



ENT 46587:2022 PG 1 of 8
 ANDREA ALLEN
 UTAH COUNTY RECORDER
 2022 Apr 14 12:08 pm FEE 0.00 BY LT
 RECORDED FOR SALEM CITY

ORDINANCE NO. 102021

ROLL CALL

VOTING	YES	NO
KURT L CHRISTENSEN Mayor (votes only in case of tie)	<i>KE</i>	
VACANCY City Councilmember		
TIM DEGRAW City Councilmember	<i>(TD)</i>	
STERLING M. REES City Councilmember	<i>SR</i>	
DELYS SNYDER City Councilmember	<i>DS</i>	
SETH SORENSEN City Councilmember	<i>SS</i>	

I MOVE this ordinance be adopted: *[Signature]*
 City Councilmember

I SECOND the foregoing motion: *[Signature]*
 City Councilmember

SALEM CITY, UTAH

ORDINANCE 102021

**AN ORDINANCE ANNEXING AND ZONING PROPERTY
 KNOWN AS THE BYU FARM ANNEXATION**

WHEREAS a petition has been filed with Salem City Council by Brigham Young University, Chris & Sally Nelson, Melvin N. & Shirley T. Bangerter, Zephyr Ranches, LC,

Smart Style Limousin Zephyr, LLC, Smart's Farm Zephyr, LLC, McKee Investments Zephyr, LLC, Lyle J. Smart Family Partnership, Smart Style Limousin, LLC, Smart's Farm, LLC, McKee Investments, LLC, Smart Rock, LLC, and McKee Rock, LLC ("Petitioners"), the owners of property representing a majority of the assessed valuation of real property hereinafter described, which property lies contiguous to the corporate limits of Salem City;

WHEREAS the Petitioners have also submitted an accurate plat of said territory and have filed the same in the office of the Salem City Recorder (attached as an exhibit hereto);

WHEREAS on May 5, 2021, the Salem City Council accepted the petition for further consideration and certified it to the Utah County Boundary Commission, pursuant to Utah Code Ann. §10-2-405, on May 21, 2021;

WHEREAS the Salem City Recorder has certified that the petition complies with the requirements of Utah Code Ann. §10-2-403, as they pertain to annexations;

WHEREAS publication of the certification took place in the *Payson Chronicle*, a paper with local circulation in Salem City, on April 14, April 21, and April 28, 2021;

WHEREAS a number of protests were received concerning the annexation petition;

WHEREAS the Utah County Commission adopted Resolution No. 2021-455 on May 12, 2021, whereby it consented to the BYU Farm Annexation despite it leaving unincorporated islands or peninsulas, pursuant to the authority granted by Utah Code Ann. § 10-2-402(1)(b)(iii);

WHEREAS on August 23, 2021, the Utah County Boundary Commission held a public hearing on the protests received;

WHEREAS, after consideration of the protests received, the Utah County Boundary Commission denied each protest and issued its Findings, Conclusions, and Decision on

September 15, 2021;

WHEREAS a public hearing was held before the Salem City Council on Wednesday, October 6, 2021, pursuant to Utah Code Ann. §10-2-407, with notice having taken place in accordance with said section;

WHEREAS, at the public hearing, the City Council heard the comments and discussion concerning the annexation and zoning of the property; and

WHEREAS, following the public hearing, the Council found there are SESD facilities in the area;

NOW THEREFORE, be it ordained and enacted by the Salem City Council as follows:

Section 1. Annexation. Pursuant to Utah Code Ann. 10-2-402(1)(c), the Salem City Council hereby consents to the annexation despite it leaving unincorporated islands or peninsulas. The boundaries of Salem City are hereby extended so as to include and incorporate within the said City limits the following described land: [AS DESCRIBED IN THE LEGAL DESCRIPTION AND DEPICTED IN THE ATTACHED EXHIBIT]

Section 2. Zoning Classification. Pursuant to Salem City Code § 14-1-030, the property is hereby zoned as follows: R-15, A-1 and Master Planned Zone. [AS DESCRIBED IN THE LEGAL DESCRIPTION AND DEPICTED IN THE ATTACHED EXHIBIT]

Section 3. Not Part of Municipal Code. This ordinance shall not become part of the Salem City Municipal Code.

Section 4. Effective Date. This ordinance shall become effective upon posting.

DATED: October 20, 2021.


KURT L CHRISTENSEN, Mayor

Attest:


JEFFREY D. NIELSON, City Recorder



EXHIBIT

**SALEM SPRINGS ANNEXATION LEGAL DESCRIPTION
AND ANNEXATION PLAT
aka BYU Farm Annexation**

ANNEXATION BOUNDARY LEGAL DESCRIPTION

LOCATED IN SECTIONS 5 AND 6, AND A PORTION OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 7, ALL IN TOWNSHIP 9 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN; THENCE S89°16'47"W ALONG THE SECTION LINE 1334.02 FEET TO AN EXISTING FENCE LINE; THENCE N00°38'31"W ALONG A FENCE LINE 371.16 FEET; THENCE N00°05'17"E 299.58 FEET; THENCE S89°45'29"W 69.16 FEET; THENCE N23°29'14"W 101.63 FEET; THENCE N50°32'45"E 17.08 FEET; THENCE N04°00'29"W 242.51 FEET; THENCE N81°11'26"W 9.63 FEET; THENCE N08°38'17"W 124.47 FEET; THENCE N00°56'33"W 485.44 FEET;; THENCE N00°56'33"W 111.84 FEET; THENCE N00°56'41"W 420.51 FEET; THENCE N89°31'45"E 166.95 FEET; THENCE N00°06'25"E 498.27 FEET; THENCE N02°29'02"E 28.69 FEET; THENCE N00°11'30"W 1646.72 FEET; THENCE EAST 10.99 FEET; THENCE NORTH 286.76 FEET; THENCE N89°37'51"E 1023.02 FEET; THENCE NORTH 5.02 FEET; THENCE EAST 268.54 FEET TO THE QUARTER SECTION LINE; THENCE N0°22'15"W ALONG THE QUARTER SECTION LINE (ALSO BEING ALONG AN EXISTING FENCE LINE ALONG THE WEST SIDE OF 400 EAST STREET) 485.96 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF THAT FENCE LINE AGREEMENT DESCRIBED IN DEED ENTRY NO. 80651:1999 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER; THENCE ALONG THE EXTENSION OF AND SAID FENCE LINE AGREEMENT THE FOLLOWING TWO (2) COURSES: ; THENCE S89°59'42"E 455.23 FEET; THENCE N00°51'17"W 222.41 FEET TO THE NORTH LINE OF SAID SECTION 6; THENCE N89°14'02"E ALONG THE SECTION LINE 600.86 FEET TO THE NORTHERLY EXTENSION OF AN EXISTING FENCE; THENCE ALONG THE EXTENSION OF AND SAID FENCE THE FOLLOWING THREE (3) COURSES: S0°30'39"E 622.51 FEET; THENCE N89°06'34"E 298.48 FEET; THENCE N0°39'04"W 621.85 FEET THE NORTH LINE OF SAID SECTION 6; THENCE N89°14'02"E ALONG THE SECTION LINE 1316.91 FEET TO THE NORTHEAST CORNER OF SAID SECTION 6; THENCE N89°09'50"E ALONG THE SECTION LINE 2662.93 FEET TO THE NORTH QUARTER CORNER OF SECTION 5; THENCE N89°08'08"E ALONG THE SECTION LINE 2713.14 FEET TO NORTHEAST CORNER OF SECTION 5; THENCE S1°06'42"W ALONG THE SECTION LINE 1347.05 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE S89°22'44"W ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 1346.03 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S0°40'10"W ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 1341.01 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE S0°39'59"W ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 2706.37 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE S89°22'17"W ALONG THE SECTION LINE 1314.65 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 5; THENCE N0°13'24"E ALONG THE QUARTER SECTION LINE 2033.85 FEET TO THE NORTH LINE OF THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 12055:2018 BEING MORE PARTICULARLY DEFINED ON THAT RECORD OF SURVEY NO. 08-349; THENCE S89°58'27"W ALONG SAID SURVEY LINE AND IN PART ALONG AN EXISTING FENCE LINE 1313.57 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE S0°02'31"E ALONG SAID WEST LINE 2010.01 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N88°58'46"W ALONG THE SECTION LINE 1304.38 FEET TO THE WEST LINE OF SAID SECTION 5; THENCE

NO 18'48"W ALONG THE SECTION LINE 2648.29 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 5; THENCE S89°11'13"W ALONG THE QUARTER SECTION LINE 338.90 FEET; THENCE S0°18'49"E 2650.65 FEET TO THE SOUTH LINE OF SECTION 6; THENCE S88°47'12"W ALONG THE SECTION LINE 338.59 FEET; THENCE NO°34'16"W 14.13 FEET TO THE NORTH LINE OF THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 38786:2012 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER; THENCE S89°58'54"W 641.60 FEET TO THE NORTHWEST CORNER OF THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 64690:2016 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER; THENCE S0°01'06"E 27.52 FEET TO THE SOUTH LINE OF SAID SECTION 6; THENCE S88°47'12"W ALONG THE SECTION LINE 28.70 FEET TO THE EAST LINE OF THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 4258:1959 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER; THENCE S1°12'48"E ALONG SAID REAL PROPERTY 70.90 FEET TO THE NORTH LINE OF THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 153220:2002 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER; THENCE S52°40'18"W ALONG SAID REAL PROPERTY 215.65 FEET TO THE SOUTH LINE OF THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 4258:1959 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER; THENCE ALONG SAID REAL PROPERTY THE FOLLOWING TWO (2) COURSES: S88°47'12"W 1147.95 FEET TO THE QUARTER SECTION LINE; THENCE NO°22'46"W ALONG THE QUARTER SECTION LINE 198.02 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±916.68 ACRES

ANNEXATION PLAT

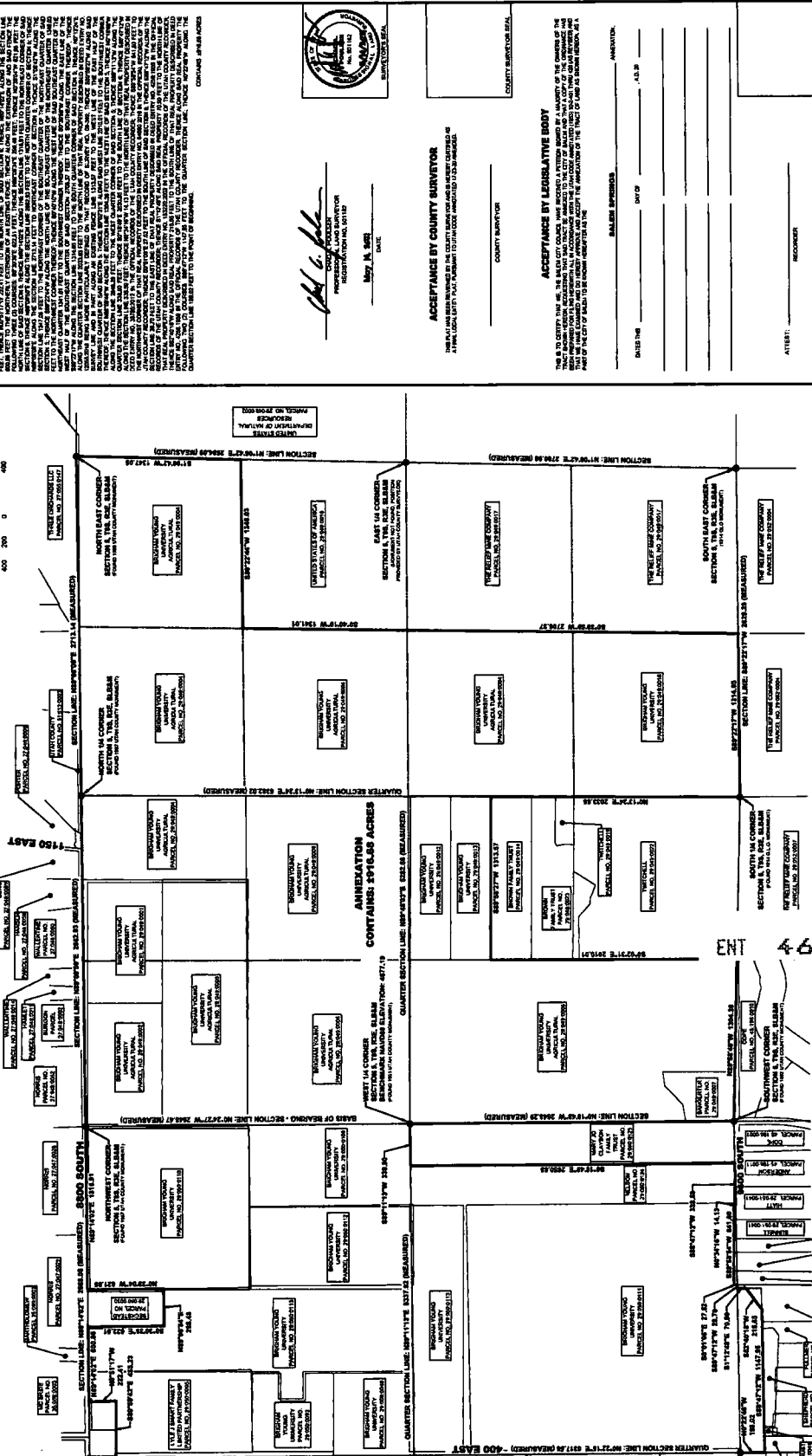
SALEM SPRINGS ANNEXATION

SALEM CITY, MISSOURI

DATE: _____
RECORDED: _____
COUNTY: _____

- NOTES
- 1. THE BOUNDARIES AND THE PLAT OF THE SALEM SPRINGS ANNEXATION ARE TO BE SUPERSEDED BY THE SALEM CITY ANNEXATION PLAT.
 - 2. THE SALEM CITY ANNEXATION PLAT IS TO BE SUPERSEDED BY THE SALEM CITY ANNEXATION PLAT.

SECTION 16, TOWNSHIP 20S, RANGE 11E, MISSOURI PLATS 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



SURVEYOR'S CERTIFICATE

I, _____, Surveyor, do hereby certify that I am a professional land surveyor, and that I have determined the extent of the lands shown on this plat, and that I have been duly sworn in and qualified in the office of the Missouri State Surveyor.

BOUNDARY DESCRIPTION

All lots shown on this plat were surveyed by me, or by some other licensed land surveyor, and are shown on the same plat as a unit. The boundaries and corners shown on this plat were established by me, or by some other licensed land surveyor, and are shown on the same plat as a unit. The boundaries and corners shown on this plat were established by me, or by some other licensed land surveyor, and are shown on the same plat as a unit.

ACCEPTANCE BY COUNTY SURVEYOR

I, _____, County Surveyor, do hereby accept this plat for record, and certify that it complies with the provisions of the Act.

DATE: _____
COUNTY SURVEYOR

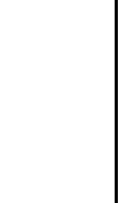
ACCEPTANCE BY LEGISLATIVE BODY

I, _____, Representative, do hereby accept this plat for record, and certify that it complies with the provisions of the Act.

DATE: _____
LEGISLATIVE BODY

LEGEND

- SECTION CORNER
- SURVEY CORNER
- BOUNDARY
- ADJACENT BOUNDARY LINE



ANNEXATION CONTAINS 5916.85 ACRES

SECTION 14, TOWNSHIP 20S, RANGE 11E, MISSOURI PLATS 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

LEGISLATIVE BODY

DATE: _____
LEGISLATIVE BODY