



ORDINANCE NO: O-2024-29

AN ORDINANCE GRANTING THE TRENT SMITH PETITION FOR ANNEXATION, APPROVING THE ANNEXATION OF CERTAIN PROPERTY, AGREEING TO DESIGNATE THE NEW HIGHLAND CITY-LEHI CITY BOUNDARY LINE, AND AMENDING HIGHLAND CITY'S MUNICIPAL BOUNDARIES

WHEREAS, Title 10, Chapter 2, Part 4, of the Utah Code, as amended (the "Act") establishes procedures to annex real property into a municipality's boundaries and jurisdiction;

WHEREAS, Highland City has received a petition from Shalynn Larson, representing Trent Smith, ("Property Owners"), owner or trustee of the owner of property located contiguous to Highland City, which property is currently within the unincorporated area of Utah County, as described and shown in the attached Exhibit A ("Property");

WHEREAS, the Property Owners desire to have their Property annexed into the corporate limits of Highland City as outlined in the attached map;

WHEREAS, the Highland City Council has determined that the Property is within the Highland City Annexation Policy Plan, is contiguous to the Highland City municipal boundaries, and is therefore eligible for annexation;

WHEREAS, the Highland City Council accepted the Property Owners' petition for annexation for further consideration on August 6, 2024, and directed City staff to publish notice and take all required steps related to the noticing of the protest period and the calling of a public hearing related to the potential approval of the petition for annexation in accordance with the Act;

WHEREAS, the City recorder certified the petition and provided notice thereof as required by the Act on August 15, 2024;

WHEREAS, the protest period required by the Act expired on September 16, 2024, without any protests being filed;

WHEREAS, a public hearing was held regarding the petition for annexation on September 17, 2024;

WHEREAS, all notices related to the protest period and public hearing were given as required by the Act;

WHEREAS, after considering all public comments, the information and comments submitted by the Property Owners, and other appropriate matters, the City Council finds that it will be to the benefit of Highland City to grant the petition and annex the Property on the conditions set forth herein;

WHEREAS, it was discovered that the western boundary of the Property, which adjoins properties within Lehi City, was unclear according to the County property records, which causes the municipal boundary of Lehi City to also be unclear;

WHEREAS, Lehi City and the affected property owners, including the annexing Property Owners, have agreed to settle the boundary of the affected properties and of Lehi City in this area as shown on the annexation plat proposed by Property Owners and approved by Highland City;

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

SECTION 1. The City Council approves the Property Owners' petition to annex the Property into the boundaries of the City ("Annexation"), subject to the following conditions:

- a. The Annexation shall not be effective unless and until Property Owners execute and record against title to the Property the annexation agreement in substantially the form attached hereto as Exhibit B;
- b. The Annexation shall not be effective unless and until the Property Owners pay all impact fees as required and described by the annexation agreement;
- c. Upon the execution and recordation of the annexation agreement and payment of impact fees, the City recorder shall file all necessary documents with the Lieutenant Governor's office to complete the Annexation as required by the Act.

SECTION 2. The City Council approves the boundary line between Highland City and Lehi City, after annexation of the Property, to be as shown on the approved annexation plat submitted by Property Owners, a portion of which is reproduced as Exhibit A.

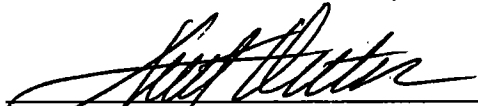
SECTION 3. Upon completion of the Annexation, the Property shall be zoned R-1-20.

SECTION 4. The mayor and city staff are directed to take all actions necessary to complete the Annexation and carry out the annexation agreement as set forth herein.

SECTION 5. This ordinance shall take effect immediately upon its adoption and publication, as required by law.

SECTION 6. This ordinance shall repeal and replace Ordinance 2024-26.

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this 12th day of November, 2024.


 Kurt Ostler
 Mayor

ATTESTED:



 Stephannie Cottle
 City Recorder



EXHIBIT A
Description of Annexed Property

Legal Description of Property at 7015 W. 9600 N. Highland, UT 84003:

All that certain parcel of land situated in the County of Utah, State of Utah, being known and designated as follows:

A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, UTAH COUNTY UTAH. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE BOUNDARY LINE BETWEEN HIGHLAND CITY AND UTAH COUNTY, SAID POINT BEING NORTH 89°52'22" EAST 1006.49 FEET ALONG THE NORTH SECTION LINE FROM THE NORTHWEST CORNER OF SAID SECTION 10 AND RUNNING THENCE;

NORTH 89°52'22" EAST 124.76 FEET ALONG THE BOUNDARY LINE OF UTAH COUNTY AND HIGHLAND CITY; THENCE SOUTH 00°07'38" EAST 408.54 FEET ALONG AN EXISTING FENCE LINE, MORE OR LESS, TO A POINT LOCATED ON THE NORTHERLY LINE AS DESCRIBED BY THAT CERTAIN AFFIDAVIT OF CORRECTION, RECORDED ON SEPTEMBER 18, 2019 AS ENTRY NO. 92459:2019 OF OFFICIAL RECORDS, ALSO BEING ALONG THE BOUNDARY LINE OF HIGHLAND CITY; THENCE SOUTH 89°52'22" WEST 127.82 FEET ALONG SAID AFFIDAVIT OF CORRECTION TO A POINT ON AN EXISTING FENCE LINE RUNNING NORTH AND SOUTH; THENCE ALONG SAID FENCE LINE ALSO BEING THE BOUNDARY LINE BETWEEN UTAH COUNTY AND LEHI CITY THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. NORTH 00°15'04" WEST 112.53 FEET;

2. NORTH 00°38'30" EAST 126.08 FEET;

3. NORTH 00°24'54" EAST 169.95 FEET TO A POINT ON THE SOUTHERLY LINE OF 1500 NORTH STREET TO

THE POINT OF BEGINNING.

CONTAINING 51,775 SQUARE FEET OR 1.189 ACRES, MORE OR LESS.

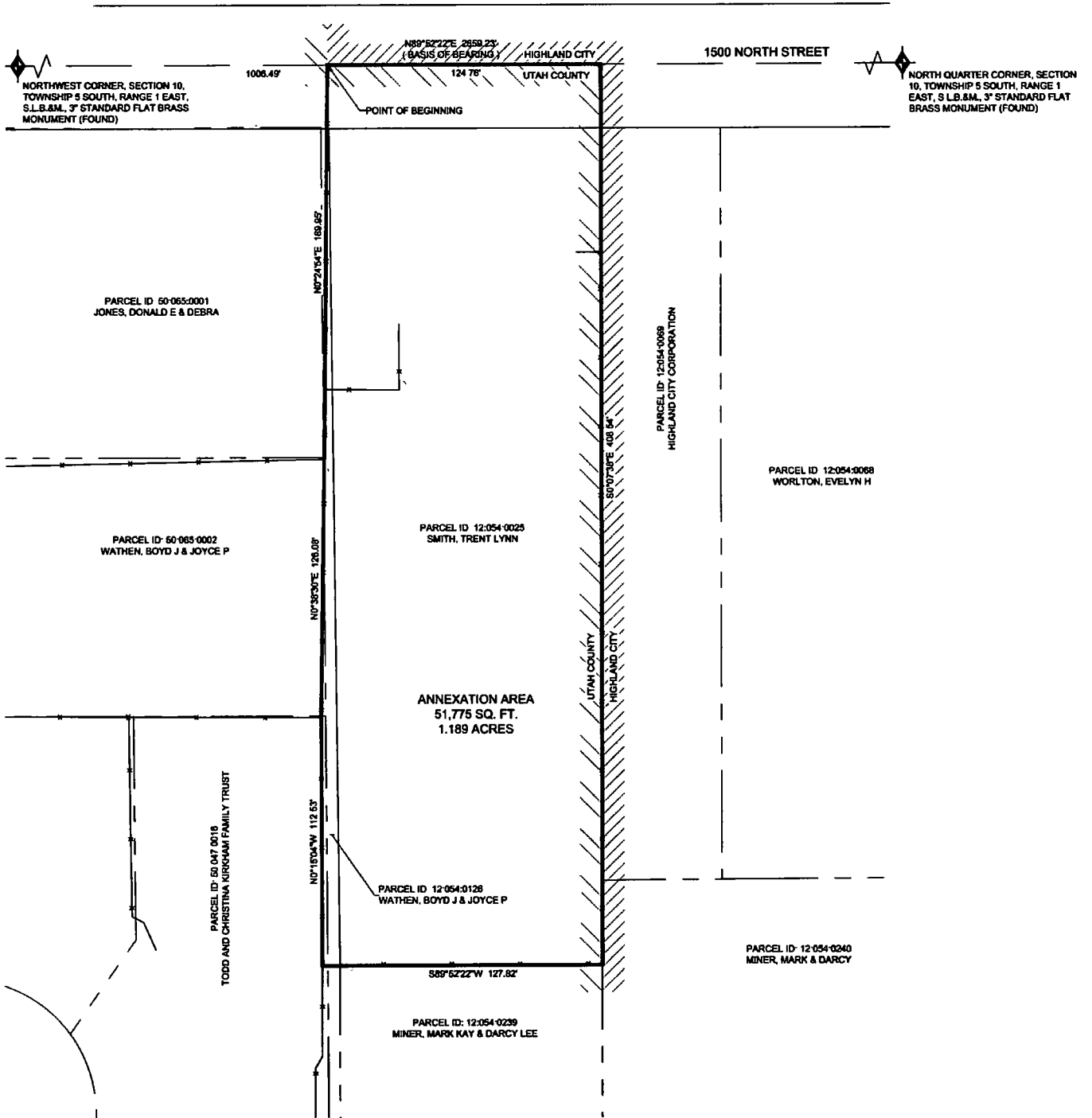


EXHIBIT B
Form of Annexation Agreement

**Annexation Agreement previously recorded as entry
70155:2024 on October 10, 2024.**