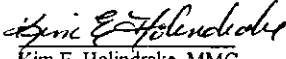


This document is an exact copy of the original. Ord. No. 06-19-2019A


Kim E. Holindrake, MMC
Payson City Recorder



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JEFFERY SMITH
UTAH COUNTY RECORDER
2019 Aug 06 1:56 pm FEE 0.00 BY MA
RECORDED FOR PAYSON CITY CORPORATION

ORDINANCE NO. 06-19-2019 A

AN ORDINANCE ANNEXING APPROXIMATELY 43.61 ACRES EXTENDING THE MUNICIPAL BOUNDARIES OF PAYSON, UTAH TO INCLUDE PARCELS INCLUDED IN THE HOLDAWAY-PLEASANT FLATS ADDITION ANNEXATION, AND ZONING THE PROPERTY, AND AMENDING THE OFFICIAL ZONING MAP OF PAYSON CITY.

WHEREAS, Payson City received an Application for Annexation of the Holdaway-Pleasant Flats Addition Annexation area property identified by the Utah County Parcel number and the associated acreage: Parcel #1: 30:030:0068, 3 acres, Parcel #2: 30:030:0069, 30.88 acres, and Parcel #3: 30:030:0085, with 5.50 acres on February 7, 2019; and,

WHEREAS, the Payson City Council accepted a petition for the Holdaway-Pleasant Flats Addition Annexation for further review on November 16, 2016, pursuant to Section 10-2-403, et seq. Utah Code Annotated, 1953, as amended, and the petition satisfied the requirements of the above-stated section; and,

WHEREAS, no qualified protests were filed with Payson City or Utah County pursuant to Section 10-2-407, Utah Code Annotated, 1953, as amended, and the petition was certified by the Payson City Recorder on December 1, 2016, and a notice was published and mailed pursuant to the requirements of Section 10-2-406, Utah Code Annotated, 1953, as amended; and,

WHEREAS, a public hearing was held on March 13, 2019, pursuant to Section 10-2-407(3)(b)(ii), Utah Code Annotated, 1953, as amended; and,

WHEREAS, the requested area for annexation is an unincorporated area that is contiguous to Payson City, and the applicable requirements of Utah state statutes in relation to annexation have been satisfied; and,

WHEREAS, the East Side Comprehensive Plan containing the Holdaway-Pleasant Flats Addition Annexation, (Exhibit "A"), has been prepared and represents a planning framework for the future growth and development of the approximate 214 acres in the Annexation Area; and,

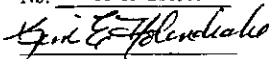
WHEREAS, the City Council has reviewed the East Side Comprehensive Plan prepared to provide a planning framework for the future growth and development of the approximately 214 acres in the Annexation Area; and,

WHEREAS, the City Council determined that the annexation is a logical extension of the municipal boundaries and will further the goals of the Payson City General Plan;

WHEREAS, the City Council finds that proposed zoning is consistent with the Payson City General Plan, the East Side Comprehensive Plan, and Payson City planning principles. The zoning includes 7.69 acres in the PO-1 "Professional Office" zone, 11.08 in the GC-1 "General Commercial" zone, 10.59 acres in the RMF-20 "Residential Multi-Family zone, with a density not to exceed twenty (20) units per acre, 8.71 acres in the RMF-15 "Residential Multi-Family" zone with a density not to exceed twelve (12) units per acre, and three additional acres in the PO-1 "Professional Office" zone; and

WHEREAS, the City Council finds that requiring the annexation petitioners to enter into an Annexation Agreement (Exhibit "B") setting forth further terms and conditions of the Annexation will benefit and further the goals of Payson City.

NOW THEREFORE, be it ordained by the City Council of Payson, Utah, as follows:


Kim E. Holindrake, MMC
Payson City Recorder

ANNEXATION APPROVAL. The Property of the Holdaway-Pleasant Flats Addition Annexation is hereby annexed into the corporate limits of Payson City, Utah according to the Holdaway-Pleasant Flats Addition Annexation Plat executed in substantially the same form as is attached hereto as Exhibit "C" and according to the conditions that the annexation Applicants to enter into an Annexation Agreement executed in substantially the same form as is attached hereto as Exhibit "B" specifying further the terms and conditions of the Holdaway-Pleasant Flats Addition Annexation, between the City and Applicants, to be recorded concurrently with the Annexation Plat.

ANNEXATION AGREEMENT. The Council hereby authorizes the Mayor to execute the Annexation Agreement in substantially the same form as is attached hereto as Exhibit "B" and it be recorded concurrently with the Annexation Plat.

OFFICIAL PAYSON CITY ZONING MAP AMENDMENT. The Official Payson City Zoning Map is hereby amended to include said Property contained in the Holdaway-Pleasant Flats Addition Annexation with the zoning that includes 7.69 acres in the PO-1 "Professional Office" zone, 11.08 in the GC-1 "General Commercial" zone, 10.59 acres in the RMF-20 "Residential Multi-Family zone, with a density not to exceed twenty (20) units per acre, 8.71 acres in the RMF-15 "Residential Multi-Family" zone with a density not to exceed twelve (12) units per acre, and three additional acres in the PO-1 "Professional Office" zone.

COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. The City Council finds this annexation meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code Annotated 1953 as amended, the Payson City General Plan, and The Payson City Annexation Policy Plan, and Chapter 19.12-1 et seq. Annexation, of the Payson City Code and that the underlying zoning is consistent with the Payson City General Plan.

CONDITIONS OF APPROVAL. The Official Zoning Map shall be amended to include the Holdaway-Pleasant Flats Addition Annexation property containing the zoning that includes 7.69 acres in the PO-1 "Professional Office" zone, 11.08 in the GC-1 "General Commercial" zone, 10.59 acres in the RMF-20 "Residential Multi-Family zone, with a density not to exceed twenty (20) units per acre, 8.71 acres in the RMF-15 "Residential Multi-Family" zone with a density not to exceed twelve (12) units per acre, and three additional acres in the PO-1 "Professional Office" Zoning Districts. The Annexation Agreement shall be fully executed and recorded with the Annexation Plat.

EXHIBITS. All Exhibits referenced in this Ordinance are incorporated into this Ordinance as if contained in the body of the ordinance.

Exhibit "A" the East Side Comprehensive Plan

Exhibit "B" The Holdaway-Pleasant Flats Addition Annexation Agreement

Exhibit "C" The Holdaway-Pleasant Flats Addition Annexation Plat

Exhibit "D" The Holdaway-Pleasant Flats Addition Annexation Legal Description

This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Annexation Agreement, and compliance with Utah annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

Signature Page to Follow

This document is an exact
copy of the original. Ord.
No. 06-19-2019A

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Kim E. Holindrake

Kim E. Holindrake, MMC
Payson City Recorder

PASSED and ORDAINED this 19th day of June, 2019.

William R. Wright
William R. Wright, Mayor

Attest:

Kim E. Holindrake
Kim E. Holindrake, Deputy City Recorder



BOUNDARY DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 2 EAST SALT LAKE BASE AND MERIDIAN, PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE CURRENT CORPORATE LIMITS OF PAYSON CITY LOCATED N.00°22'32"W. ALONG THE SECTION LINE A DISTANCE OF 453.23 FEET AND EAST A DISTANCE OF 404.55 FEET FROM THE SOUTHWEST CORNER OF SECTION 10, T9S., R2E., S.L.B.& M; THENCE ALONG SAID CORPORATE LIMITS THE FOLLOWING 7 (SEVEN) COURSES AND DISTANCES; 1) N.00°17'13"E. A DISTANCE OF 1001.70 FEET; 2) THENCE N.13°02'57"W. A DISTANCE OF 47.41 FEET; 3) THENCE N.78°18'00"E. A DISTANCE OF 188.11 FEET; 4) THENCE N.08°05'40"W. A DISTANCE OF 3.28 FEET; 5) THENCE N.77°40'13"E. A DISTANCE OF 767.40 FEET; 6) THENCE N.10°57'47"W. A DISTANCE OF 14.88 FEET; 7) THENCE N.78°32'00"E. A DISTANCE OF 638.26 FEET; THENCE S.00°53'31"W. A DISTANCE OF 724.43 FEET; THENCE S.89°28'03"E. A DISTANCE OF 0.39 FEET; THENCE S.00°41'45"W. A DISTANCE OF 693.39 FEET; THENCE N.89°13'29"W. A DISTANCE OF 1413.92 FEET TO A POINT ON SAID CORPORATE LIMITS; THENCE N.00°26'57"E ALONG SAID CORPORATE LIMITS 3.93 FEET; THENCE S.90°00'00"W. ALONG SAID CORPORATE LIMITS A DISTANCE OF 117.38 FEET TO THE POINT OF BEGINNING.

CONTAINING ±43.61 acres OF LAND MORE OR LESS.