

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR CERTIFICATE OF DISCONNECTION

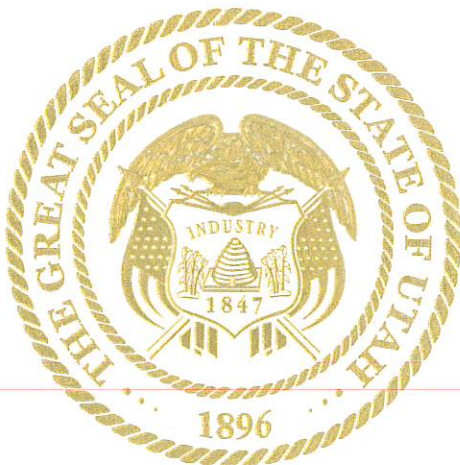
I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of disconnection of the CITY OF WEST BOUNTIFUL, dated November 9th, 2020, complying with Section 10-2-507, Utah Code Annotated, 1953, as amended.

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 disconnection, referred to above, on file with the Office of the Lieutenant Governor pertaining to the CITY OF WEST BOUNTIFUL located in Davis County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 30th day of November, 2020 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor



Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Rodney Wood

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
Fax (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Kris Nilsen

Public Works Director
Steve Maughan

November 9, 2020

Lieutenant Governor's Office
State Capitol Bldg., Suite 220
Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action – Parcel 06-030-0047

Enclosed is the approved ordinance and copy of the approved final local entity plat for a Municipal Disconnection Petition approved by West Bountiful City Council.

I hereby certify that all requirements have been met pursuant to UCA 10-2-501.


Mayor Pro Tem Mark Preece

ATTEST:


Cathy Brightwell
West Bountiful City Recorder
cbrightwell@wbcity.org



WEST BOUNTIFUL CITY

ORDINANCE #431-20 (Corrected)

AN ORDINANCE APPROVING DISCONNECTION OF APPROXIMATELY TWO ACRES OF REAL PROPERTY FROM WEST BOUNTIFUL CITY

WHEREAS, Ludean A. Smith, as Trustee of The Smith Family Revocable Trust created under Trust Agreement dated March 10, 2000; Mack G. Smith and Carolyn Smith, as Trustees of The Mack G. and Carolyn Smith Revocable Trust created under Trust Agreement dated September 4, 1998; J. Lynn Smith, as Trustee of the J. Lynn Smith Living Trust, as amended and restated on November 8, 2017; and Cindy S. Hatch, an individual (collectively, “**Petitioners**”), filed a Petition for Disconnection (the “**Petition**”) from West Bountiful City of approximately 2.027 acres of real property owned by Petitioners;

WHEREAS, the area proposed for disconnection (the “**Property**”) is identified by the Davis County Assessor as Parcel ID No. 06-030-0047, with a street address of 1818 West 400 South, West Bountiful, Utah 84087, and is more particularly described in the attached **Exhibit A** and depicted in the attached **Exhibit B**;

WHEREAS, following statutory notice, the West Bountiful City Council held a public hearing on the Petition;

WHEREAS, at the hearing, Petitioners’ representative spoke in favor of the Petition, expressing Petitioners’ desire that the Property be under the same jurisdiction as an adjacent larger parcel of real property owned by Petitioners (the “**Adjacent Property**”); no one spoke against the Petition;

WHEREAS, the Adjacent Property is located in unincorporated Davis County, but is included in the City’s annexation plan and, along with the Property, in the West Bountiful/Woods Cross Legacy Community Development Project Area;

WHEREAS, the City deems it desirable to cooperate with Petitioners in the development of the Property and the Adjacent Property, and Petitioners have expressed their desire to cooperate with the City in that regard;

WHEREAS, the City Council, having considered Petitioners’ request for disconnection, is willing to grant the Petition in accordance with this Ordinance;

WHEREAS, the City Council adopted Ordinance #431-20 dated effective July 21, 2020, approving the disconnection of the Property; however, the legal description in the ordinance and local entity plat provided by Petitioners was incorrect;

WHEREAS, this Ordinance is intended to correct Ordinance #431-20 to provide the correct legal description and depiction of the Property.

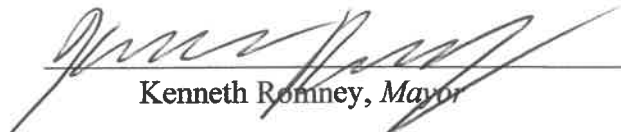
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL CITY, AS FOLLOWS:

1. The City hereby approves disconnection of the Property from the City.
2. The Mayor is hereby authorized and directed to prepare, file, and submit all documents, and take all other actions required of the City Council under *Utah Code Ann.* § 10-5-507, to carry out the purposes of that statute and this Ordinance.

This Ordinance will become effective upon signing and posting.

ADOPTED this 20th day of October 2020.

By:


Kenneth Romney, Mayor

<u>Voting by the City Council:</u>	<u>Aye</u>	<u>Nay</u>
Councilmember Ahlstrom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Bruhn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Enquist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Preece	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Wood	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Attest:


Cathy Brightwell, City Recorder

EXHIBIT A

Legal Description of the Property

06-030-0047

Beginning 940.40 feet North and East 3.44 feet from the Southwest corner of Section 23, Township 2 North, Range 1 West, Salt Lake Base and Meridian to an existing wire fence as described in paragraph 2 of Final Order, Judgment and Decree Quieting Title recorded September 11, 2008 as Entry No. 2391975 in Book 4613 at Page 801; thence along said existing wire fence the following four courses: North 02°49'13" East 1.90 feet and North 01°13'17" West 164.46 feet and North 01°08'27" East 147.06 feet and North 00°04'35" East 66.25 feet; thence West 233.08 feet; thence South 00°05'15" West 379.60 feet parallel to the section line; thence East 234.44 feet to the point of beginning.

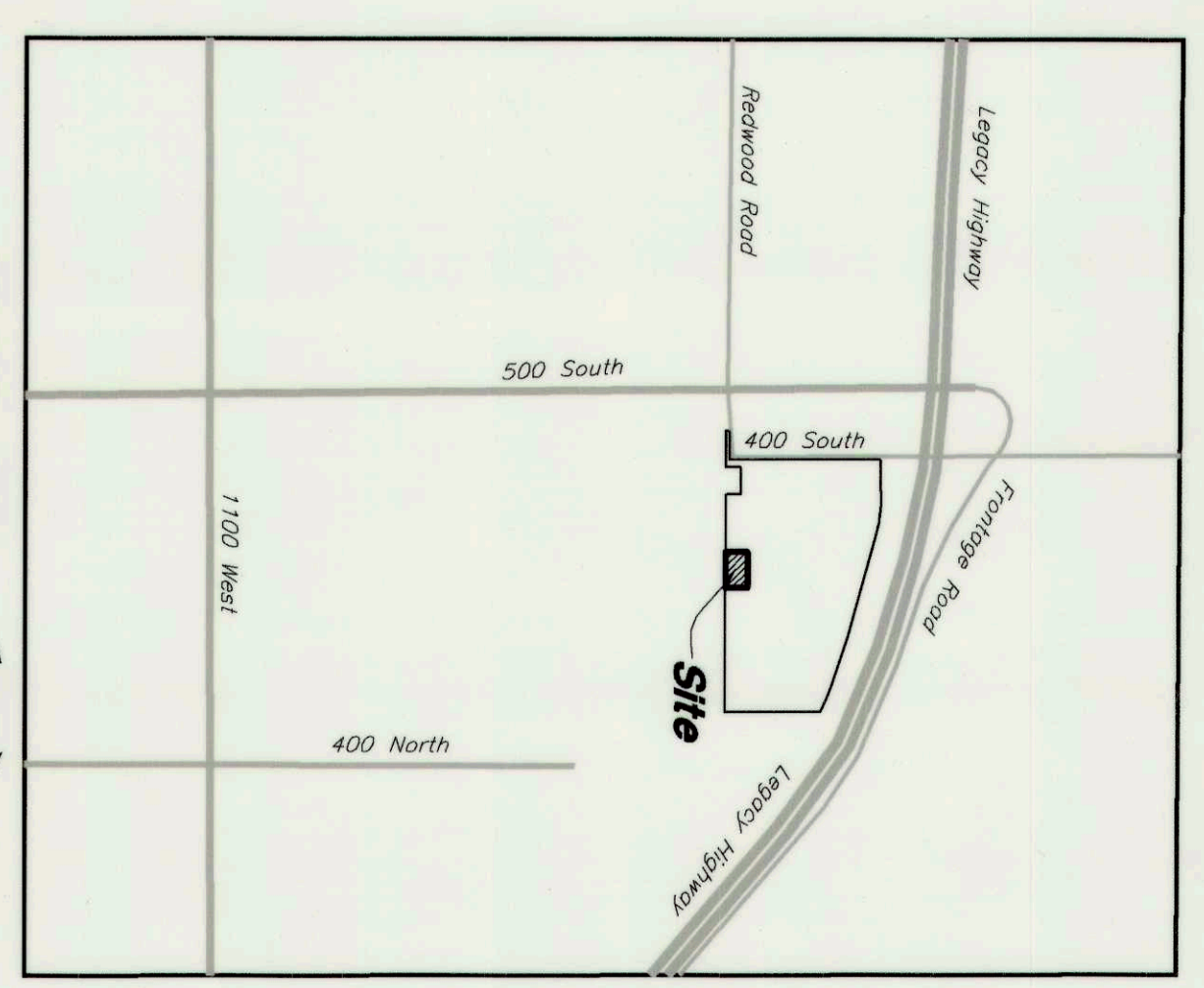
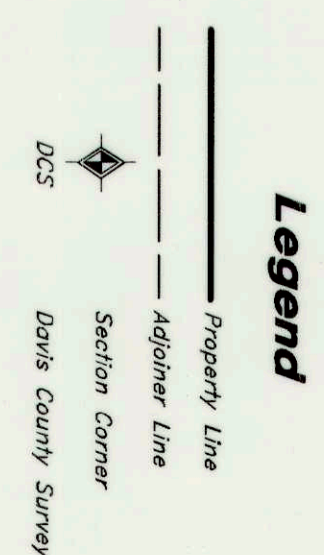
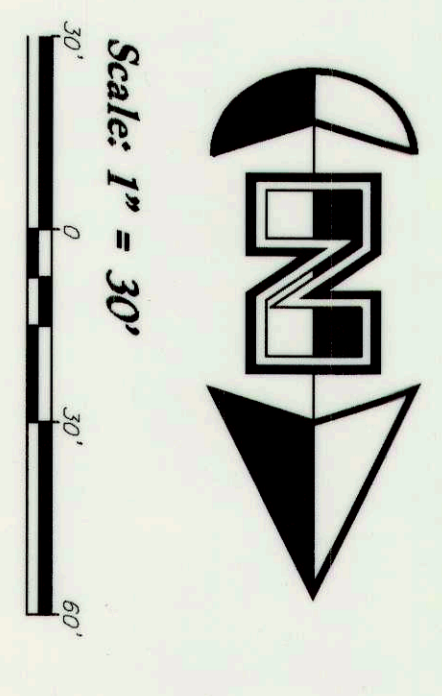
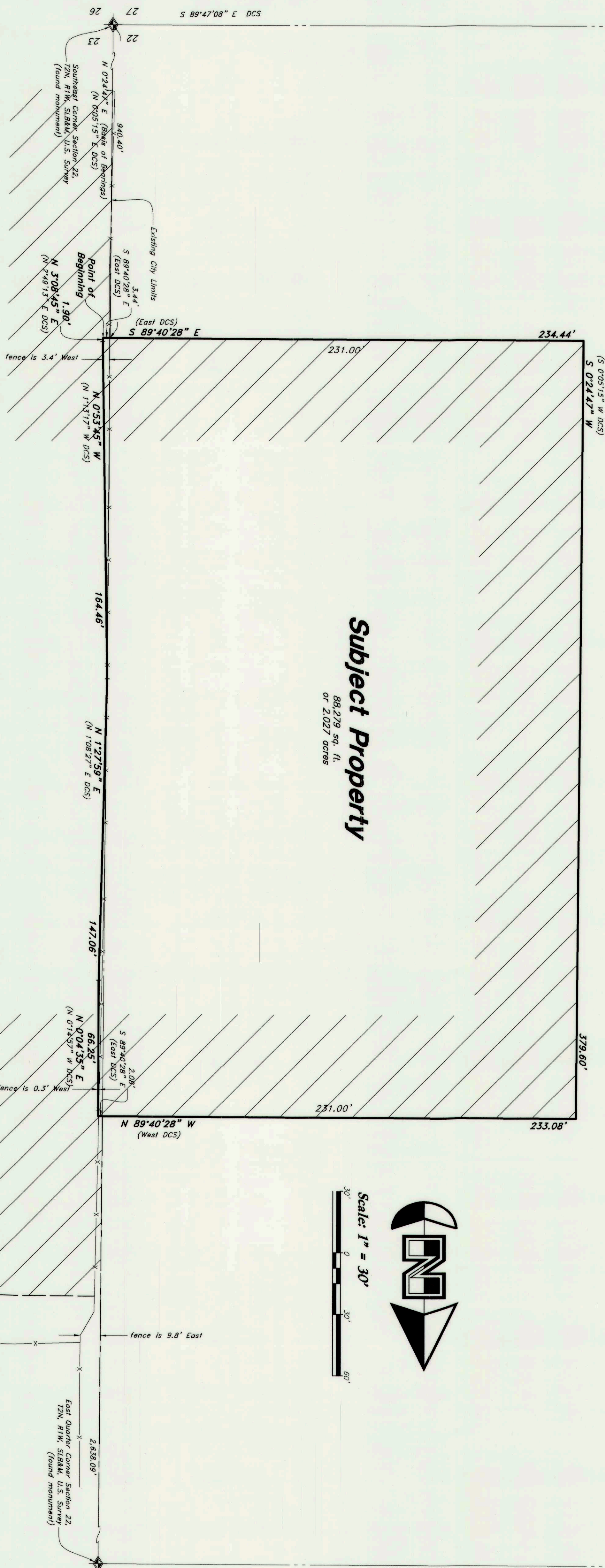
South Quarter Corner Section 22,
12N, 11W, SLB&M, U.S. Survey
(no monument found; position
assumed from DCS)

Center of Section 22,
12N, 11W, SLB&M, U.S. Survey
(no monument found; position
assumed from DCS)

Final Local Entity Plat

West Bountiful City Disconnect
A Part of the Southeast Quarter of Section 22, Township 2 North,
Range 1 West, SLB&M, U.S. Survey in Davis County, Utah

William R & Ludean A Smith - Trustees
APN: 060300049



Narrative

This Disconnect Plat was requested by Wade Budge of Small Wilmer, L.L.P. to remove this property from the West Bountiful City Limits.
 A line between monuments found for Southeast Corner and the East Quarter Corner of Section 22 was assigned the WRS Central Zone bearing of $N 07^{\circ}24'47'' E$ East as the Basis of Bearings to place the survey on State Plane Basis.
 This Survey retraces and honors a portion of a previous 2018 ALTA Survey by Anderson Wohlen & Associates, Davis County Survey Control and Record Legal descriptions must be roided $0^{\circ}19'32''$ clockwise to match the State Plane Basis.
 Record legal description does not close by 1.35 ft, however, the Davis County Surveyor has corrected the Court Decree Legal Description as shown hereon.

Corrected Record Description

Beginning North $07^{\circ}15'$ East 940.40 feet along the Section line and East 3.44 feet from the South-west corner of Section 23, Township 2 North, Range 1 West, Salt Lake Base and Meridian to an existing wire fence as described in paragraph 2 of Final Order, Judgment and Decree Quelling This recorded September 11, 2008 as Entry No. 2391975 in Book 463 of Page 801; thence along said existing wire fence the following four courses: North $02^{\circ}49'13''$ East 1.90 feet and North $01^{\circ}13'17''$ West 164.46 feet and North $01^{\circ}08'27''$ East 147.06 feet and North $00^{\circ}14'57''$ West 66.23 feet; thence West 233.08 feet; thence South $00^{\circ}05'15''$ West 379.60 feet parallel to the section line; thence East 234.44 feet to the point of beginning.

Certification

I, Bruce D. Pinner, a Professional Land Surveyor in the State of Utah do hereby certify for, and on behalf of Anderson Wohlen & Associates, that this Final Local Entity Disconnect Plat in West Bountiful City, Davis County, Utah has been correctly drawn to the designated scale and is true and correct representation of the herein described lands based on data compiled from records in the Davis County Recorder's Office and from a survey made on the ground.

Date: 22 Oct 2020
 Bruce D. Pinner
 PROFESSIONAL LAND SURVEYOR
 LICENSE NO. 302236
 UTAH PLS No. 362256

West Bountiful City Approval
 Presented to West Bountiful City this day of October 2020 and this hereby approved
 West Bountiful City Mayor
 West Bountiful City Recorder

West Bountiful City Approval
 Approved this day of October 2020
 Davis County Surveyor
 Davis County Surveyor

Final Local Entity Plat
 A Part of the Southeast Quarter of Section 22, Township 2 North,
 Range 1 West, SLB&M, U.S. Survey

ANDERSON WAHLEN & ASSOCIATES
 2010 North Redwood Road, Salt Lake City, Utah 84116
 801 521-8529 - AWEngineering.net