST 227.99 FEET; (2) THENCE NORTH 89°55'43" WEST 198.56 FEET; (3) THENCE SOUTH 45°18'51" WEST 50.70 FEET; (4) THENCE NORTH 44°41'09" WEST 157.11 FEET; (5) THENCE NORTH 58°32'08" WEST 111.95 FEET; (6) THENCE NORTH 58°02'54" WEST 136.71 FEET; (7) THENCE NORTH 57°14'32" WEST 168.44 FEET; (8) THENCE NORTH 68°58'40" WEST 89.58 FEET; (9) THENCE NORTH 80°30'44" WEST 143.68 FEET; (10) THENCE NORTH 58°59'00" WEST 41.73 FEET; (11) THENCE ALONG TOWN BOUNDARY NORTH 02°26'30" WEST 59.94 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF CALVIN MUIR RECORDED AS ENTRY NUMBER 324087 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID PROPERTY LINE AND TOWN BOUNDARY THE FOLLOWING TWO (2) CALLS; (1) THENCE NORTH 02°26'30" WEST 508.66 FEET; (2) THENCE NORTH 01°31'46" WEST 71.76 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF RAYMOND AND LYNDA SEUS RECORDED AS ENTRY NUMBER 110983 IN THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG TOWN BOUNDARY NORTH 01°31'46" WEST 81.71 FEET TO THE NORTH SECTION LINE OF SECTION 20 TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID SECTION LINE AND TOWN BOUNDARY NORTH 89°51'16" EAST 794.63 FEET; THENCE LEAVING SAID SECTION LINE SOUTH 86°21'15" EAST 289.38 FEET ALONG TOWN BOUNDARY TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 3600 SOUTH AND POINT OF BEGINNING.