

ORDINANCE 23-20

AN ORDINANCE REZONING PARCEL 03-026-0014 & 03-026-0016, LOCATED AT APPROXIMATELY 35 WEST 3200 SOUTH, FROM R-2 (RESIDENTIAL) TO C (COMMERCIAL)

BE IT ORDAINED BY THE NIBLEY CITY COUNCIL LOCATED AT NIBLEY, UTAH, THAT:

Parcel 03-026-0014 and Parcel 03-026-0016, as described below, are hereby rezoned from FROM R-2 (RESIDENTIAL) TO C (COMMERCIAL). This Rezone does not take effect until both parcels are combined and assigned a single Parcel Tax ID number.

Parcel 03-026-0014 & Parcel 03-026-0016:

BEGINNING 432.83 FEET SOUTH AND 1157.0 FEET EAST OF THE NORTHWEST CORNER OF SOUTHWEST QUARTER OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND THENCE SOUTH 89°02' EAST 727.10 FEET TO THE TRUE POINT OF BEGINNING THENCE SOUTH 10°45'34" WEST 45.0 FEET THENCE SOUTH 30°54'52" WEST 193.55 FEET THENCE SOUTHEASTERLY ALONG FENCE IN 5 COURSES: SOUTH 17°3'41" EAST 68.99 FEET SOUTH 25°04'55" EAST 42.82 SOUTH 32°36'34" EAST 97.91 FEET SOUTH 29°08'22" EAST 44.17 FEET SOUTH 23°16'26" EAST 171.57 FEET THENCE NORTH 29.69 FEET TO THE NORTHWEST CORNER OF PARCEL 0005, THENCE EAST 10 RODS 4 FEET, THENCE SOUTH 186.00 FEET TO THE NORTHWEST CORNER OF PARCEL 03-026-0015, THENCE SOUTH 89°02'00" EAST 75.00 FEET ALONG THE NORTH LINE OF SAID PARCEL, THENCE SOUTH 00°58'00" WEST ALONG THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF 3200 SOUTH, THENCE SOUTH 89°02'00" EAST 72.5 FEET ALONG THE NORTH LINE OF 3200 SOUTH TO THE POINT NORTH 89°02' WEST 199 FEET OF THE WEST LINE OF STATE HIGHWAY [THENCE N 1° 50' EAST 65 FEET; THENCE S 89°02' EAST 59 FEET] THENCE NORTH 1°50' EAST 55 FEET THENCE SOUTH 89°02' EAST 10 FEET THENCE NORTH 1°07'49" EAST 199.30 FEET THENCE EAST 32 FEET NORTH 1°50' EAST 101.5 FEET THENCE NORTH 89°21' WEST 25 FEET NORTH 1°50' EAST 99 FEET SOUTH 89°02' EAST 123 FEET NORTH 1°50' EAST 110.2 FEET NORTH 2°30' WEST 4 RODS NORTH 89°02' WEST 9 RODS NORTH 2°30' WEST 8 RODS NORTH 89°02' WEST 455.5 FEET TO TRUE POINT OF BEGINNING.

ALSO: BEGINNING 18.78 CHAINS SOUTH AND 31.61 CHAINS SOUTH 89°02' EAST AND NORTH 89°02' EAST AND NORTH 89°02' WEST 100 FEET OF NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND THENCE NORTH 100 FEET THENCE NORTH 89°02' WEST 7.12 FEET, THENCE SOUTH 100 FEET THENCE SOUTH 89°02' EAST 7.12 FEET TO BEGINNING.

LESS PARCEL 03-026-0009 AS FOLLOWS: BEGINNING NORTH 88° WEST 225.1 FEET FROM A POINT NORTH 1°50' EAST 99 FEET OF A POINT BEARING SOUTH 859.46 FEET AND EAST 2433.02 FEET FROM THE NORTHWEST CORNER OF THE SOUTHEAST CORNER OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND THENCE NORTH 1°23' EAST 148.2 FEET THENCE SOUTH 69°16' WEST 80.7 FEET, THENCE SOUTH 41°04' WEST 75.2 FEET THENCE NORTH 86°44' WEST 28.3 FEET THENCE SOUTH 3°19' WEST 59.35 FEET THENCE SOUTH 88° EAST 153.05 FEET TO BEGINNING.
CONT 0.36 AC

SUBJECT TO 12 FOOT RIGHT OF WAY OVER THE SOUTH 12 FEET OF PARCEL WITH A 12 FOOT RIGHT OF WAY BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL AND THENCE EAST 219.37 FEET TO THE WEST RIGHT OF WAY STATE HIGHWAY THENCE NORTHERLY 12 FEET ALONG RIGHT OF WAY THENCE WESTERLY 219.32 FEET IN LINE PARALLEL TO AND NORTH 12 FEET FROM THE SOUTH LINE OF RIGHT OF WAY THENCE SOUTH 1°23' WEST 12 FEET TO BEGINNING.

LESS PARCEL 03-026-0013 AS FOLLOWS: BEGINNING 783.43 FEET SOUTH AND 2118.21 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 NORTH RANGE 1 EAST AND THENCE SOUTH 1°07'49" WEST 135 FEET, THENCE NORTH 89°02' WEST 135 FEET TO CENTER OF SPRING CREEK, THENCE NORTHWESTERLY ALONG CREEK 146 FEET TO A POINT WEST OF BEGINNING, THENCE SOUTH 89°02' EAST 190 FEET TO BEGINNING WITH RIGHT OF WAY.

CONT 0.50 AC

LESS LAND DEEDED TO UDOT FOR HIGHWAY 165 (0011) CONT 7.27 AC (CCR) LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL BEGINNING ON THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY 165 AT ENGINEER'S STATION 1051+12.58 55.00 FEET LEFT, SAID POINT OF BEGINNING IS LOCATED BY RECORD THE FOLLOWING SEVEN COURSES FROM THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER: (1) 1135.20 FEET SOUTH 89°02' EAST; (2) 1206.48 FEET SOUTH; (3) 184.80 FEET SOUTH 89°02' EAST; (4) 33.00 FEET SOUTH; (5) 1138.50 FEET SOUTH 89°02' EAST TO THE WEST BOUNDARY LINE OF A COUNTY ROAD; (6) 630.30 FEET NORTH 01°50' EAST ALONG SAID WEST BOUNDARY LINE; (7) 132.00 FEET NORTH 02°30' WEST ALONG SAID WEST BOUNDARY LINE, SAID POINT ALSO DESCRIBED AS BEING LOCATED 3170.82 FEET SOUTH 02°58'58" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 21, AND BEING THE EASTERLY CORNER COMMON TO THE HEREIN DESCRIBED PARCEL AND THE ADJOINING PARCEL TO THE NORTH (PINEDA PARCEL), AND RUNNING THENCE SOUTHERLY ALONG THE ARC OF A 5674.58 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 137.42 FEET, LONG CHORD BEARS SOUTH 00°57'55" EAST 137.42 FEET. ALONG SAID WEST RIGHT OF WAY LINE; THENCE NORTH 88°30'48" WEST 142.97 FEET; THENCE NORTH 01°01'17" WEST 136.01 FEET; THENCE SOUTH 89°04'43" EAST (SOUTH 89°02' EAST BY RECORD) 143.05 FEET TO THE POINT OF BEGINNING. CONT 0.22 AC (CCR) NET 7.05 AC

PASSED BY THE NIBLEY CITY COUNCIL THIS 11 day of May, 2022.

ATTEST:

Cheryl Bodily
Cheryl Bodily, City Recorder



LARRY JACOBSEN
Larry Jacobsen, Mayor