

ORDINANCE 2011-13

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 374 ACRES OF LAND SOUTHWEST OF BAUER ROAD AND NORTH OF THE STOCKTON BAR FROM M-G AND MU-40 TO MG-EX

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I - AMENDMENT. Pursuant to Utah Code Annotated Sections 17-27a-502 and 17-27a-503, the Tooele County Planning Commission conducted a public hearing on August 3, 2011 regarding the application for rezone submitted by Lawnie Mayhew, on behalf of Rulon Harper, and recommended it be denied. Then on September 6, 2011, the Tooele County Commission moved to have the rezone request remanded back to the Tooele County Planning Commission for further consideration. On October 5, 2011, the Tooele County Planning Commission conducted a second public hearing to consider the applicant's revised rezone request. The planning commission recommended the revised amendment to the official zoning map.

Notice having been provided as required by UCA Subsection 17-27a-205(1)(b) and having held a public meeting, the official zoning map of Tooele County is hereby amended by changing the zoning designation of approximately 373.5 acres known as Parcels 06-017-A-0031 and a portion of 06-017-D-0029, located in Sections 11 and 14, Township 4 South, Range 5 West, which is southwest of Bauer Road and north of, but not including, the Stockton Bar in Tooele County, Utah from M-G (Manufacturing General) and MU-40 (Multiple-Use, 40-Acre Minimum Lot Size) to MG-EX (Mining, Quarry, Sand and Gravel Excavation). The legal descriptions of the property rezoned are as follows:

Parcel # 06-017-A-0031

A parcel of land located in the South half of Section 11, Township 4 South, Range 5 West, Salt Lake Base and Meridian. Being more particularly described as follows: Beginning at a point being S 89°16'37" W, 2355.53 ft from the SE corner of Section 11, T4S, R5W, Salt Lake Base and Meridian; and running thence S 89°16'37" W, 294.11 ft; thence S 89°16'16" W, 1812.03 ft; thence N 09°00'00" W, 2311.76 ft; thence N 89°42'56" E, 2467.64 ft; thence S, 2268.79 ft to the point of beginning. Contains 119.57 Acres.

Portion of Parcel # 06-017-D-0029

A parcel of land located in Section 14, Township 4 South, Range 5 West, Salt Lake Base and Meridian. Being more particularly described as follows: Beginning at the SW corner of the SE 1/4 of SW 1/4 of Section 14, T4S, R5W, Salt Lake Base and Meridian; running thence N 00°24'30" W along the east line of the W 1/2 of the W 1/2 of said Section 14, 5210.17 ft to the N line of said section; thence N 89°17'17" E 1619.72 ft to a point on the W line of Archie Poarch property conveyed in bk 401 pg 379 of official records; thence along said property boundary the following four courses; 1) S 1008.95 ft, 2) E 700 ft, 3) S 3400 ft, 4) S 88°59'00" E 1673.98 ft to the east line of Section 14; thence along east line S 00°14'16"E 760.93 ft to the SE corner of said section; thence S 89°25'38" W along the south line of said section 3959.44 ft to point of beginning. Contains 289.33 acres less and excepting the following parcel: Beginning at a T-post representing the SE corner of Section 14, T4S, R5W, Salt Lake Base and Meridian; and running thence along the south line of said Section 14 the following course and distance: S 89°26'06" W 1676.81 ft; thence N 807.31 ft to a point on the SW corner of the Mathew R Arbshay property as described in that certain quit-claim deed recorded in bk 401 at pt 379; and running thence along the south boundary of said Arbshay deed the following course and distance: S 88°59'00"E 1673.65 ft to a point on the east line of said Section 14; and running thence along said section line the following course and distance: S 00°15'06"E 761.09 ft to the point of beginning. Less & Except Contains: 30.15 Acres. Net Acres Contained (289.33 – 30.15): 259.18 Acres. **Less and excepting the following:** Beginning at the South Quarter Corner of Section 14, Township 4 South, Range 5 West, Salt Lake Base & Meridian; and running thence South 89°48'37" West, 176.30 feet; running thence along the North side of an existing road the following ten (10) courses and distances: North 41°38'32" East, 270.10 feet; thence South 68°09'53" East, 109.18 feet; thence South 89°50'01" East, 111.26 feet; thence North 74°27'02" East, 179.18 feet; thence North 87°51'33" East, 83.68 feet; thence North 83°26'45" East, 73.36 feet; thence North 86°31'35" East, 69.09 feet; thence North 71°22'36" East, 109.15 feet; thence North 78°12'44" East, 230.01 feet, thence North 89°06'19" East, 26.88 feet to a point on the East line of the Rulon J Harper property; and running thence along said Harper property South, 296.76 feet to a point on the South line of said Section 14; and running thence along said Section line South 89°26'06" West, 969.38 feet to the point of beginning. Contains 5.21 Acres (more or less) Note: The above description is based on aerial imagery provided by the Tooele County Surveyor's Office.

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A map showing the area of the rezone is attached hereto and by this reference made a part hereof.

SECTION II - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

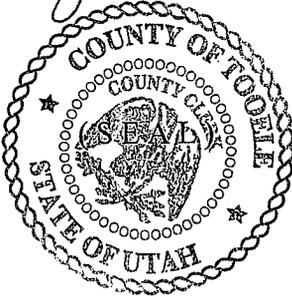
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 18th day of October 2011.

ATTEST:

TOOELE COUNTY COMMISSION:

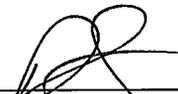

MARILYN K. GILLETTE, Clerk


COLLEEN S. JOHNSON, Chairman



Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

Rezoning 2011-08, From
MU-40 & M-G to MG-EX

MG-EX

MU-40

M-G

Municipal

