

ENT 8904 BK 2499 PG 522
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NINA B REID UTAH COUNTY RECORDER DEP MB
1988 APR 1 9:51 AM FEE .00
RECORDED FOR MAPLETON CITY

ORDINANCE NO. 88-2

AN ORDINANCE ANNEXING CERTAIN PROPERTIES TO MAPLETON CITY AND
ESTABLISHING THE ZONE CLASSIFICATION FOR SAID PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF MAPLETON CITY, UTAH:

PART I

The property hereinafter described (commonly referred to as
the Lindsay-Nelson-Olsen Annexation - See Exhibit A) is hereby
annexed to and declared to be a part of Mapleton City, Utah.
The corporate limits of Mapleton City are hereby extended to
include said described property and said property shall
henceforth be subject to all of the ordinances and regulations
of the City.

PART II

The property annexed under Part I above shall be classified into
the A-2 Zone.

PART III

This Ordinance shall take effect immediately upon its passage and
posting in three (3) public places.

PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF MAPLETON CITY,
UTAH THIS 1st DAY OF March, 1988.

APPROVED:


EVERET PREDMORE, MAYOR

ATTEST:

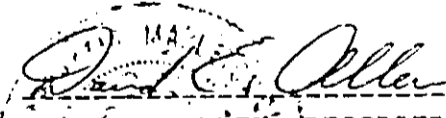


DAVID E. ALLEN, RECORDER


EXHIBIT A

ANNEXATION POLICY DECLARATION

FOR THE

LINDSAY-NELSON-OLSEN

ANNEXATION

MAPLETON CITY

CORPORATION

January 18, 1988

PURPOSE

- A. To bring to pass the annexation of a portion of the territory which the City has previously identified in its Master Policy Declaration as territory into which the City favors the expansion of its boundaries.
- B. To set forth criteria under which the territory would be considered for annexation.
- C. To comply with the State Law requirements relating to the annexation of territory.

PART II

PROPOSED AREA

The territory included within the proposed Annexation shall be as set forth in the attached map. Land owners include Robert Moffitt, Frank M. Nelson, and Snell Olsen.

PART III

STATEMENT OF SPECIFIC CRITERIA PURSUANT TO WHICH MAPLETON CITY WILL FAVOR PETITION FOR ANNEXATION

- A. State Law Requirements and Standards (UCA 10-2-414 et. seq.)
 1. Contiguous to Existing Boundaries. The proposed annexation is contiguous to the existing boundary of Mapleton.
 2. Consistency with Mapleton's Master Policy Declaration. The proposed territory for annexation lies within the City's previously adopted Master Policy Declaration.
 3. Unincorporated Islands. The proposed Annexation will not create any unincorporated islands.
 4. Territory Not Within Another Municipality. None of the territory proposed for annexation lies within the boundaries of another incorporated municipality.
 5. Territory to Receive Municipal Services. The territory is not being annexed for the sole purpose of acquiring revenue or of preventing or hindering the capacity of another municipality to annex into the same territory. Mapleton City intends to benefit the area by extending municipal services at a future date. Water and fire protection are presently supplied to territory directly east of the proposed Annexation.
 6. Petition and Map. The petition for annexation has been signed by a majority of the owners of real property representing more than one-third in value of said property.

B. State Law Criteria

1. Character of Community. The proposed annexation area consists of agricultural land. The contiguous city boundary to the east is currently zoned A-2 and is sparsely populated agricultural land. The north boundary line adjoins the County greenbelt. It is proposed that the territory to be annexed will remain agricultural in nature.

The Planning Commission has recommended that upon annexation the entire area be designated as an A-2 zone.

2. The Need for Services - - Municipal, Other. Any subsequent development either residential or otherwise, will require the upgrading and improvement of an adequate central culinary water system. Initially, sewage disposal will be accomplished through the use of septic tanks.
The ground water table in this area may require the need of an adequate sub-water and storm drainage system.
Development will require the expansion of police and fire protection, snow removal, and routine road maintenance.
3. Extension of Services - - Methods of Financing. Police, fire, and routine road maintenance would be extended to the area upon annexation and financed through the general fund of the City's operating budget. Extension of the water system and street construction, as they are needed, and as a condition of development approval, are the responsibility of the developer, as stated by ordinance in the City's water and road extension policies.

Solid waste disposal service is provided by a private collection company. Telephone and electrical service are provided by Mountain Bell and Utah Power and Light respectively, at the expense of the developer.

4. Tax Consequences. Presently, the area is under Greenbelt tax designation. After annexation, all property removed from Greenbelt would be subject to rollback taxes and be subject to the City's property tax levy.
5. Relation to Adjacent Entities. Annexation of the territory would reduce Utah County's responsibility for services and zoning enforcement.

According to and adhering to the terms of the interlocal agreement negotiated between the two cities in 1982, the proposed annexation is entirely within the boundary Mapleton City set forth in the agreement and would not affect the area proposed for annexation by Spanish Fork City.

Nebo School District's jurisdiction includes both incorporated and unincorporated territory. Accordingly, annexation would not affect this relationship.

C. City Imposed Conditions and Requirements

1. Street Plan - - Dedication of Additional Right-of-Way

Upon annexation and before any development proceeds the developer will work through the planning commission to devise a Master Street Plan for the area to be annexed. This will require the dedication of additional street right-of-ways (either 56 ft. or 66 ft.) to be deeded to the city as roads are needed.

The developer will be required to adhere to the City's road extension and construction policy.

2. Extension of On-Site Water System.

Upon annexation and before any development proceeds the developer will adhere to the City's Water extension policy.

3. Zone Recommendation. In accordance with the Master Annexation Policy Declaration and the City's Master Plan, the Planning Commission recommends that the entire area included in this annexation be designated in the A-2 zone.4. Irrigation Water Rights Conveyance. Any irrigation water rights or percentage thereof which is assigned to the area, which is pertinent to property along road right-ofways, sidewalks, parking lots, covered or taken up by buildings, or ceases to be utilized because the agricultural use of the property is suspended, or there is no longer further need or use of irrigation water in all or portions of the area to be annexed, the water shares shall be conveyed by deed or proper instrument to the city.5. Annexation and Development Approval to be Combined. Annexation and zone classification shall be done concurrently. Development will be initiated and proceed in a timely manner and will be dependent upon approval of an acceptable development plan.

PART IV


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THIS RESOLUTION SHALL TAKE EFFECT UPON ITS PASSAGE.

PASSED AND ORDERED RECORDED THIS 2^{NO} DAY OF FEBRUARY, 1988.

SIGNED: Everet Redmore
MAYOR, EVERET REDMORE

ATTEST: David E. Allen
RECORDER, DAVID ALLEN

The seal of the City of Everett, Washington, is circular and partially obscured by the signature of David E. Allen. The text "CITY OF EVERETT WASHINGTON" is visible around the perimeter of the seal.

LINDSAY-NELSON-OLSEN ANNEXATION
LEGAL DESCRIPTION

PARCEL NO. 1

COMMENCING AT THE NE CORNER OF SECTION 21 T. 8 S. R. 3 E. S.L.B.& M.
SOUTH 660.00'
WEST 1320.00'
SOUTH 660.00'
EAST 990.00'
SOUTH 1320.00'
EAST 330.00'
SOUTH 330.00'
WEST 660.00'
SOUTH 380.16'
N.28 22' 52" W. 3807.84'
EAST 2470.00' TO P.O.B.

PARCEL NO.2

COMMENCING SOUTH 3967.99' & WEST 16.02' FROM THE NE CORNER OF
SECTION 21 T. 8 S. R. 3 E. S.L.B.& M.

THENCE
SOUTH 660.00'
N.27 00' 40" W. 739.68'
EAST 335.94' TO P.O.B

Petition for Annexation

The undersigned owners of real property, representing at least 51 percent of the total real property owners, and the owners of not less than 33 percent in value of the real property as shown on the last assessment rolls, petition the municipality of Mapleton City for annexation to the municipality the property described on the attached plat and the attached legal description as certified by the City's engineer or surveyor whose name appears thereon.

<u>Printed Name and Signature</u>	<u>Address & Tax Ind. No.</u>	<u>Date</u>
<u>B.P. MOFFITT</u>	<u>F 2053 A</u>	<u>11/18/87</u>
<u>B.P. MOFFITT</u>	<u>129 East South St SpFx</u>	<u>84660</u>
<u>John M. Nelson</u>	<u>I 2048</u>	<u>11/2/87</u>
<u>John M. Nelson</u>	<u>345 N. 2nd St SpFx</u>	<u>84660</u>
<u>S.N.E. L. CHASEN</u>	<u>Box 354 Sp.Fox</u>	<u>4/18/88 - 84460</u>

Filed in Mapleton City Offices

January 4, 1988

David E. Allen
City Recorder