



"W2786641"

ORDINANCE NO. 16-05

E# 2786641 PG 1 OF 6
LEANN H KILTS, WEBER COUNTY RECORDER
05-APR-16 2:01 PM FEE \$1.00 DEP CWC
REC FOR: SOUTH OGDEN CITY

AN ORDINANCE OF THE CITY OF SOUTH OGDEN, UTAH, ANNEXING CERTAIN PROPERTY LOCATED AT APPROXIMATELY 5520 HARRISON BOULEVARD, AND INCORPORATING THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF SOUTH OGDEN PURSUANT TO THE PROVISIONS OF THE ORDINANCES OF SOUTH OGDEN CITY AS AMENDED; SETTING THE ZONING CLASSIFICATION OF SAID PROPERTY AS C-2; ADOPTING AND ANNEXING AN EXPLANATORY MAP OF SAID PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

07-004-0014 CM

WHEREAS, a petition for annexation has been submitted by the property owners requesting annexation of certain territory into the City of South Ogden and;

WHEREAS, the general policy of the City with respect to the annexation of property will be satisfied by annexing the identified property as requested since annexation of said property is necessary in order for the City to serve the area with utilities and other municipal services in a reasonable time and to eliminate an existing island of unincorporated which is otherwise fully surrounded by the City; and,

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents of the City, and the property owner adjacent thereto, and is in conformity with the general policy for South Ogden City annexations; and,

WHEREAS, the petition for annexation from the GBH Properties Group, LLC has been duly accepted by the City Council as the governing body of the City, and the Mayor has been authorized to sign the resolution of acceptance on behalf of the City Council; and,

WHEREAS, in conformance with the provisions of Utah Code ("UC") §10-9-401 the governing body of the city may enact a zoning ordinance establishing regulations for land use and development within the city; and,

WHEREAS, South Ogden City has previously adopted and promulgated a city zoning ordinance; and,

WHEREAS, the City Council finds that the City Planning Staff has recommended annexation of the property that is the subject of the petition, in accordance with the conditions of the City's Zoning Ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, WEBER COUNTY, STATE OF UTAH AS FOLLOWS:

SECTION 1 - ANNEXATION OF TERRITORY.

1(a) There is hereby annexed to the City of South Ogden, County of Weber, State of Utah, and incorporated within the corporate boundaries thereof, the following herein described parcel of land:

BOUNDARY DESCRIPTION

Part Of The Southwest Quarter Of Section 15, Township 5 North, Range 1 West, Salt Lake Meridian, U.S. Survey. Beginning At Point 1126.20 Feet North Of The Southeast Corner Of The Southwest Quarter Of Said Section 15; Running Thence North 172.80 Feet, More Or Less, To The Northeast Corner Of The South 1/2 Of Said Quarter Section; Thence West 630.06 Feet, More Or Less, Along The North Line Of The South 1/2 Of Said Quarter Section To The Northeasterly Right-Of-Way Line Of The State Highway At A Point 125 Feet Perpendicularly Distant Northeasterly From The Centerline Of Survey Of Said Project, Thence South 31°44' East 260 Feet, More Or Less, Thence South 23°02' East 174 Feet, More Or Less, To The North Line Of The South Ogden City Limits; Thence North 67°20'19" East 453.75 Feet, More Or Less, To The Point Of Beginning.

1(b) Zoning for the annexed property is hereby set at and the property is declared to be zoned as C-2.

SECTION 2 - NEW CORPORATE LIMITS.

The corporate limits of the City of South Ogden are hereby extended and increased so as to include and embrace within the corporate limits of the City, the territory described herein and such territory is hereby declared to be a part of the City of South Ogden.

SECTION 3 - CLASSIFICATION FOR ZONING PURPOSES.

Pursuant to the South Ogden City Zoning Ordinance, the territory herein annexed is classified as C-2 for the area shown on the attached drawing (Attachment "A") incorporated herein by this reference.

SECTION 4 - ACCURACY OF MAP OF ANNEXED TERRITORY.

The map or plat attached to this Ordinance 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 South Ogden, 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.

SECTION 5 - 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.

SECTION 6 - 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 7 - SAVINGS CLAUSE:

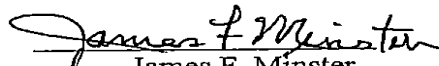
If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance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

SECTION 8 - EFFECTIVE DATE.

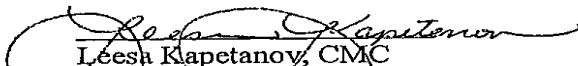
This Ordinance shall be effective on the 2nd day of February, 2016, and after publication or posting as required by law.

DATED this 2nd day of February, 2016

SOUTH OGDEN CITY


James F. Minster
Mayor

ATTESTED AND RECORDED:


Leesa Klapetanov, CMC



Attachment "A"

ORDINANCE NO. 16-05

An Ordinance Of The City Of South Ogden, Utah, Annexing Certain Property Located At Approximately 5520 Harrison Boulevard, And Incorporating The Same Within The Corporate Boundaries Of The City Of South Ogden Pursuant To The Provisions Of The Ordinances Of South Ogden City As Amended; Setting The Zoning Classification Of Said Property As C-2; Adopting And Annexing An Explanatory Map Of Said Property; And Providing For An Effective Date.

02 Feb 2016



OFFICE OF THE MAYOR

March 3, 2016

RE: Notice of Impending Boundary Action

Dear Lieutenant Governor Cox,

On February 2, 2016, the City Council of South Ogden City, Utah, adopted Ordinance 16-05, thereby annexing certain property (known as the GBH Annexation) into the city.

As Mayor of South Ogden City, I hereby notify you of this impending boundary action which is more fully described in the approved local entity plat which accompanies this notice. I further certify that all requirements applicable to this annexation have been met. Accordingly, on behalf of South Ogden City, I request that you issue a Certificate of Annexation for this boundary action.

Sincerely,

James F. Minster
Mayor, South Ogden City

