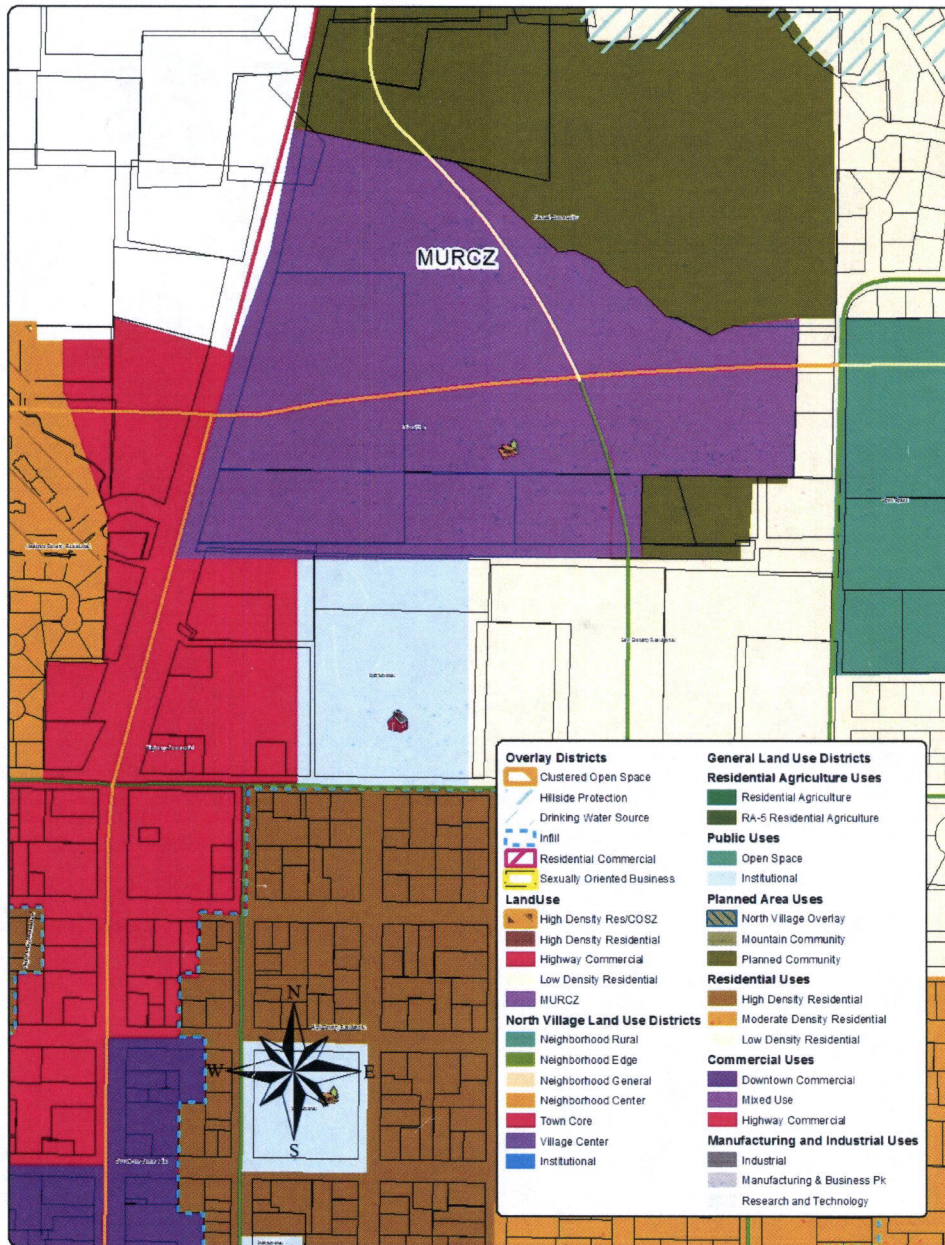


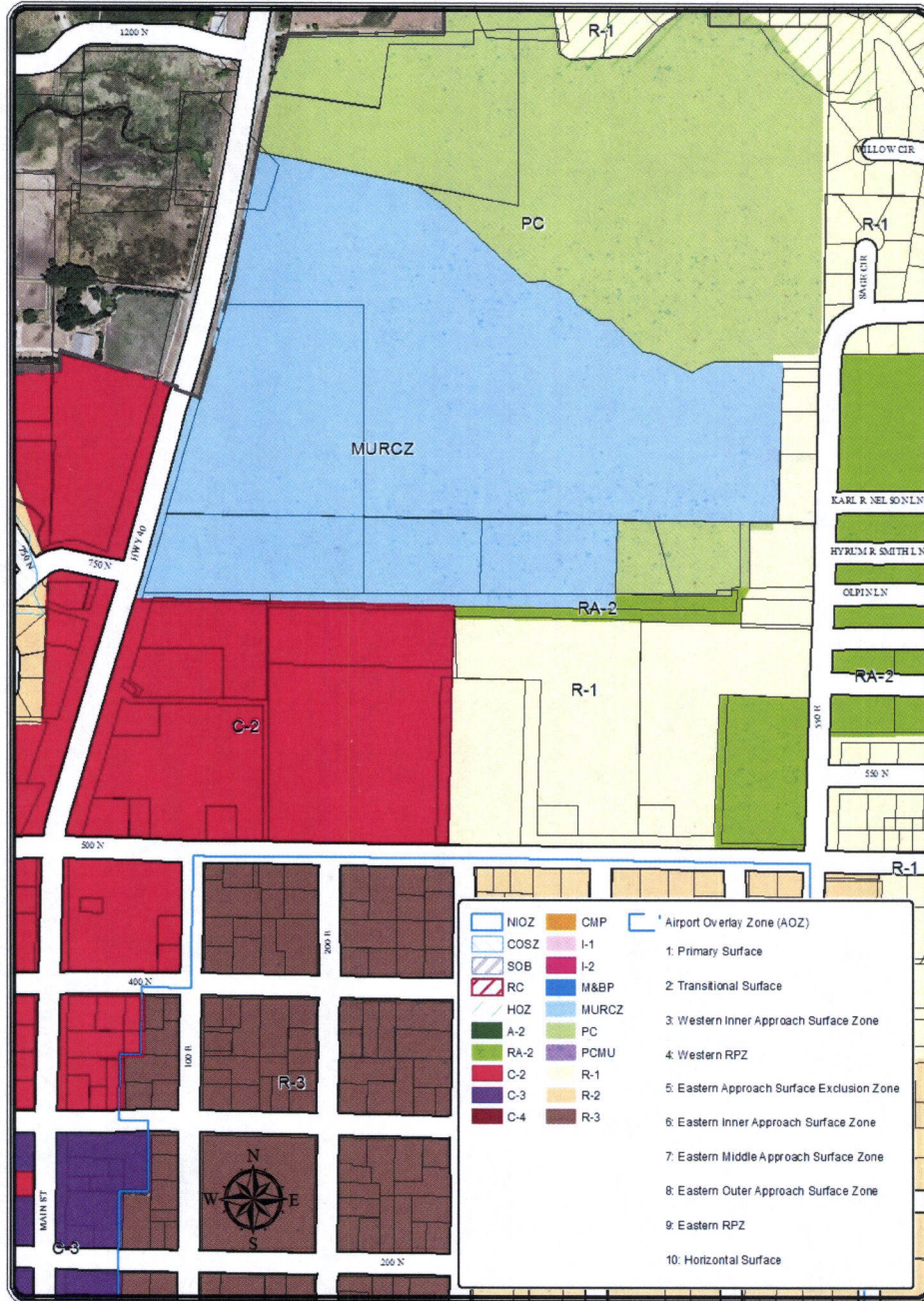
ORDINANCE NO. 2018-62

AN ORDINANCE AMENDING THE GENERAL PLAN AND ZONING DESIGNATION FOR PROPERTIES IN THE NEW LONDON DEVELOPMENT, LOCATED AT APPROXIMATELY 700 NORTH 400 EAST.

BE IT ORDAINED by the City Council of Heber City, Utah, the General Plan Land Use Map is amended as follows:



BE IT ORDAINED by the City Council of Heber City, Utah, the Heber City Zoning Map is amended for properties described in Exhibit B and illustrated in Exhibit C as follows:



This Ordinance shall take effect and be in force from and after (a) its adoption, and (b) execution and recording of the Zone Change Agreement as Illustrated in Exhibit A.

ADOPTED and PASSED by the City Council of Heber City, Utah this 18 day of December, 2018, by the following vote:

	AYE	NAY	
Council Member Jeffery M. Bradshaw	<u>X</u>	_____	
Council Member Heidi Franco	_____	_____	<i>Abstained</i>
Council Member Jeffrey Smith	<u>X</u>	_____	
Council Member Ronald R. Crittenden	_____	_____	<i>Absent</i>
Council Member Wayne Hardman	<u>X</u>	_____	

APPROVED:

Kelleen L. Potter
Mayor Kelleen L. Potter

ATTEST: *Janet Walker* Date: 12/18/2018
RECORDER

Date of First Recording: 12/18/2018



Exhibit A: Amendment of Annexation Agreement

named Owner, who duly acknowledged to me that he is the owner in fee and executed the same as such.

NOTARY PUBLIC

EXHIBIT: LEGAL DESCRIPTIONS B

Parcel 00-0020-8452

BEGINNING AT A POINT THAT LIES SOUTH 89°31'51" WEST 1229.54 FEET, ALONG THE SECTION LINE, AND SOUTH 1691.46 FEET FROM THE NORTH ONE-QUARTER CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING LOCATED ON A LINE DESCRIBED IN A BOUNDARY LINE AGREEMENT RECORDED AS ENTRY 298810, IN THE OFFICIAL WASATCH COUNTY RECORDS, AND RUNNING THENCE SOUTH 267.17 FEET; THENCE WEST 334.85 FEET; THENCE SOUTH 00°00'17" EAST 43.40 FEET TO A POINT ON AN EXISTING FENCE LINE AND BOUNDARY LINE AGREEMENT RECORDED AS ENTRY 435517 AND 435518 IN THE OFFICIAL WASATCH COUNTY RECORDS; THENCE ALONG SAID FENCE LINE AND BOUNDARY LINE AGREEMENT, THE FOLLOWING 2 COURSES: 1) NORTH 88°35'42" WEST 187.25 FEET; 2) NORTH 89°02'11" WEST 270.00 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF US HIGHWAY 40; THENCE NORTH 16°27'22" EAST 322.10 FEET, ALONG SAID HIGHWAY RIGHT OF WAY, TO A POINT ON A LINE DESCRIBED IN A BOUNDARY LINE AGREEMENT, RECORDED AS ENTRY 298810, IN THE OFFICIAL WASATCH COUNTY RECORDS; THENCE SOUTH 89°23'19" EAST 700.80 FEET, ALONG SAID BOUNDARY LINE AGREEMENT, TO THE POINT OF BEGINNING.

Parcel 00-0021-2302

BEGINNING AT A POINT THAT LIES SOUTH 89°31'51" WEST 1229.54 FEET, ALONG THE SECTION LINE, AND SOUTH 1691.46 FEET FROM THE NORTH ONE-QUARTER CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING LOCATED ON A LINE DESCRIBED IN A BOUNDARY LINE AGREEMENT RECORDED AS ENTRY 298810, IN THE OFFICIAL WASATCH COUNTY RECORDS, AND RUNNING THENCE SOUTH 267.17 FEET; THENCE WEST 334.85 FEET; THENCE SOUTH 00°00'17" EAST 43.40 FEET TO A POINT ON AN EXISTING FENCE LINE AND BOUNDARY LINE AGREEMENT RECORDED AS ENTRY 435517 AND 435518 IN THE OFFICIAL WASATCH COUNTY RECORDS; THENCE ALONG SAID FENCE LINE AND BOUNDARY LINE AGREEMENT, THE FOLLOWING 2 COURSES: 1) NORTH 88°35'42" WEST 187.25 FEET; 2) NORTH 89°02'11" WEST 270.00 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF US HIGHWAY 40; THENCE NORTH 16°27'22" EAST 322.10 FEET, ALONG SAID HIGHWAY RIGHT OF WAY, TO A POINT ON A LINE DESCRIBED IN A BOUNDARY LINE AGREEMENT, RECORDED AS ENTRY 298810, IN THE OFFICIAL WASATCH COUNTY RECORDS; THENCE SOUTH 89°23'19" EAST 700.80 FEET, ALONG SAID BOUNDARY LINE AGREEMENT, TO THE POINT OF BEGINNING.

00-0021-1532

BEGINNING AT A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40 WHICH POINT IS NORTH 89°31'34" EAST ALONG THE SECTION LINE 967.135 FEET AND SOUTH 946.26 FEET FROM THE NORTH WEST CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, THENCE EAST 484.67 FEET, THENCE SOUTH 741.20 FEET TO A POINT IN A FENCE LINE; THENCE NORTH 89°23'36" WEST 701.02 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40, THENCE ALONG SAID RIGHT-OF-WAY AND ALONG A LINE 100 FOOT EAST AND PARALLEL TO A FENCE LINE NORTH 16°25'30" EAST ALONG SAID RIGHT-OF-WAY LINE 765.00 FEET TO THE POINT OF BEGINNING.

Parcel 00-0021-2303

BEGINNING AT A POINT THAT LIES NORTH 89°31'49" EAST 1116.67 FEET ALONG THE SECTION LINE AND SOUTH 1955.90 FEET FROM THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

AND RUNNING THENCE EAST A DISTANCE OF 334.85 FEET ALONG AN EXISTING FENCE LINE; THENCE NORTH A DISTANCE OF 267.03 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF THE VALLEY HILLS, LLC PARCEL AS REFERENCED BY ENTRY 420664 ON FILE IN THE OFFICE OF THE WASATCH COUNTY RECORDER; THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING TWO COURSES: 1) SOUTH 89°23'04" EAST A DISTANCE OF 760.94 FEET AND 2) SOUTH 89°11'49" EAST A DISTANCE OF 137.03 FEET; THENCE SOUTH 01°02'40" WEST A DISTANCE OF 323.22 TO A POINT ON A FENCE LINE BEING THE APPEARANT LINE OF OCCUPATION BETWEEN THE ANNETT A. PROBST TRUST AND DUKE FARMS, INC. PARCELS; THENCE ALONG SAID FENCE LINE THE FOLLOWING TWO COURSES: 1) NORTH 88°18'27" WEST A DISTANCE OF 248.64 FEET AND 2) NORTH 89°25'46" WEST A DISTANCE OF 369.87 FEET TO A FENCE POST MONUMENTING THE NORTHEAST CORNER OF THE WASATCH COUNTY SCHOOL DISTRICT PARCEL; THENCE ALONG A SAID SCHOOL DISTRICT FENCE LINE NORTH 88°54'00" WEST A DISTANCE OF 608.59 FEET; THENCE NORTH 00°00'17" WEST A DISTANCE OF 43.53 FEET TO THE POINT OF BEGINNING.

PART OF TAX ID NO.: OHE-2087

Less and accepting the following tracts of land:

BEGINNING AT A POINT THAT LIES NORTH 89°31'49" EAST 1116.67 FEET ALONG THE SECTION LINE AND SOUTH 1955.90 FEET AND SOUTH 00°00'17" EAST 36.67 FEET FROM THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

AND RUNNING THENCE SOUTH 89°12'00" EAST 1,227.21 FEET, THENCE SOUTH 01°02'40" WEST 12.44 FEET; THENCE NORTH 88°18'27" WEST 248.64 FEET; THENCE NORTH 89°25'46" WEST 369.87' FEET; THENCE NORTH 88°54'00" WEST 608.59 FEET; THENCE NORTH 00°00'17" WEST 6.86 FEET TO THE POINT OF BEGINNING.

Also less and accepting:

BEGINNING AT A POINT WHICH IS SOUTH 26.16 CHAINS AND NORTH 89°12' WEST 200 FEET AND NORTH 89°12' WEST 630.13 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 89°12' WEST 418.67 FEET; THENCE SOUTH 264.18 FEET; THENCE EAST 415.02 FEET; THENCE NORTH 00°48' EAST 258.36 FEET TO THE POINT OF BEGINNING.

TAX ID NO.: OHE-2086

Parcel 00-0021-1533

Beginning at a point which is South 26.16 chains and North 89°12' West 200 feet and North 89°12' West 630.13 feet from the Northeast corner of the Northwest quarter of Section 32, Township 3 South, Range 5 East, Salt Lake Base and Meridian, thence North 89°12' West 418.67 feet; thence South 264.18 feet; thence East 415.02 feet; thence North 00°48' East 258.36 feet to the point of beginning.

Tax ID No.: OHE-2086

00-0021-1560

BEGINNING AT A POINT THAT LIES SOUTH 7.08 FEET AND WEST 2227.63' AND SOUTH 01°20'03" WEST 1162.23 FEET FROM FOUND MONUMENT REPRESENTING THE NORTHEAST CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR FOLLOWING LEGAL DESCRIPTION WAS ESTABLISHED AS SOUTH 89° 44'40" WEST BETWEEN THE FOUND NORTH ONE QUARTER AND NORTHEAST CORNER OF SAID SECTION)

THENCE SOUTH 01°20'03" WEST A DISTANCE OF 72.02 FEET;
THENCE NORTH 90°00'00" WEST A DISTANCE OF 139.73 FEET;
THENCE SOUTH 01°51'26" WEST A DISTANCE OF 489.95 FEET;
THENCE NORTH 89°30'31" WEST A DISTANCE OF 132.12 FEET;
THENCE NORTH 89°12'21" WEST A DISTANCE OF 574.60 FEET;
THENCE NORTH 89°23'36" WEST A DISTANCE OF 760.86 FEET;
THENCE NORTH A DISTANCE OF 741.20 FEET;
THENCE WEST A DISTANCE OF 484.67 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE FOR US HIGHWAY 40. THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING 3 COURSES;

- 1) NORTH 16°25'30" EAST A DISTANCE OF 11.22 FEET;
- 2) NORTH 12°21'33" EAST A DISTANCE OF 340.07 FEET;
- 3) NORTH 10°18'39" EAST A DISTANCE OF 188.51 FEET;

THENCE SOUTH 78°34'56" EAST A DISTANCE OF 579.26 FEET TO A POINT ON A LINE OFFSET 20 FEET FROM A WETLAND DELINEATION LINE. THENCE ALONG SAID LINE THE FOLLOWING 13 COURSES;

- 1) SOUTH 52°56'48" EAST A DISTANCE OF 135.81 FEET;
- 2) SOUTH 47°44'19" EAST A DISTANCE OF 375.25 FEET;
- 3) NORTH 86°53'04" EAST A DISTANCE OF 69.60 FEET;
- 4) SOUTH 62°03'50" EAST A DISTANCE OF 95.03 FEET;
- 5) SOUTH 36°47'19" EAST A DISTANCE OF 47.69 FEET;
- 6) SOUTH 44°04'33" EAST A DISTANCE OF 6.16 FEET;
- 7) SOUTH 52°52'53" EAST A DISTANCE OF 83.04 FEET;
- 8) NORTH 88°08'54" EAST A DISTANCE OF 43.27 FEET;
- 9) SOUTH 45°56'52" EAST A DISTANCE OF 161.29 FEET;
- 10) SOUTH 82°58'40" EAST A DISTANCE OF 39.10 FEET;
- 11) SOUTH 63°34'43" EAST A DISTANCE OF 149.28 FEET;
- 12) NORTH 59°19'00" EAST A DISTANCE OF 44.11 FEET;
- 13) NORTH 68°55'21" EAST A DISTANCE OF 46.43 FEET;

THENCE EAST A DISTANCE OF 380.41 FEET TO THE POINT OF BEGINNING,

PARCEL CONTAINS AN AREA OF 1,407,329.06 SQUARE FEET, 32.308 ACRES

Parcel 00-0005-7526 (Western portion of parcel as depicted in Exhibit C)

BEGINNING AT A POINT LOCATED **SOUTH 1968.69 FEET AND EAST 19.31 FEET** FROM THE NORTH QUARTER CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE WEST 2030.82 FEET; THENCE SOUTH 17° WEST 31.68 FEET; THENCE SOUTH 89°12' EAST 2110.52 FEET; THENCE NORTH 02° EAST 73.26 FEET; THENCE WEST 71.58 FEET; THENCE **SOUTH 05°06'56" WEST 13.50 FEET** TO THE POINT OF BEGINNING.