

**HUNTSVILLE TOWN
ORDINANCE 2021-8-5**

**ANNEXATION: CW LANDS, WEBER FIRE DISTRICT STATION NO. 65, PARCEL
#240190007, PARCEL #240190027, PARCEL #240190009**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, ACTING ON A
PETITION FOR ANNEXATION OF CERTAIN UNINCORPORATED
REAL PROPERTY IN ACCORDANCE WITH TITLE 10, CHAPTER 2,
PART 4, UTAH CODE ANNOTATED, 1953 AS AMENDED.**

WHEREAS, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, Title 10, Chapter 2, Part 4 of the *Utah Code Annotated* provides the process of annexation of unincorporated area into a municipality by a petition for the same;

WHEREAS, the Town received a petition from CW Lands on May 6th, 2021, requesting annexation of certain real property located in an unincorporated area contiguous to the present boundaries of the Town be annexed into the Town;

WHEREAS, said petition contains the signature of owners of private real property that is: 1) located within the City’s area proposed for annexation; 2) covers a majority of the private land areas within the area proposed for annexation; and 3) is equal in value to at least one-third (1/3) of the value of all the private real property within the area proposed for annexation;

WHEREAS, the petition was accompanied by an accurate map, prepared by a licensed surveyor, of the area proposed for annexation;

WHEREAS, said petition was certified by the Town Clerk in accordance with *Utah Code Annotated*, §10-2-406, 1953, as amended, and notice was duly provided of the same;

WHEREAS, the Town Council held its public hearing on the certified petition on August 5, 2021, after publication of the required notice;

WHEREAS, no timely protests have been filed and the Town Council now desires to act on said certified petition;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huntsville Town, Weber County, State of Utah, as follows:

Section 1. Findings.

The Town Council hereby finds as follows:

1. That this Annexation Petition was duly filed with and accepted by the Town.
2. That this Annexation Petition conforms to the Annexation Policy Plan adopted by the Town.

3. That this Annexation Petition was duly certified by the Town Clerk as provided by state law.
4. That all notices have be properly posted or otherwise given.
5. That no protest has been filed in accordance with state law.
6. That the Town Council held the required Public Hearing in accordance with state law.
7. That the Town Council is the Legislative Body of the Town with authority to approve this Annexation in the form of this Ordinance and any associated documents, including the Annexation Plat.

Section 2. Annexation Approved.

In accordance with *Utah Code Annotated* §10-2-407(3)(b)(I), 1953 as amended, the area that is the subject of the annexation petition as provided in the Annexation Plat attached hereto as Exhibit “A” and incorporated herein by this reference, is hereby annexed as part of Huntsville Town.

Section 3. Annexation Agreement.

The Annexation Agreement attached hereto as Exhibit “B” and incorporated herein by this reference is hereby adopted to govern this annexation.

Section 4. Zoning Designation.

The property subject to the annexation in Exhibit “A” is hereby designated as the A-3 Zone at set forth in the Town’s municipal code, and subject to the terms set forth in the Annexation Agreement.

Section 5. Annexation Finalization.

Staff is hereby authorized and directed to comply with the requirements of *Utah Code Annotated* §10-2-425, 1953 as amended, to finalize this annexation. The Mayor is hereby authorized to execute any instruments associated with this annexation or to effectuate the same on behalf of the Town Council.

Section 6. Effective Date.

The effective date of this annexation is in accordance with the requirements established by *Utah Code Annotated* §10-2-425, 1953 as amended.

(Remainder of this page left blank intentionally, and signature appear on the following page)

ADOPTED AND PASSED by the Town Council this 5th day of August, 2021.

Municipal Roll Call Vote:

VOTES:	AYES	NAYS	EXCUSED	RECUSED
Mayor Truett				
CM Max Ferre'				
CM Wendy McKay				
CM Richard Sorenson				

JAMES TRUETT, Mayor

ATTEST:

BECKKI ENDICOTT, Town Clerk

RECORDED this ___ day of _____, 2021.

POSTED this ___ day of _____, 2021.

CERTIFICATE OF PASSAGE AND POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that foregoing Ordinance was duly passed and published, or posted on the above-referenced dates at the following locations: 1) Town Hall, 7309 East 200 South 2) Huntsville Town Post Office 3) www.huntsvilletown.com 4) www.pmn.gov

Beckki Endicott, Town Clerk

DATE: _____