

ORDINANCE NO. 2-21-2012A

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTIES INTO THE BOUNDARIES OF THE CITY OF CEDAR HILLS, UTAH, (JACOBS ANNEXATION) AND ESTABLISHING THE ZONE CLASSIFICATION FOR SAID PROPERTY.

WHEREAS, section 10-2-418 of Utah Code Annotated 1953, as amended, authorizes municipalities to annex an unincorporated area that is contiguous to the municipality into its boundaries without a petition where the area is no more than 50 acres and the county and the municipality agree that the area should be include within the municipality; and

WHEREAS, all owners of property within the area to be annexed have agreed to the annexation; and

WHEREAS, the City has provided all notices required and held all hearings required by Utah Code Ann. 10-2-418; and

WHEREAS, the City Council desires to adopt an ordinance annexing said real property described therein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH:

**PART I
FINDINGS AND ANNEXATION**

Section 1. The City Council finds:

- (a) That on January 17, 2012, the City adopted Resolution No. 1-17-2012A indicating its intention to annex the property described herein;
- (b) That the City Recorder published a Notice of Intent to Annex once a week for three consecutive weeks in a newspaper of general circulation noticing a public hearing for February 21, 2012, and posted the notice on the Utah Public Notice Website for three weeks;
- (c) That notice was sent to the appropriate entities that might be affected by the proposed annexation;
- (d) That 100% of the owners of the total private land area within the entire area proposed for annexation have consented in writing to the annexation, and therefore the City Council will not allow or accept protests;
- (e) That this annexation will not cause an automatic annexation to a local district under § 17B-1-416;

- (f) That Utah County agrees that the area should be included within the City of Cedar Hills, Utah; and
- (g) That a public hearing was properly noticed and held on February 21, 2012, regarding the proposed annexation.

Section 2. The City Council, finding that the requirements under Utah Code Ann. 10-2-418 have been met, hereby annexes approximately 3.371 acres of certain contiguous real property on 4800 W. and south of Cedar Hills Drive adjacent to Cedar Hills, Utah, into the boundaries of the City, the property being more particularly described as follows:

Beginning at the West quarter corner of Section 6, Township 5 South, Range 2 East, Salt Lake Base and Meridian;

thence North 00°02'42" West along section line a distance of 225.14 feet; thence along the Cedar View Annexation as recorded in the office of the Utah County Recorder the following two courses and distances: 1) North 89°29'07" East 439.36 feet and 2) South 00°02'21" East 225.22 feet; thence along the 4800 West Annexation as recorded in the office of the Utah County Recorder the following three courses and distances: 1) South 89°24'34" West 76.17 feet, 2) South 00°01'54" East 132.00 feet, and 3) South 89°29'34" West 363.00 feet to section line; thence North 00°06'13" West along section line a distance of 132.02 feet to the point of beginning.

Area = 3.371 acres

Section 3. The City Council directs the City Recorder to, within 30 days of enactment of this ordinance, file with the Utah Lieutenant Governor's office (1) a notice of an impending boundary action and (2) a copy of an approved final local entity plat, both of which shall meet the requirements of Utah Code § 67-1a-6.5.

Section 4. Upon receipt of a certificate of annexation from the lieutenant governor, the City Recorder shall submit to the Utah County Recorder the original (1) notice of an impending boundary action sent to the lieutenant governor, (2) certificate of annexation, and (3) approved final local entity plat and a certified copy of this annexation ordinance.

Section 5. The City Council further directs the City Recorder to send notice of the certified annexation to all of the following within 30 days of the adoption of this annexation ordinance: (1) Utah County Clerk; (2) any local district or special district whose boundaries include any part of the annexed area; (3) the Alpine School District; and (4) any municipality whose boundaries are within one-half mile of the annexed area.

Section 6. The City Council determines that the proposed annexation area is in need of municipal-type services, that the City is capable of providing those services, and said annexation area shall henceforth be subject to all of the ordinances and regulations of the City.

Section 7. The territory annexed herein is hereby classified in the SC-1 Shopping Center Zone.

**PART II
ADOPTION**

A. CONFLICTING PROVISIONS

All ordinances, orders, and regulations or parts thereof heretofore adopted or passed that are in conflict herewith are, to the extent of such conflict, hereby repealed. Such action shall not be construed so as to revive any ordinance, order, regulation or part thereof heretofore repealed.

B. PROVISIONS SEVERABLE

It is hereby declared that all parts of this Ordinance are severable; and if any section, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause, or provision shall not affect the remaining sections, clauses, or provisions of this Ordinance.

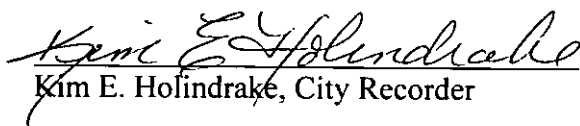
C. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 21ST DAY OF FEBRUARY, 2012.


Eric Richardson, Mayor

ATTEST:


Kim E. Holindrake, City Recorder

