

RETURNED

AUG 09 2019

DAVIS COUNTY

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BK 7322 PG 352

E 3178538 B 7322 P 352-357
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
08/09/2019 10:20 AM
FEE \$0.00 Pgs: 6
DEP RT REC'D FOR DAVIS COUNTY

RESOLUTION NO. 2007-13

**A RESOLUTION APPROVING THE CREATION OF THE JOHN DIAMOND
AGRICULTURE PROTECTION AREA**

The Board of County Commissioners of Davis County, Utah, in a regular meeting, lawful notice of which has been given, finds that:

- A. A proposal to create an agriculture protection area within the unincorporated territory of Davis County was properly filed with the Davis County Board of County Commissioners and was signed by a majority in number of all owners of real property and the owners of a majority of the land area in agricultural production within the proposed agricultural area;
- B. The boundaries and legal description of the land proposed to become part of the agriculture protection area are set forth in Exhibit "A" which is attached to and incorporated by reference into this resolution;
- C. The land proposed to become part of the agriculture protection area includes the minimum acreage for greenbelt as required by Section 2.24.070, *Davis County Code*;
- D. The persons proposing the creation of the agriculture protection area have paid the required fee in accordance with Section 2.24.080, *Davis County Code*;
- E. Due notice of the proposal was published in a newspaper of general circulation within the County and posted as required by law;
- F. The Davis County Agriculture Protection Area Advisory Board and the Davis County Planning Commission have each reviewed the proposal and recommend that creation of the proposed agriculture protection area be approved.
- G. A public hearing on the proposal was held before the Davis County Board of County Commissioners on January 16, 2007, upon due notice having been given, published, and posted, and at the time and place as set forth in that notice;
- H. Verbal or written testimony was taken from interested persons;
- I. The land is currently being used for agriculture production;

- J. The land is zoned for agriculture use;
- K. The land is viable for agriculture production;
- L. Existing or proposed improvements on the land are consistent with the stated intent of the land owners to continue the use of the land in agricultural production.
- M. There are no known or anticipated trends in agricultural and technological conditions which would change the above findings.
- N. Less than 120 days have passed since the submission of the proposal; and
- O. It is appropriate, reasonable, and in the best interests of the residents of Davis County that the proposal be approved.

THEREFORE, the Board of County Commissioners hereby adopts the following resolution:

BE IT RESOLVED that:

Section 1: Approval of Agriculture Protection Area

The creation of the proposed agriculture protection area within the boundaries and for the land described in the attached Exhibit "A" is hereby approved.

Section 2: Effective Date

The creation of the agriculture protection area shall become effective upon the recording of this executed resolution and attached Exhibit "A" in the public records in the Office of the Davis County Recorder and the filing of a copy with the Davis County Planning Commission.

Section 3: Notice

Notice shall be sent to the Utah Commissioner of Agriculture and food as provided by Section 17-41-304(5), *Utah Code*.


Section 4: Prior Resolutions, Policies, or Actions

This resolution supersedes all prior resolutions, policies, and actions of the Davis County Board of County Commissioners to the extent that the provisions of such prior resolutions, policies, or actions are in conflict with this resolution. In all other respects, such prior resolutions, policies, and actions shall remain in full force and effect.

This resolution was adopted by the Board of County Commissioners of Davis County, Utah, on the 30 day of January, 2007.

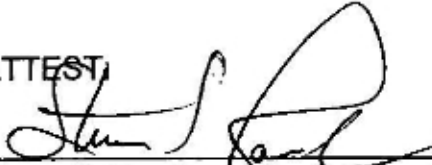
DAVIS COUNTY

By:



Alan Hansen, Chairman
Davis County Board of County Commissioners

ATTEST



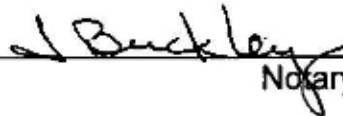
Steve S. Rawlings, Davis County Clerk/Auditor



Acknowledgment

STATE OF UTAH)
COUNTY OF DAVIS)

Personally appeared before me this 30th day of January, 2007, Alan Hansen, as Chairman of the Davis County Board of County Commissioners, who acknowledged that he executed the foregoing resolution for and on behalf of Davis County and the Davis County Board of county Commissioners by authority of state law and the Davis County Board of County Commissioners, and Steve S. Rawlings, as the Davis County Clerk/Auditor, who acknowledged that he executed the above attestation.



Notary Public

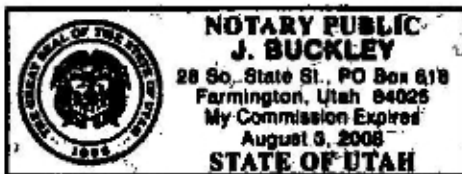


EXHIBIT A

The below listed properties are those contained in this agriculture protection area.

SERIAL# 12-046-0088 CONTAINING 37.64 ACRES INFO DATE: 12/01/06
TAX NAME 2007: DIAMOND, JOHN W. & MARILYN S.

LEGAL DESCRIPTION:

BEG ON THE N LN OF A STR AT A PT N 89°50'18" W 427.38 FT ALG THE SEC LN & N 1°14'23" W 33.0 FT FR THE S 1/4 COR OF SEC 7-T4N-R2W SLM & RUN TH N 1°14'23" W 169.34 FT; TH N 9°36'17" W 121.38 FT; TH N 9°22'43" W 266.50 FT; TH N 12°18'28" W 179.31 FT; TH N 12°26'43" W 113.52 FT; TH N 11°50'49" W 310.66 FT; TH N 11°52'44" W 246.05 FT; TH N 12°01'46" W 385.95 FT; TH N 8°33'52" W 160.08 FT; TH N 10°11'57" W 188.21 FT; TH N 10°01'47" W 486.51 FT TO AN OLD FENCE LN; TH N 88°36'45" W 417.71 FT ALG SD FENCE TO A PT ON THE W LN OF THE NE 1/4 OF THE SW 1/4 OF SD SEC; TH S 1529.22 FT, M/L, TO A PT ON THE N LN OF PPTY CONV IN WD RECORDED MARCH 15, 2006, AS E# 2152141; TH ALG SD LN N 79°49'34" E 104.53 FT; TH S 35°00'31" E 65.69 FT; TH N 80°48'57" E 327.32 FT; TH S 15°56'56" E 59.42 FT; TH S 78°44'08" W 480.61 FT; TH S 43°24'05" W 14.15 FT; TH S 346.54 FT; TH S 37°54'42" E 42.82 FT; TH N 82°22'07" E 51.20 FT; TH S 18°15'18" E 142.93 FT; TH S 60°15'19" W 125.64 FT; TH S 44°50'54" W 20.39 FT; TH S 329.68 FT; TH E ALG SD STR TO THE POB. CONT 37.64 ACRES. TOGETHER WITH & SUBJ TO A DESC R/W.

SERIAL# 12-046-0089 CONTAINING 142.63 ACRES INFO DATE: 12/01/06
TAX NAME 2007: DIAMOND, JOHN W. & MARILYN S.

LEGAL DESCRIPTION:

THE E 1100.00 FT OF LOT 5, SEC 1-T4N-R3W, SLM. CONT. 33.31 ACRES. ALSO: BEG ON THE N LN OF A STR AT A PT N 89°50'18" W 1331.10 FT ALG THE SEC LN & N 1°14'23" W 33.00 FT & N 329.58 FT FR THE S 1/4 COR OF SEC 7-T4N-R2W, SLM; & RUN TH S 44°50'54" W 235.52 FT; TH N 45°30'39" W 222.93 FT; TH N 10°50'25" W 671.09 FT; TH N 80°03'47" E 241.27 FT; TH N 79°25'09" E 76.26 FT; TH N 79°44'16" E 114.53 FT; TH N 79°49'34" E 31.38 FT; TH N 2847.67 FT; TH W 1907.00 FT, M/L; TO THE MEANDER LN OF THE GREAT SALT LAKE; TH S 28° E ALG SD MEANDER LN TO A PT OF INTER WITH THE W LN OF SEC 7-T4N-R2W, SLM; TH S 32° E 19 CHS ALG SD MEANDER LN; TH S 15° W 17 CHS ALG SD MEANDER LN; TH S 16° E 11.5 CHS M/L; ALG SD MEANDER LN TO A PT ON THE N LN OF A STR; TH E ALG SD STR TO THE POB. CONT 87.34 ACRES. TOGETHER WITH & SUBJ TO A DESC EASEMENT. ALSO: ALL OF LOT 1, SEC 12-T4N-R3W, SLM. LESS TO 1424-627 CONT. 21.98 ACRES. TOTAL ACREAGE 142.63 ACRES.

SERIAL# 12-046-0090 CONTAINING .59 ACRES INFO DATE: 12/01/06
TAX NAME 2007: DIAMOND, JOHN W. & MARILYN S.

LEGAL DESCRIPTION:

THE E 1100.00 FT OF LOT 5, SEC 1-T4N-R3W, SLM. CONT. 33.31 ACRES.
ALSO: BEG ON THE N LN OF A STR AT A PT N 89°50'18" W 1331.10 FT ALG
THE SEC LN & N 1°14'23" W 33.00 FT & N 568.22 FT FR THE S 1/4 COR OF
SEC 7-T4N-R2W, SLM; & RUN TH N 346.72 FT; TH S 43°24'05" W 216.83 FT;
TH S 37°54'42" E 239.93 FT TO THE POB. CONT 0.59 ACRES.

SERIAL# 12-046-0091 CONTAINING 6.3 ACRES INFO DATE: 12/01/06
TAX NAME 2007: SYRACUSE CITY CORPORATION

LEGAL DESCRIPTION:

A PROPOSED BRIDGEWAY ISLAND DETENTION POND, SD PARCEL OF
LAND LOC IN THE SW 1/4 OF SEC 7-T4N-R2W, SLB&M, PARCEL BEING A
PORTION OF THE JOHN W DIAMOND & MARILYN S DIAMOND PPTY
RECORDED AS E# 1736934 & 1425219, BEING MORE PART'LY DESC AS
FOLLOWS: BEG AT A PT N 89°50'18" W 1507.18 FT & N 00°09'42" E 182.20
FT FR THE S 1/4 COR OF SEC 7-T4N-R2W, SLB&M, TH N 45°30'39" W 222.93
FT, TH N 10°50'25" W 671.09 FT TO A PT ON AN EXISTING WIRE FENCE; TH
ALG SD FENCE THE FOLLOWING FOUR (4) COURSES & DIST (1) N
80°03'47" E 241.27 FT, (2) N 79°25'09" E 76.26 FT; (3) N 79°44'16" E 114.53
FT, (4) N 79°49'34" E 39.30 FT; S 144.23 FT, TH S 43°24'05" W 216.83 FT; TH
S 37°54'42" E 239.93 FT; TH S 238.56 FT, TH N 82°22'07" E 51.20 FT; TH S
18°15'18" E 142.93 FT, TH S 60°15'19" W 125.64 FT, TH S 44°50'54" W 255.91
FT TO THE POB. CONT 6.30 ACRES. (SPLIT FOR TAXING PURPOSES)

SERIAL# 12-046-0092 CONTAINING .419 ACRES INFO DATE: 12/01/06
TAX NAME 2007: SYRACUSE CITY CORPORATION

LEGAL DESCRIPTION:

A PROPOSED BRIDGEWAY ISLAND DETENTION POND, SD PARCEL OF
LAND LOC IN THE SW 1/4 OF SEC 7-T4N-R2W, SLB&M, PARCEL BEING A
PORTION OF THE JOHN W DIAMOND & MARILYN S DIAMOND PPTY
RECORDED AS E# 1736934 & 1425219, BEING MORE PART'LY DESC AS
FOLLOWS: BEG AT A PT N 89°50'18" W 1507.18 FT & N 00°09'42" E 182.20
FT & N 44°50'54" E 235.52 FT FR THE S 1/4 COR OF SEC 7-T4N-R2W,
SLB&M, TH N 238.56 FT; TH S 37°54'42" E 42.82 FT; TH N 82°22'07" E 51.20
FT; TH S 18°15'18" E 142.93 FT, TH S 60°15'19" W 125.64 FT, TH S 44°50'54"
W 20.39 FT TO THE POB. CONT 0.419 ACRES (SPLIT FOR TAXING
PURPOSES)

SERIAL# 12-046-0093 CONTAINING .914 ACRES INFO DATE: 12/01/06
TAX NAME 2007: SYRACUSE CITY CORPORATION

LEGAL DESCRIPTION:

A PROPOSED BRIDGEWAY ISLAND DETENTION POND, SD PARCEL OF LAND LOC IN THE SW 1/4 OF SEC 7-T4N-R2W, SLB&M, PARCEL BEING A PORTION OF THE JOHN W DIAMOND & MARILYN S DIAMOND PPTY RECORDED AS E# 1736934 & 1425219, BEING MORE PART'LY DESC AS FOLLOWS: BEG AT A PT N 89°50'18" W 1507.18 FT & N 00°09'42" E 182.20 FT & N 44°50'54" E 235.52 FT & N 585.22 FT FR THE S 1/4 COR OF SEC 7-T4N-R2W, SLB&M, TH N 144.23 FT TO A PT ON AN EXISTING WIRE FENCE; TH ALG SD FENCE THE FOLLOWING THREE (3) COURSES & DIST (1) N 79°49'34" E 104.52 FT; (2) S 35°00'31" E 65.69 FT; (3) N 80°48'57" E 327.32 FT; TH S 15°56'56" E 59.42 FT; TH S 78°44'08" W 480.61 FT; TH S 43°24'05" W 14.15 FT TO THE POB. CONT 0.914 ACRES (SPLIT FOR TAXING PURPOSES)

SERIAL# 12-120-0002 CONTAINING 9.19 ACRES INFO DATE: 12/01/06
TAX NAME 2007: DIAMOND, JOHN W.

LEGAL DESCRIPTION:

ALL OF LOT 5, SEC 1-T4N-R3W; SLM; EXCEPT THE E 1100 FT THEREOF.
CONT. 9.19 ACRES