

STATE OF UTAH

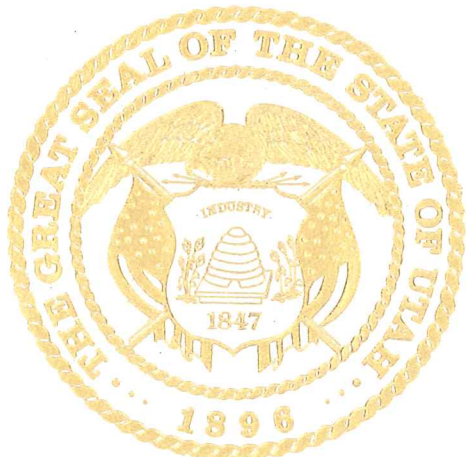


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from SOUTH OGDEN CITY, dated January 6th, 2009, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to SOUTH OGDEN CITY, located in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 24th day of February, 2009 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT
Lieutenant Governor



South Ogden City

George Garwood Jr
Mayor

J. Scott Darrington
City Manager

January 26, 2009

Lt. Governor's Office
Gary R. Herbert
210 State Capitol
Salt Lake City, Utah 84114

On January 6, 2009, the South Ogden City Council adopted Ordinance No. 09-02, approving the Weber School District Annexation. The ordinance was also effective that day.

This letter shall serve as official notice of the adoption of the annexation ordinance. Pursuant to Utah Code § Section 10-2-425(1), attached is an original copy of Ordinance 09-02 and a plat indicating the new boundaries of the affected area. The plan was recorded with the Weber County Recorder on January 21, 2009. This letter certifies that the Weber School District Annexation has met all legal requirements relating to the boundary changes.

If you have any questions or require addition information, please contact my office at 801-622-2707.

Sincerely,

Dana B. Pollard, MMC
City Recorder

Received

JAN 29 2009
mgs sent 1/29
Gary R. Herbert
Lieutenant Governor

ORDINANCE NO. 09-02

AN ORDINANCE OF THE CITY OF SOUTH OGDEN, UTAH, ANNEXING CERTAIN TERRITORY LOCATED AT APPROXIMATELY 5700 SOUTH 700 EAST FOR NEW JUNIOR HIGH SCHOOL, COMPRISED OF 24.72 ACRES AND INCORPORATING THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF SOUTH OGDEN PURSUANT TO THE PROVISIONS OF CHAPTER 5 OF THE ORDINANCES OF SOUTH OGDEN CITY AS AMENDED; SETTING THE ZONING CLASSIFICATION OF SAID PROPERTY AS R-1-10 IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE PLANNING COMMISSION; ADOPTING AND ANNEXING AN EXPLANATORY MAP OF SAID PROPERTY AND ZONES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition for annexation has been submitted by the property owners requesting annexation of approximately 24.72 acres, in one parcel, of certain territory into the City of South Ogden and;

WHEREAS, after referral to the South Ogden City Planning Commission for input and recommendation, said Planning Commission has recommended annexation of the territory into the City; 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,

WHEREAS, in conformance with the provisions of UCA § 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 Commission 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 SOUTH OGDEN 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

Certain Territory Located At Approximately 5700 South 700 East, Owned By Weber School District, And More Completely Described In **Attachment "A"** Hereto, And By This Reference Fully Incorporated Herein, For A New Junior High School, Comprised Of 24.72 Acres

1(b) Zoning for the annexed property is hereby set at and the property is declared to be zoned as R-1-10.

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 25-1-12 of the South Ogden City Zoning Ordinance, the territory herein annexed is classified as R-1-10 for the area shown on the attached drawing (**Attachment "B"**) 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.

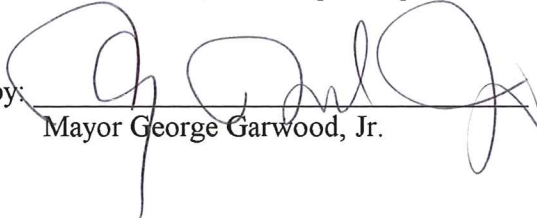
This Ordinance shall be effective on the 6th day of January, 2009, and after publication or posting as required by law.

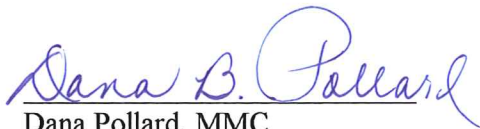
DATED this 6th day of January, 2009



Attested and recorded

SOUTH OGDEN, a municipal corporation

by: 
Mayor George Garwood, Jr.



Dana Pollard, MMC
City Recorder

POSTED: 1-7-09

ATTACHMENT “A”

ORDINANCE NO. 09-02

An Ordinance Of The City Of South Ogden, Utah, Annexing Certain Territory Located At Approximately 5700 South 700 East For New Junior High School, Comprised Of 24.72 Acres And Incorporating The Same Within The Corporate Boundaries Of The City Of South Ogden Pursuant To The Provisions Of Chapter 5 Of The Ordinances Of South Ogden City As Amended; Setting The Zoning Classification Of Said Property As R-1-10 In Conformance With The Recommendations Of The Planning Commission; Adopting And Annexing An Explanatory Map Of Said Property And Zones; And Providing For An Effective Date.

Date: 06 Jan 09

BOUNDARY DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE
 BASE AND MERIDIAN, BEGINNING AT A POINT BEING S 89°10'36" E 1029.28 FEET ALONG THE
 SECTION LINE FROM THE NORTHWEST CORNER OF SAID SECTION 21, THENCE CONTINUING

S 89°10'36" E	1126.80 FEET	ALONG THE SOUTHERLY BOUNDARY LINE OF THE SOUTH OGDEN CITY LIMITS TO THE NORTHWEST CORNER OF ANCHOR LAND AND CATTLE LLC AND THE RISKY III LLC PROPERTY, THENCE
S 00°02'26" W	86.50 FEET	ALONG THE WEST BOUNDARY LINE OF ANCHOR LAND & CATTLE LLC AND THE RISKY III LLC PROPERTY, THENCE
S 57°27'11" E	159.95 FEET	TO THE SOUTHERLY CORNER OF ANCHOR LAND AND CATTLE, THENCE ALONG THE WESTERLY SOUTH OGDEN CITY LIMITS AND EMERALD HILLS SUBDIVISION THE FOLLOWING 3 COURSES:
S 19°32'08" W	7.09 FEET	AND
S 31°04'24" W	500.00 FEET	TO THE SOUTHWEST CORNER OF EMERALD HILLS SUBDIVISION, POINT IS ALSO THE NORTHWEST CORNER OF PLEASANT VALLEY SUBDIVISION PHASE 18. THENCE CONTINUING ALONG THE WESTERLY SOUTH OGDEN CITY LIMITS AND THE PLEASANT VALLEY SUBDIVISION PHASE 18 BOUNDARY THE FOLLOWING 3 COURSES:
S 47°19'47" W	102.26 FEET	
S 60°24'55" W	115.46 FEET	AND
S 16°34'31" W	344.84 FEET	TO A POINT THAT BEGINS THE PROPOSED WASHINGTON TERRACE CITY LIMITS BOUNDARY, THENCE
S 00°09'30" E	142.26 FEET	TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CURVE (R=267.00', D=29°07'46", T=69.37', CH=134.29', CHB=N 56°01'04" W) TO A POINT ON A TANGENT LINE; THENCE TO A POINT ON A TANGENT CURVE TO THE LEFT, THENCE ALONG SAID (R=533.00', D=20°56'41", T=98.52', CH=193.76', CHB= N 51°55'32" W) TO A POINT ON A TANGENT LINE; THENCE THENCE
S 19°25'03" W	110.31 FEET	
NORTHWESTERLY	135.74 FEET	
N 41°27'11" W	98.01 FEET	
NORTHWESTERLY	194.84 FEET	
N 62°23'52" W	406.75 FEET	
N 00°06'06" W	870.33 FEET	TO THE POINT OF BEGINNING

CONTAINS: 1,076,635 SQ. FT. / 24.72 ACRES

ATTACHMENT “B”

ORDINANCE NO. 09-021

An Ordinance Of The City Of South Ogden, Utah, Annexing Certain Territory Located At Approximately 5700 South 700 East For New Junior High School, Comprised Of 24.72 Acres And Incorporating The Same Within The Corporate Boundaries Of The City Of South Ogden Pursuant To The Provisions Of Chapter 5 Of The Ordinances Of South Ogden City As Amended; Setting The Zoning Classification Of Said Property As R-1-10 In Conformance With The Recommendations Of The Planning Commission; Adopting And Annexing An Explanatory Map Of Said Property And Zones; And Providing For An Effective Date.

Date: 06 Jan 09

