

## ORDINANCE NO. 02-04-2018

### AN ORDINANCE AMENDING THE ZONING MAP OF SANTAQUIN CITY TO INCLUDE THE OLSON GREENHOUSE III ADDITION ANNEXATION AREA LOCATED ADJACENT TO THE CURRENT CORPORATE BOUNDARIES OF SANTAQUIN CITY, UTAH

**WHEREAS**, on October 13, 2017, Summit Creek Nursery LLC which owns certain real property adjacent to the City of Santaquin (the "Petitioners"), petitioned to annex the real property described in Exhibit A (the "Property") to the City; and

**WHEREAS**, the Petitioner owns the majority of the privately owned real property within the area proposed for annexation; and

**WHEREAS**, all Affected Entities have received notice of the proposed annexation; and

**WHEREAS**, on January 3, 2018, the Santaquin City Council held a public hearing to receive public input concerning the proposed annexation, which public hearing was properly scheduled and noticed in accordance with Utah law; and

**WHEREAS**, the area proposed for annexation lies within the City's current Annexation Policy Plan; and

**WHEREAS**, on January 3, 2018 the City Council adopted Ordinance No. 01-01-2018 for the purpose of amending the Official Zone Map of Santaquin City to include the Property and subsequently forwarded a Notice of Impending Boundary Action to the Office of the Lt. Governor of the state of Utah to complete the annexation; and

**WHEREAS**, the Office of the Lt. Governor has informed the City that the Notice of Impending Boundary Action has been rejected because said notice was incomplete and was not received within the time required by law; and

**WHEREAS**, Santaquin City, Utah desires to complete the statutory process to amend the Official Zone Map of Santaquin City to include the Property within the City's regulatory boundary;

**NOW, THEREFORE BE IT ORDAINED** by the City Council of Santaquin City, Utah as follows:

**SECTION 1. Official Zone Map Amended.** The Official Zone Map of Santaquin City as adopted by Section 10-7-2 of the Santaquin City Code is hereby amended to include the annexed real property as depicted in Exhibit B.

**SECTION 2. Designation.** The amended area shall be zoned Agriculture (Ag) as depicted on the zoning map, a copy of which is attached hereto as Exhibit B and incorporated herein by reference.

**SECTION 3. Execution of Documents.** The Mayor is hereby authorized to execute AMENDED ARTICLES OF INCORPORATION OF THE CITY OF SANTAQUIN and a certification of the Santaquin City Council that the legal procedures for annexation have been completed.

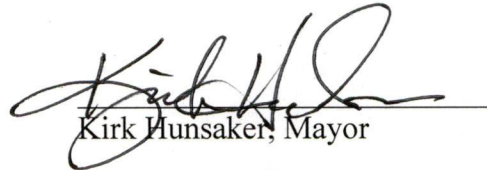
**SECTION 4. Posting.** A copy of this ordinance shall be deposited in the office of the Santaquin City Recorder, and on before 5:00 p.m. on February 22, 2018, the Santaquin City Recorder shall certify that this Ordinance has been posted in three public places within the municipality, as provided in Utah Code Annotated § 10-3-711(1).

**SECTION 5. Contrary Provisions of Ordinance 01-01-2018 Repealed.** All provisions of Ordinance 01-01-2018 found to be contrary to the provisions of this Ordinance 02-04-2018 are hereby repealed.

**SECTION 6. Effective Date.** This Ordinance shall take effect at 5:00 p.m. on February 22, 2018, and the described Annexation shall be effective upon the certification of the Utah Lt. Governor.

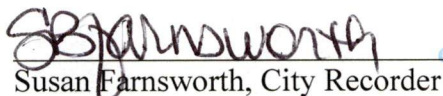
PASSED AND ADOPTED this 21<sup>st</sup> day of February, 2018.

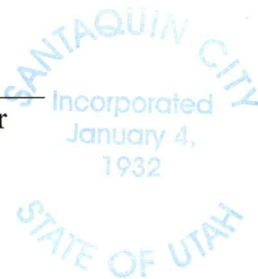
SANTAQUIN CITY

  
Kirk Hunsaker, Mayor

Councilmember Elizabeth Montoya	Voted	Agc
Councilmember Lynn Mecham	Voted	Agc
Councilmember Keith Broadhead	Voted	Agc
Councilmember Nick Miller	Voted	Absent
Councilmember Chelsea Rowley	Voted	Agc

ATTEST:

  
Susan Farnsworth, City Recorder



## Exhibit A

### BOUNDARY DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING CORPORATE LIMITS OF SANTAQUIN CITY, SAID POINT BEING THE NORTH 1/4 CORNER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN; THENCE ALONG SAID CORPORATE CITY LIMITS THE FOLLOWING NINE (9) COURSES: S0°39'34"E 1154.02 FEET; THENCE S89°59'26"W 441.03 FEET; THENCE N20°00'34"W 121.72 FEET; THENCE S68°14'26"W 200.87 FEET; THENCE S0°00'34"E 254.13 FEET; THENCE S62°50'41"W 41.65 FEET; THENCE S0°00'34"E 10.40 FEET; THENCE S67°29'26"W 114.27 FEET; THENCE S62°50'41"W 221.74 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE THE FOLLOWING THREE (3) COURSES: N21°59'03"W 44.56 FEET; THENCE N2°40'42"W 800.25 FEET; THENCE N2°24'02"W 702.22 FEET TO THE SECTION LINE; THENCE N89°59'03"E ALONG THE SECTION LINE 1079.32 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±30.

**EXHIBIT B**





Lt. Governor Spencer Cox  
P.O. Box 142325  
Salt Lake City, UT 84114-2325

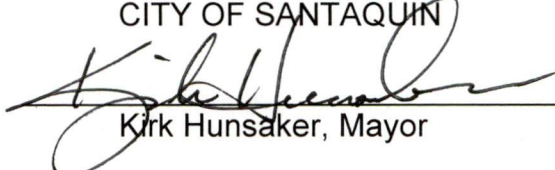
**RE: NOTICE OF IMPENDING BOUNDARY ACTION**

Pursuant to and in accordance with the provisions of the "Utah Municipal Code", the City of Santaquin, Utah and Juab Counties, Utah, acting by its Mayor and approved by the City Council during a Public Meeting held on January 21<sup>st</sup>, 2018, hereby requests amendment to its Articles of Incorporation at follows:

1. The name of the municipality is the Municipal Corporation of Santaquin, also known as the City of Santaquin.
2. The geographical description of the City is hereby amended to include the described property attached hereto as Exhibit "A" and known as the Olson Greenhouse III Additional Annexation.
3. The City of Santaquin is a "City of the Fourth Class" as defined in Utah Code Ann. § 10-2-301 (2)(d), having a population of more than 10,000 inhabitants, but less than 30,000 inhabitants.
4. These Amended Articles of Incorporation shall become effective on January 22<sup>nd</sup>, 2018.

DATED this 21<sup>st</sup> day of February, 2018.

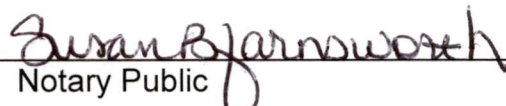
CITY OF SANTAQUIN

  
Kirk Hunsaker, Mayor

STATE OF UTAH                    )  
  : SS  
COUNTY OF UTAH

Kirk Hunsaker, being first duly sworn upon oath, deposes and says: I am the Mayor of the City of Santaquin and the foregoing Amended Articles of Incorporation of the City of Santaquin are truthful and accurate to the best of my knowledge and information. Subscribed and sworn to before me this 21<sup>st</sup> day of February, 2018.



  
Notary Public

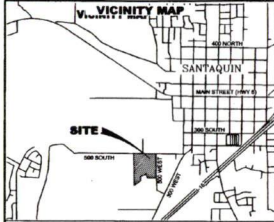
## Exhibit A

### BOUNDARY DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING CORPORATE LIMITS OF SANTAQUIN CITY, SAID POINT BEING THE NORTH 1/4 CORNER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN; THENCE ALONG SAID CORPORATE CITY LIMITS THE FOLLOWING NINE (9) COURSES: S0°39'34"E 1154.02 FEET; THENCE S89°59'26"W 441.03 FEET; THENCE N20°00'34"W 121.72 FEET; THENCE S68°14'26"W 200.87 FEET; THENCE S0°00'34"E 254.13 FEET; THENCE S62°50'41"W 41.65 FEET; THENCE S0°00'34"E 10.40 FEET; THENCE S67°29'26"W 114.27 FEET; THENCE S62°50'41"W 221.74 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE THE FOLLOWING THREE (3) COURSES: N21°59'03"W 44.56 FEET; THENCE N2°40'42"W 800.25 FEET; THENCE N2°24'02"W 702.22 FEET TO THE SECTION LINE; THENCE N89°59'03"E ALONG THE SECTION LINE 1079.32 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±30.



SECTION LINE-BASES OF BEARING: 88°59'03" W 2647.75

NORTHWEST CORNER  
SECTION 14, T18S, R12E, S18BM  
(FOUND 1988 UTAH COUNTY MONUMENT)

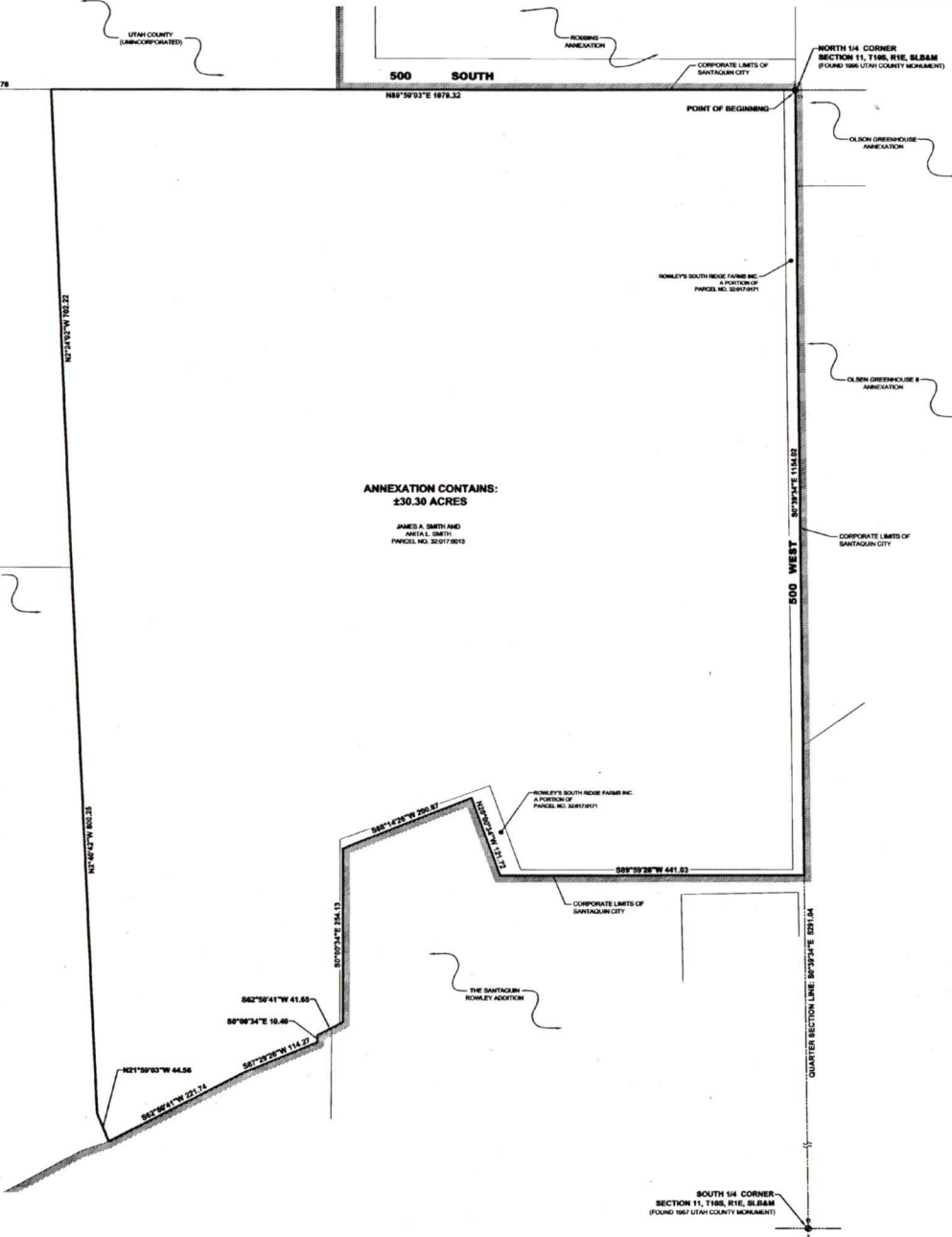
NORTH 1/4 CORNER  
SECTION 11, T18S, R12E, S18BM  
(FOUND 1988 UTAH COUNTY MONUMENT)



LEGEND	
○	SECTION CORNERS
—	EXISTING CORPORATE LIMITS LINES
—	ANNEXATION BOUNDARY LINE

**NOTES**

1. THE BASES OF BEARING FOR THIS SURVEY IS 88°59'03" W ALONG THE SECTION LINE FROM THE NORTH 1/4 CORNER TO THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.
2. ALL DEEDS, SUBDIVISION, & ANNEXATION PLATS HAVE BEEN ROTATED TO THE BASES OF BEARING DESCRIBED ABOVE.



ANNEXATION CONTAINS:  
330.30 ACRES

JAMES A. SMITH AND  
JANEL L. SMITH  
PWCEL NO. 331978013

**SURVEYOR'S CERTIFICATE**

I, CHAD A. POULSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 901182 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAN OF ANNEXATION TO THE CORPORATE LIMITS OF SANTAQUIN, UTAH COUNTY, UTAH, IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM RECORDS ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

**BOUNDARY DESCRIPTION**

A PORTION OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE EXISTING CORPORATE LIMITS OF SANTAQUIN CITY, SALT POINT BEING THE NORTH 1/4 CORNER OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, THENCE ALONG SAID CORPORATE CITY LIMITS THE FOLLOWING: N89°59'03" W 1879.32 FEET; THENCE S89°59'28" W 441.83 FEET; THENCE N82°59'41" W 41.86 FEET; THENCE S89°59'03" W 2647.75 FEET; THENCE S89°59'28" W 10.46 FEET; THENCE S89°59'28" W 200.87 FEET; THENCE N82°59'41" W 11.12 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE THE FOLLOWING: THREE (3) COURSES, N82°59'41" W 44.56 FEET; THENCE N82°59'41" W 271.74 FEET; THENCE S89°59'03" W 44.56 FEET TO THE SECTION LINE; THENCE N89°59'03" W 44.56 FEET TO THE POINT OF BEGINNING.  
CONTAINS: 330.30 ACRES

*Chad A. Poulsen*  
CHAD A. POULSEN  
PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 901182  
FEBRUARY 21, 2018  
DATE



**ACCEPTANCE BY LEGISLATIVE BODY**

THE UNDERSIGNED CERTIFIED THAT THE SANTAQUIN CITY COUNCIL HAS ADOPTED A RESOLUTION IN WHICH IT DETERMINED THAT IT WAS IN THE BEST INTERESTS OF THE CITY TO CONSIDER ANNEXING THE TRACT OF LAND SHOWN HEREIN, THAT THE SANTAQUIN CITY COUNCIL SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT INTO SANTAQUIN CITY, UTAH, AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HEREIN, ALL IN ACCORDANCE WITH UTAH CODE TITLE 10, CHAPTER 2, PART 4, AND THAT THE CITY COUNCIL HAS EXAMINED AND DOES HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY, AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE

**OLSON GREENHOUSE III ADDITION**

ANNEXATION  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

ATTEST: \_\_\_\_\_  
RECORDER

RECORDER'S SEAL

**ACCEPTANCE BY COUNTY SURVEYOR**

THIS PLAN HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTRY PLAT, PURSUANT TO UTAH CODE ANNOTATED 17-29-20, AMENDED.

COUNTY SURVEYOR

COUNTY SURVEYOR'S SEAL

**ANNEXATION PLAT**  
**OLSON GREENHOUSE III**  
**ADDITION**

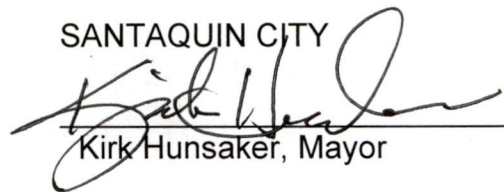
SANTAQUIN CITY UTAH COUNTY, UTAH  
SCALE: 1" = 80 FEET



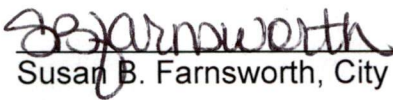
STATE OF UTAH            )  
                                      : ss  
COUNTY OF UTAH

On February 21, 2018, the City Council of Santaquin City, Utah, adopted number Ordinance 02-04-2018, thereby annexing certain property into Santaquin City. The City Council hereby certifies that it has complied with the requirements of Utah Code Ann. § 10-2-401 et seq. to complete the lawful annexation of the property described and attached hereto as Exhibit A.

DATED this 21<sup>st</sup> day of February, 2018.

SANTAQUIN CITY  
  
Kirk Hunsaker, Mayor

ATTEST:

  
Susan B. Farnsworth, City Recorder



## Exhibit A

### BOUNDARY DESCRIPTION

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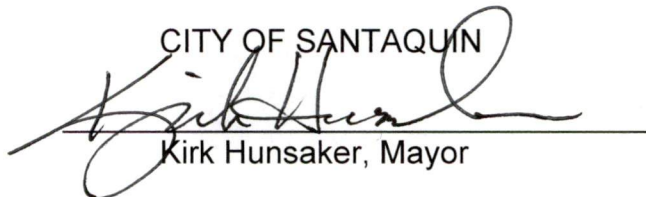
CONTAINS: ±30.

# AMENDED ARTICLES OF INCORPORATION OF THE CITY OF SANTAQUIN

Pursuant to provisions of the "Utah Municipal Code", the City of Santaquin, Utah and Juab Counties, Utah, acting by its Mayor and approved by the City Council during a Public Meeting held on January 21<sup>st</sup>, 2018, hereby requests amendment to its Articles of Incorporation at follows:

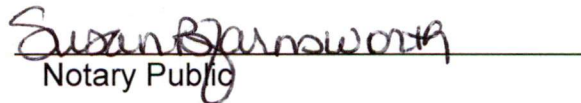
1. The name of the municipality is the Municipal Corporation of Santaquin, also known as the City of Santaquin.
2. The geographical description of the City is hereby amended to include the described property attached hereto as Exhibit "A" and known as the Olson Greenhouse III Additional Annexation.
3. The City of Santaquin is a "City of the Fourth Class" as defined in Utah Code Ann. § 10-2-301 (2)(d), having a population of more than 10,000 inhabitants, but less than 30,000 inhabitants.
4. These Amended Articles of Incorporation shall become effective on January 22<sup>nd</sup>, 2018.

DATED this 21<sup>st</sup> day of February, 2018.

CITY OF SANTAQUIN  
  
Kirk Hunsaker, Mayor

STATE OF UTAH            )  
                                  : ss  
COUNTY OF UTAH

Kirk Hunsaker, being first duly sworn upon oath, deposes and says: I am the Mayor of the City of Santaquin and the foregoing Amended Articles of Incorporation of the City of Santaquin are truthful and accurate to the best of my knowledge and information. Subscribed and sworn to before me this 21<sup>st</sup> day of February, 2018.

  
Notary Public



## Exhibit A

### BOUNDARY DESCRIPTION

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CONTAINS: ±30.