

**REGULAR MEETING AGENDA OF THE  
CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 PM on February 19, 2015.**

**AGENDA ITEMS:**

**1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:**

**2. MUNICIPAL EVENT ANNOUNCEMENTS:**

**3. CITIZEN COMMENTS:**

**4. VERBAL PETITIONS AND PRESENTATIONS:**

**5. CONSENT ITEMS:**(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

A. Interlocal Cooperation Agreement between Davis County and the City of Layton for Animal Control Services - Resolution 15-10

B. Annexation Request – Layton City and Wasatch Integrated Waste Management District – Acceptance and Certification of the Petition for Annexation - Resolutions 15-05 and 15-06 - Approximately 3500 North Redtail Way (2100 East)

C. Annexation Request - Morgan-Bone - Acceptance and Certification of the Petition for Annexation - Resolutions 15-07 and 15-08 - Approximately 200 South 3200 West

**6. PUBLIC HEARINGS:**

A. Ordinance Amendment – Amend Title 18, Chapter 18.25, Section 18.25.010 of the Layton Municipal Code by Clarifying the Requirements of Public Utility and Drainage Easements – Ordinance 15-02

B. Amend Budget for Fiscal Year 2014-2015 - Ordinance 15-04

**7. PLANNING COMMISSION RECOMMENDATIONS:**

**8. NEW BUSINESS:**

**9. UNFINISHED BUSINESS:**

**10. SPECIAL REPORTS:**

**ADJOURN:**

Notice is hereby given that:

- A Work Meeting will be held at 5:30 to discuss miscellaneous matters.
- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Thieda Wellman, City Recorder**

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

## **Citizen Comment Guidelines**

For the benefit of all who participate in a PUBLIC HEARING or in giving PUBLIC COMMENT during a City Council meeting, we respectfully request that the following procedures be observed so that all concerned individuals may have an opportunity to speak.

**Electronic Information:** An electronic or hard copy of any electronic information presented to the City Council must be submitted to the City Recorder by the end of the meeting.

**Time:** If you are giving public input on any item on the agenda, please limit comments to three (3) minutes. If greater time is necessary to discuss the item, the matter may, upon request, be placed on a future City Council agenda for further discussion.

**New Information:** Please limit comments to new information only to avoid repeating the same information multiple times.

**Spokesperson:** Please, if you are part of a large group, select a spokesperson for the group.

**Courtesy:** Please be courteous to those making comments by avoiding applauding or verbal outbursts either in favor of or against what is being said.

**Comments:** Your comments are important. To give order to the meeting, please direct comments to and through the person conducting the meeting.

Thank you.

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 5.A.

**Subject:**

Interlocal Cooperation Agreement between Davis County and the City of Layton for Animal Control Services - Resolution 15-10

**Background:**

Davis County, through its Animal Care and Control Department, has provided animal control services within the corporate limits of Layton City for the past several years. These services have been provided pursuant to an Interlocal Cooperation Agreement, which is amended annually, defining the roles of the respective parties and providing for payment from the City to the County to off-set the cost of providing said service. By having the County provide these services it alleviates the City from having to create and develop its own animal service program.

**Alternatives:**

Alternatives are to 1) Adopt Resolution 15-10 approving the Inerlocal Cooperation Agreement between Davis County and the City of Layton for animal control services; 2) Adopt Resolution 15-10 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 15-10 and remand to Staff with directions.

**Recommendation:**

Staff recommends the Council adopt Resolution 15-10 approving the Interlocal Cooperation Agreement between Davis County and the City of Layton for animal control services and authorize the Mayor to sign the necessary documents.

**RESOLUTION 15-10**

**A RESOLUTION AUTHORIZING THE CITY OF LAYTON TO ADOPT AND APPROVE THE INTERLOCAL COOPERATION AGREEMENT WITH DAVIS COUNTY FOR THE PURPOSE OF PROVIDING ANIMAL CONTROL SERVICES TO THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.**

**WHEREAS**, Davis County, through its Animal Care and Control Department, has provided animal services within the corporate limits of Layton City for the past several years; and

**WHEREAS**, these services have been provided pursuant to an Interlocal Cooperation Agreement, renewed annually, defining the roles of the respective parties and providing for payment from the City to the County to off-set the costs of providing said service; and

**WHEREAS**, having the County provide these services alleviates the City from having to create and develop its own animal service program; and

**WHEREAS**, paragraph 5 of the Interlocal Agreement specifies the amount of compensation to be paid by the City to the County for the calendar year 2015; and

**WHEREAS**, in reviewing the services provided in the proposed Interlocal Cooperation Agreement, the City has determined to adopt and enter into this Agreement, providing for the County to continue to perform the animal services within Layton City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:**

1. That Layton City enters into the Interlocal Cooperation Agreement between Davis County and the City of Layton for the purpose of providing animal services within the City's limits. A copy of said Agreement is attached hereto and made a part hereof by this reference.
2. That pursuant to the Agreement the City will pay to Davis County One Hundred Fifty-Five Thousand Six Hundred Seven Dollars and Twenty-Two Cents (\$155,607.22) for animal services and Seven Thousand Nine Hundred Eighty-Two Dollars and Fifty Cents (\$7,982.50) for the service of removing wild nuisance animals for the calendar year 2015.
3. That the Mayor be authorized to execute the Interlocal Cooperation Agreement.

**PASSED AND ADOPTED** by the City Council of Layton, Utah, this **19th day of February 2015**.

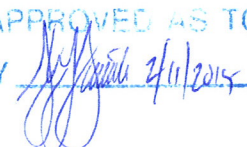
\_\_\_\_\_  
ROBERT J STEVENSON, Mayor

ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM

BY

  
\_\_\_\_\_

Dear Layton City,

Thank you for your continued support of Davis County Animal Care and Control. Your support is vital to insure that the County has the most efficient and cost effective method for providing animal services to the citizens of Davis County.

Enclosed you will find a contract amendment for the 2015 year. As in the past, the charges are based upon the usage of Animal Care and Control by your citizens. The City's two year average is divided by the grand total of averaged calls to get a percentage of the total calls. That percentage is then taken out of the total amount needed from the cities as set by Davis County. The fee paid by the city provides full 24 hour animal care and control services, including the housing and processing of stray animals. Wildlife is billed separately at a rate of \$25.75 per call. Below is a breakdown of the 2015 charges for Layton City:

2015 County Portion of Animal Care and Control Budget	\$1,694,259.88
2015 City Portion of Animal Care and Control Budget	\$584,133.12
2 Yr. Average for Davis County Total Billable Calls	12,403
2 Yr. Average for Layton Billable Calls	3,304
2014 Layton Usage Rate	26.639%
2015 Layton City Animal Service Fees	\$155,607.22
2014 Layton City Wildlife Calls	310
2015 Layton City Wildlife Fees	\$7,982.50

Please review and sign the included contract amendment. Please scan the entire signed amendment and email it back to me. A copy of the fully signed amendment will be mailed back to you. You may also mail the signed amendment. If you mail the signed amendment and want an original sent back to you, please include two signed copies. If a copy of the original is satisfactory, it will be sent to you automatically.

Thank your for your cooperation and patience. It is a privilege to serve in Layton City. If you have any questions or concerns please contact me.

Sincerely,

**Clint Thacker**

Director  
Davis County Animal Care & Control  
1422 E 600 N  
Fruit Heights, UT 84037  
Office: 801-444-2204  
Cell: 801-200-9325

**AMENDMENT NO. 2 TO INTERLOCAL COOPERATION AGREEMENT BETWEEN  
DAVIS COUNTY AND THE CITY OF LAYTON FOR ANIMAL CONTROL SERVICES**

This Amendment No. 2 to Interlocal Cooperation Agreement Between Davis County and the City of Layton for Animal Control Services (this "Amendment") is made and entered into by and between DAVIS COUNTY, a political subdivision of the State of Utah (the "County"), and LAYTON CITY, a municipal corporation of the State of Utah (the "City"). The County and the City may be collectively referred to in this Amendment as the "Parties."

**RECITALS**

This Amendment is made and entered into by and between the Parties based, in part, upon the following recitals:

- A. The Parties previously entered into an *Inter-local Cooperation Agreement Between Davis County and the City of Layton for Animal Control Services*, dated March 26, 2013 (the "Agreement"), which is labeled Davis County Contract No. 2013-62, and by which the County agreed to provide animal services to the City;
- B. The term of the Agreement is for the five-year period beginning on January 1, 2013 and continuing through December 31, 2017;
- C. Paragraph 5 of the Agreement specified the amount of compensation to be paid by the City to the County and further provided that the compensation amount shall be reviewed and adjusted annually by a written amendment to the Agreement as may be agreed upon by the County and the City; and
- D. The County and the City have agreed to the adjusted compensation specified in this Amendment.

Now, therefore, in consideration of the terms set forth in this Amendment, the Parties do hereby agree as follows:

**1. Compensation and Costs**

- A. Paragraph 5A(1) of the Agreement is amended to read as follows:

The City shall pay the County One Hundred Fifty-Five Thousand Six Hundred Seven Dollars and 22/100 Cents (\$155,607.22) for the animal care services that the County will provide and perform on behalf of the City during the Calendar Year 2015. This payment obligation is calculated as follows:

The Cities' Portion of Animal Care and Control's 2015 Budget	\$584,133.12
2013 and 2014 Average for Davis County's Total Billable Calls	12,403
2013 and 2014 Average for the City's Billable Calls	3,304
The City's 2014 Usage Rate	26.639%
The City's Payment Obligation to the County for Calendar Year 2015	<b><u>\$155,607.22</u></b>

For calendar years subsequent to Calendar Year 2015, the compensation paid by the City to the County shall be annually reviewed and adjusted to accurately reflect the amount that the City must pay the County for animal care services. The City shall pay its obligation to the County in eleven (11) equal monthly installments of Twelve Thousand Nine Hundred Sixty-Seven Dollars and 26/100 Cents (\$12,967.26) and one (1) final monthly installment of Twelve Thousand Nine Hundred Sixty-Seven Dollars and 36/100 Cents (\$12,967.36). The first monthly installment payment by the City to the County is due on or before January 1, 2015. All subsequent payments by the City to the County are due on or before the 1st day of each month thereafter until paid in full (e.g. February 1, 2015, March 1, 2015, etc.).

- B. Paragraphs 5A(2) and 5A(3) of the Agreement are unchanged and remain in full force and effect.

C. Paragraph 5B of the Agreement is amended to read as follows:

The City shall pay the County Seven Thousand Nine Hundred Eighty-Two Dollars and 50/100 Cents (\$7,982.50) for the animal control services (specifically picking up and/or euthanizing nuisance animals under Paragraph 1C of this agreement) that the County will provide and/or perform on behalf of the City during the Calendar Year 2015.

D. Paragraphs 5B(1) through 5(B)(3) of the Agreement are unchanged and remain in full force and effect.

**2. Continuing Effect of the Agreement**

Except to the extent specifically modified by this Amendment, the terms and conditions of the Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment in duplicate, each of which shall be deemed an original.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015

DAVIS COUNTY

By: \_\_\_\_\_  
Chairperson  
Davis County Board of County Commissioners  
Date: \_\_\_\_\_, 2015

ATTEST:

\_\_\_\_\_  
Davis County Clerk/Auditor

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015

CITY OF LAYTON

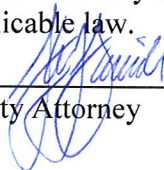
By: \_\_\_\_\_  
Mayor  
Date: \_\_\_\_\_, 2015

ATTEST:

\_\_\_\_\_  
City Recorder

**Attorney Review**

The undersigned, being the authorized attorney for the City of LAYTON, reviewed this Amendment and found it to be in proper form and compliance with applicable law.

  
\_\_\_\_\_  
City Attorney

**Attorney Review**

The undersigned, being the authorized attorney for Davis County, reviewed this Amendment and found it to be in proper form and compliance with applicable law.

\_\_\_\_\_  
Davis County Attorney

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 5.B.

**Subject:**

Annexation Request – Layton City and Wasatch Integrated Waste Management District – Acceptance and Certification of the Petition for Annexation - Resolutions 15-05 and 15-06 - Approximately 3500 North Redtail Way (2100 East)

**Background:**

The proposal is to annex 10.24 acres. If the annexation petition is accepted and certified, Staff will initiate the necessary annexation procedures as outlined in Utah Code Annotated. The annexation area consists of two separate parcels. The larger of the two parcels (10.03 acres) is owned by Layton City, and the small parcel (.21 acres) in the southeast corner of the annexation area is owned by Wasatch Integrated Waste Management District (WIWMD).

The annexation area is directly north of the Greyhawk Subdivision and was dedicated to Layton City for the development of a neighborhood park to serve the residents of the northeast portion of the City. The Parks and Recreation Department is working on the design and layout of the park with construction set to begin in the spring.

**Alternatives:**

Alternatives are to 1) Adopt Resolutions 15-05 and 15-06 accepting and certifying the petition for annexation and direct Staff to initiate the necessary annexation procedures; or 2) Not adopt Resolutions 15-05 and 15-06 denying the petition for annexation.

**Recommendation:**

Staff recommends the Council adopt Resolutions 15-05 and 15-06 accepting and certifying the petition for annexation and directing Staff to initiate the necessary annexation procedures.



**RESOLUTION 15-05**  
**(Layton City-Greyhawk Park Annexation)**

**A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF  
PROPERTY LOCATED AT APPROXIMATELY 3500 NORTH REDTAIL WAY  
(2100 EAST).**

**WHEREAS**, a petition has been received by Layton City, pursuant to Utah Code Annotated, petitioning for annexation of certain properties located at approximately 3500 North Redtail Way (2100 East); and

**WHEREAS**, this property is located within an area where Layton City can provide urban services; and

**WHEREAS**, this property is identified in the Layton City Annexation Policy Plan, Expansion Area Two, adopted by the City Council on December 5, 2002; and

**WHEREAS**, the City Council determines it to be in the best interest of the citizens of Layton City to accept the petition for annexation and direct staff to certify the annexation petition and provide notice thereof relative to the proposed annexation; and

**WHEREAS**, the property owners wish to proceed with the petition for annexation to the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON,  
UTAH:**

1. The City has received a petition for annexation presented by Layton City Corporation and Wasatch Integrated Waste Management District, owners of 10.24 acres, located at approximately 3500 North Redtail Way (2100 East). The above property represents 100 percent of the private land and constitutes 100 percent of the value of all the private property within the area proposed for annexation. This property is more particularly described in the description presented with the petition, which is attached hereto and made a part hereof by reference. The petition is hereby accepted by the City.

2. Staff is hereby directed to certify the petition for the proposed annexation pursuant to Utah Code Annotated and initiate the necessary annexation procedures.

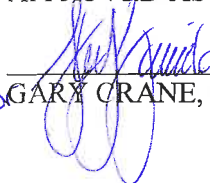
**PASSED AND ADOPTED** by the City Council of Layton, Utah, this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
ROBERT J STEVENSON, Mayor


ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:

  
\_\_\_\_\_  
WILLIAM T. WRIGHT, Director  
Community & Economic Development



Mayor • Bob J Stevenson  
City Manager • Alex R. Jensen  
Asst. City Manager • James S. Mason

• Council Members •

Joyce F. Brown  
Tom Day  
Jory Francis  
Scott Freitag  
Joy Petro

February 19, 2015

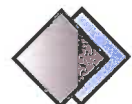
To the Layton City Council

I hereby certify the petition for annexation commonly known as the Greyhawk Park annexation, located at approximately 2100 East 3500 North. The proposed annexation includes approximately 10.24 acres as drawn and described in the survey filed with the petition.

In my opinion, the annexation meets the statutory requirements of Utah State Code sections 10-2-403(3), (4) and (5).

Respectfully,

Thieda Wellman  
City Recorder





Mayor • Steve Curtis  
City Manager • Alex R. Jensen  
Asst. City Manager • James S. Mason

•Community Development Department•  
William T. Wright • Director  
Telephone (801) 336-3780  
Fax: (801) 336-3789

## PETITION FOR ANNEXATION

To receive an authorized application, the applicant must meet the following regulations

Update 2/1/10

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<b>FEES: Annexation</b>	<b><del>\$700-</del></b>	<b>Receipt:</b> <u>N/A</u>
<b>Annexation and Rezone</b>	<b><del>\$800-</del></b>	<b>Date:</b> <u>Feb. 3, 2015</u>

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Please Submit the following with your application and applicable fees:

- County printout of property legal description
  - Copy of section map with reference properties highlighted
  - Four copies of annexation plat with wet stamp
- 

**Name of Petitioner:** Layton City Corporation

(Please Print)

**Address:** 437 N. Wasatch Drive, Layton, UT 84041

Street City State Zip

Phone: 801-336-3800

Fax: 801-336-3811 Email: ajensen@laytoncity.org

Parcel Identification Number(s): 09-004-0017

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**Layton City Council:**

The undersigned owner(s) of real property located in Davis County, State of Utah, hereby respectfully petition the Layton City Council for annexation to Layton City of the following described territory lying contiguous to the corporate limits of Layton City, and for the purpose represented to the to the City Council that the territory hereby sought to be annexed is described on the attached sheet.

Wherefore, the undersigned respectfully request your favorable consideration of this petition and the passage of an ordinance of annexation by the council effectuating the same.

Respectfully submitted this 3rd day of February, 20 15.

Alex R. Jensen  
Print Name Here

[Signature]  
Signature Here

ww

\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature Here

\_\_\_\_\_  
Print Name Here


\_\_\_\_\_  
Signature Here

**PROPERTY OWNER AFFIDAVIT**

STATE OF UTAH )  
 ) ss.  
COUNTY OF Davis )

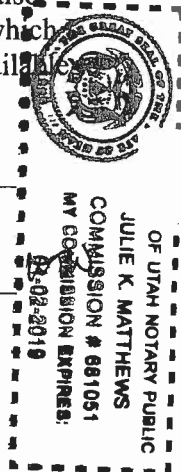
I (we) Alex R. Jensen, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified on the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I (we) have received written instructions regarding the process for which (we) am (are) applying and the Layton City Planning Staff have indicated they are available to assist me in making this application.

Prop. Identification # 09-004-0017

  
Please Print Name Under Signature  
Alex R. Jensen

Prop. Identification# \_\_\_\_\_

Please Print Name Under Signature



Subscribed and sworn to me this 3rd day of February, 2015.

Residing in: Weber County UT Julie K. Matthews  
My Commission Expires: 01-02- Notary  
2019

**AGENT AUTHORIZATION**

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in Layton City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Property I.D. # \_\_\_\_\_  
Please Print Name Under Signature

Property I.D. # \_\_\_\_\_  
Please Print Name Under Signature

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ personally appeared before me and are the signers of the above Agent Authorization who duly acknowledged to me that they executed the same.

\_\_\_\_\_  
Notary



Mayor • Steve Curtis  
City Manager • Alex R. Jensen  
Asst. City Manager • James S. Mason

•Community Development Department•  
William T. Wright • Director  
Telephone (801) 336-3780  
Fax: (801) 336-3789

## PETITION FOR ANNEXATION

To receive an authorized application, the applicant must meet the following regulations

Update 2/1/10

<b>FEES: Annexation</b>	<del>\$-700-</del>	<b>Receipt:</b> N/A
<b>Annexation and Rezone</b>	<del>\$-800-</del>	<b>Date:</b> February 3, 2015

Please **Submit** the following with your application and applicable fees:

- County printout of property legal description
- Copy of section map with reference properties highlighted
- Four copies of annexation plat with wet stamp

**Name of Petitioner:** Wasatch Integrated Waste Management District

(Please Print)

**Address:** 650 East Highway 193, Layton, UT 84040  
Street City State Zip

**Phone:** (801) 614-5601

**Fax:** (801) 771-6438 **Email:** nathanr@wiwmd.org

**Parcel Identification Number(s):** 09-004-0016

Layton City Council:

The undersigned owner(s) of real property located in Davis County, State of Utah, hereby respectfully petition the Layton City Council for annexation to Layton City of the following described territory lying contiguous to the corporate limits of Layton City, and for the purpose represented to the to the City Council that the territory hereby sought to be annexed is described on the attached sheet.

Wherefore, the undersigned respectfully request your favorable consideration of this petition and the passage of an ordinance of annexation by the council effectuating the same.

Respectfully submitted this 2<sup>nd</sup> day of FEBRUARY, 20 15.

NATHAN RICH

Print Name Here



Signature Here

\_\_\_\_\_  
Print Name Here

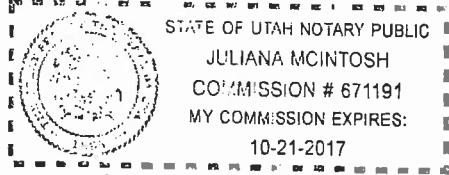
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\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature Here

**PROPERTY OWNER AFFIDAVIT**

STATE OF UTAH )  
 ) ss.  
COUNTY OF DAVIS )



I (we) NATHAN RICH, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified on the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I (we) have received written instructions regarding the process for which I (we) am (are) applying and the Layton City Planning Staff have indicated they are available to assist me in making this application.

Prop. Identification # 09-004-0016

[Signature]  
Please Print Name Under Signature  
NATHAN RICH

Prop. Identification# \_\_\_\_\_

\_\_\_\_\_  
Please Print Name Under Signature

Subscribed and sworn to me this 2nd day of FEBRUARY 2015

Residing in: Ogden, Utah  
My Commission Expires: 10-21-2017

[Signature]  
Notary

**AGENT AUTHORIZATION**

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in Layton City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Property I.D. # \_\_\_\_\_

\_\_\_\_\_  
Please Print Name Under Signature

Property I.D. # \_\_\_\_\_

\_\_\_\_\_  
Please Print Name Under Signature

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ personally appeared before me and are the signers of the above Agent Authorization who duly acknowledged to me that they executed the same.

\_\_\_\_\_  
Notary



## ANNEXATION LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT THAT IS NORTH 89°29'28" EAST 799.60 FEET ALONG THE EAST/WEST QUARTER SECTION LINE FROM A BRASS CAP MONUMENT AT THE WEST QUARTER CORNER OF SAID SECTION 2; THENCE NORTH 39°11'06" EAST 200.43 FEET; THENCE NORTH 00°14'08" EAST 901.03 FEET; THENCE NORTH 74°30'10" EAST 208.69 FEET; THENCE NORTH 81°53'00" EAST 196.99 FEET TO THE WEST SIXTEENTH LINE, SAID POINT ALSO BEING THE WEST LINE OF NORTH WOOD SUBDIVISION, AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER; THENCE SOUTH 00°14'08" WEST ALONG SAID SIXTEENTH LINE, AND WEST LINE 1135.32 FEET TO THE EAST-WEST QUARTER SECTION LINE, AND THE NORTH LINE OF QUAIL POINT PHASE 8, AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER; THENCE SOUTH 89°29'28" WEST ALONG SAID QUARTER SECTION LINE AND SAID NORTH LINE 521.82 FEET TO AND ALONG THE NORTH LINE OF GREYHAWK SINGLE FAMILY SUBDIVISION, AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER TO THE POINT OF BEGINNING.

CONTAINS - 445,842 SQ. FT. 10.24 ACRES

# City Council Meeting

February 19, 2015

## Layton City Annexation Petition

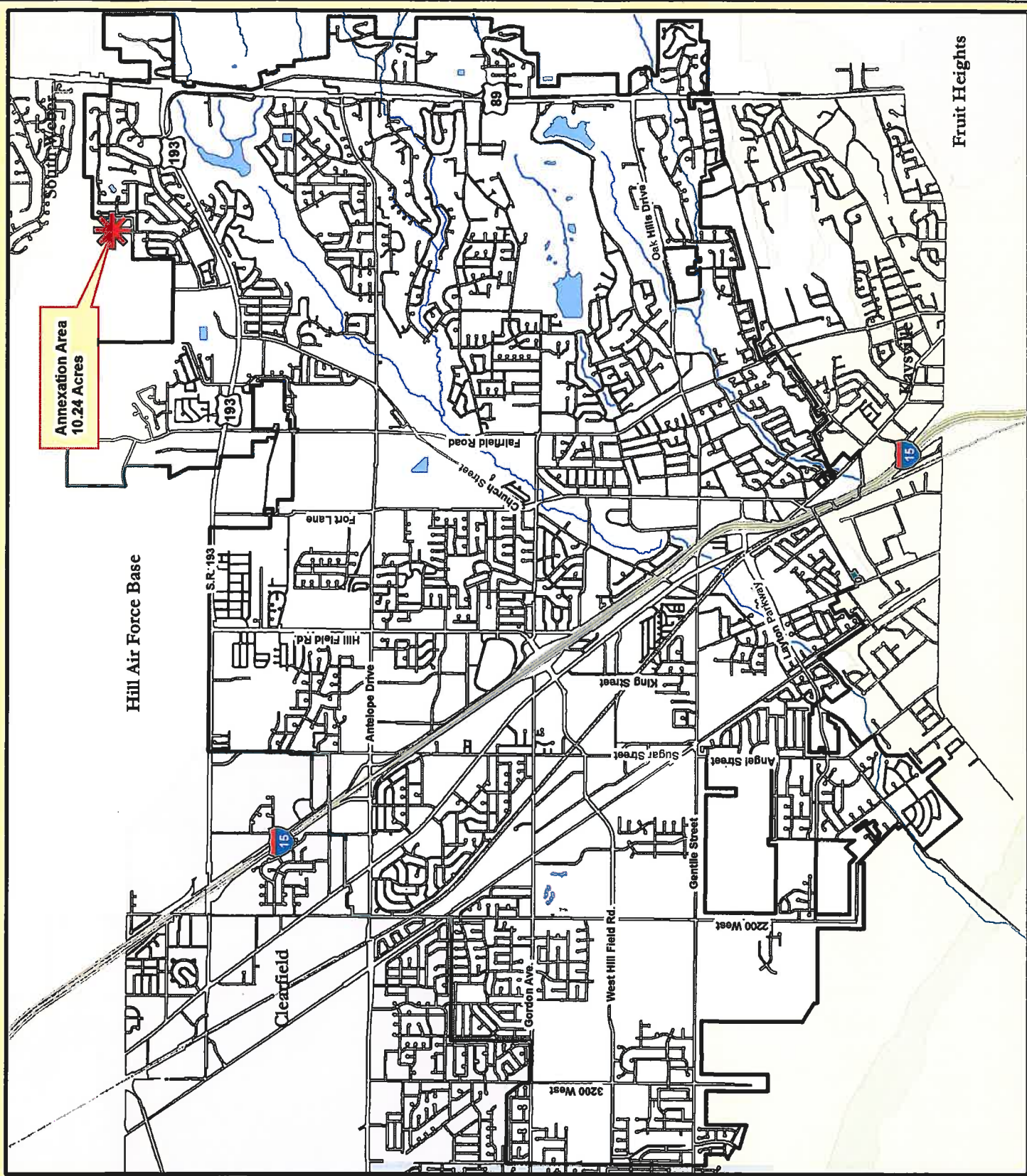
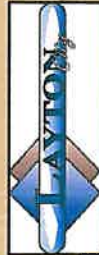
### Greyhawk Park

**LEGEND**

-  Rail Lines
-  Interstate 15
-  Layton City Boundary
-  Rights of Way
-  Lakes
-  Streams
-  Annexation Area



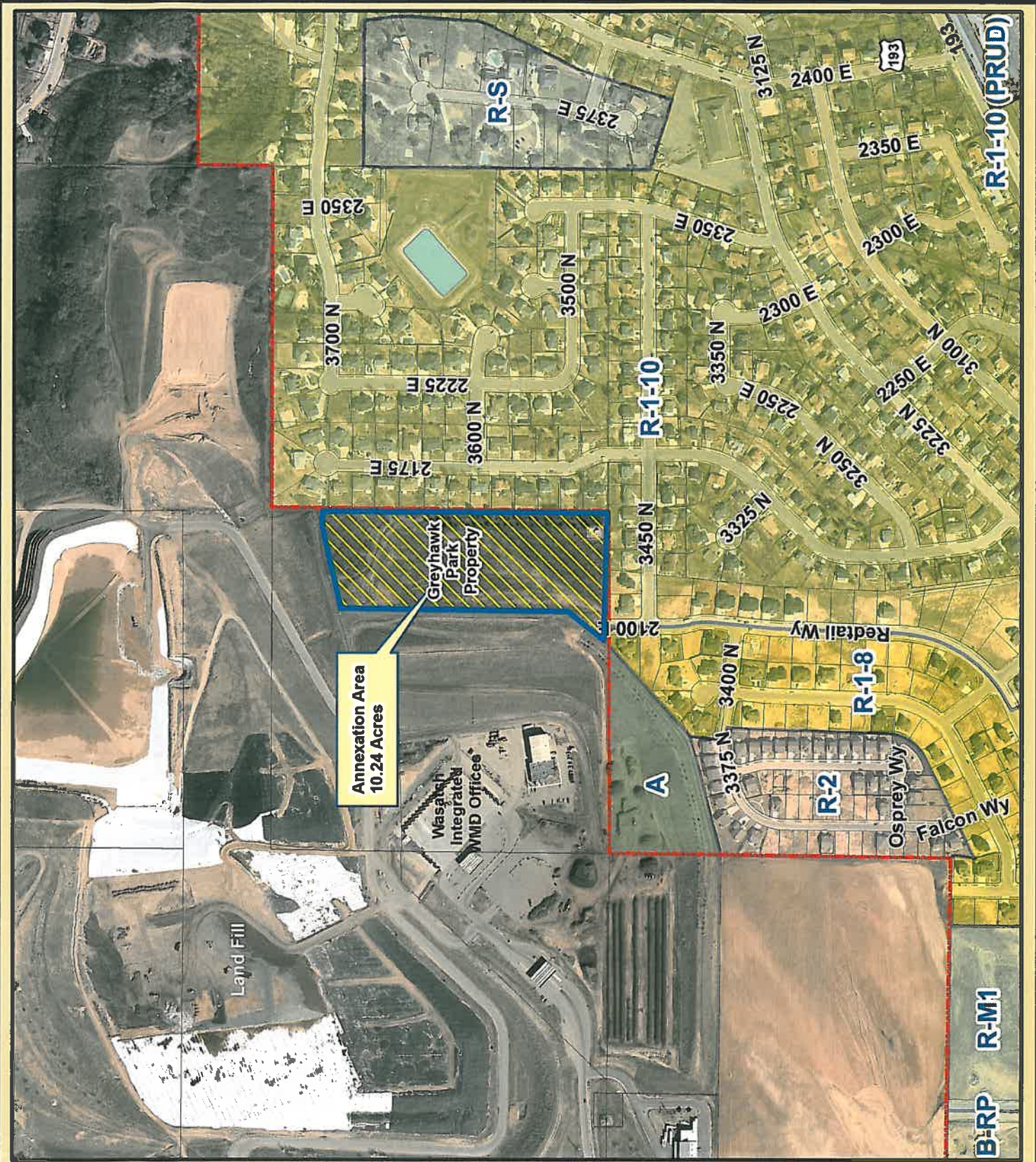
1 inch = 4,250 feet



Fruit Heights

Hill Air Force Base

Annexation Area  
10.24 Acres



**City Council Meeting**

February 19, 2015

**Layton City Annexation Petition**

Greyhawk Park

3500 North  
Redtail Way

10.24 Acres

- LEGEND**
- Layton City Boundary
  - Property
  - Lakes
  - Streams



1 inch = 500.2 feet

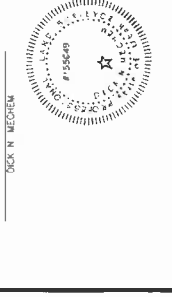


**SURVEYORS CERTIFICATE**

I, DECK N. MCGHEM, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH LICENSE NUMBER 155449 DO HEREBY CERTIFY THAT THIS PLAN OF ANNEXATION TO THE CORPORATE LIMITS OF LAYTON CITY, UTAH, IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM RECORDS BY ME IN THE DAVIS COUNTY RECORDER'S OFFICE.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

DECK N. MCGHEM  
 REGISTERED PROFESSIONAL LAND SURVEYOR



**LAYTON CITY ACCEPTANCE**

I HEREBY CERTIFY THAT THIS PLAN OF ANNEXATION TO THE CORPORATE LIMITS OF LAYTON CITY WAS ACCEPTED BY THE BOARD OF CITY ENGINEERS AND CITY ENGINEER OF DAVIS COUNTY, UTAH, BY A RESOLUTION PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

IN WITNESS WHEREOF I HEREBY SET MY HAND AND AFFIX THE CORPORATE SEAL OF LAYTON CITY

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
 LAYTON CITY MAYOR

\_\_\_\_\_  
 CITY RECORDER

**BOUNDARY DESCRIPTION**

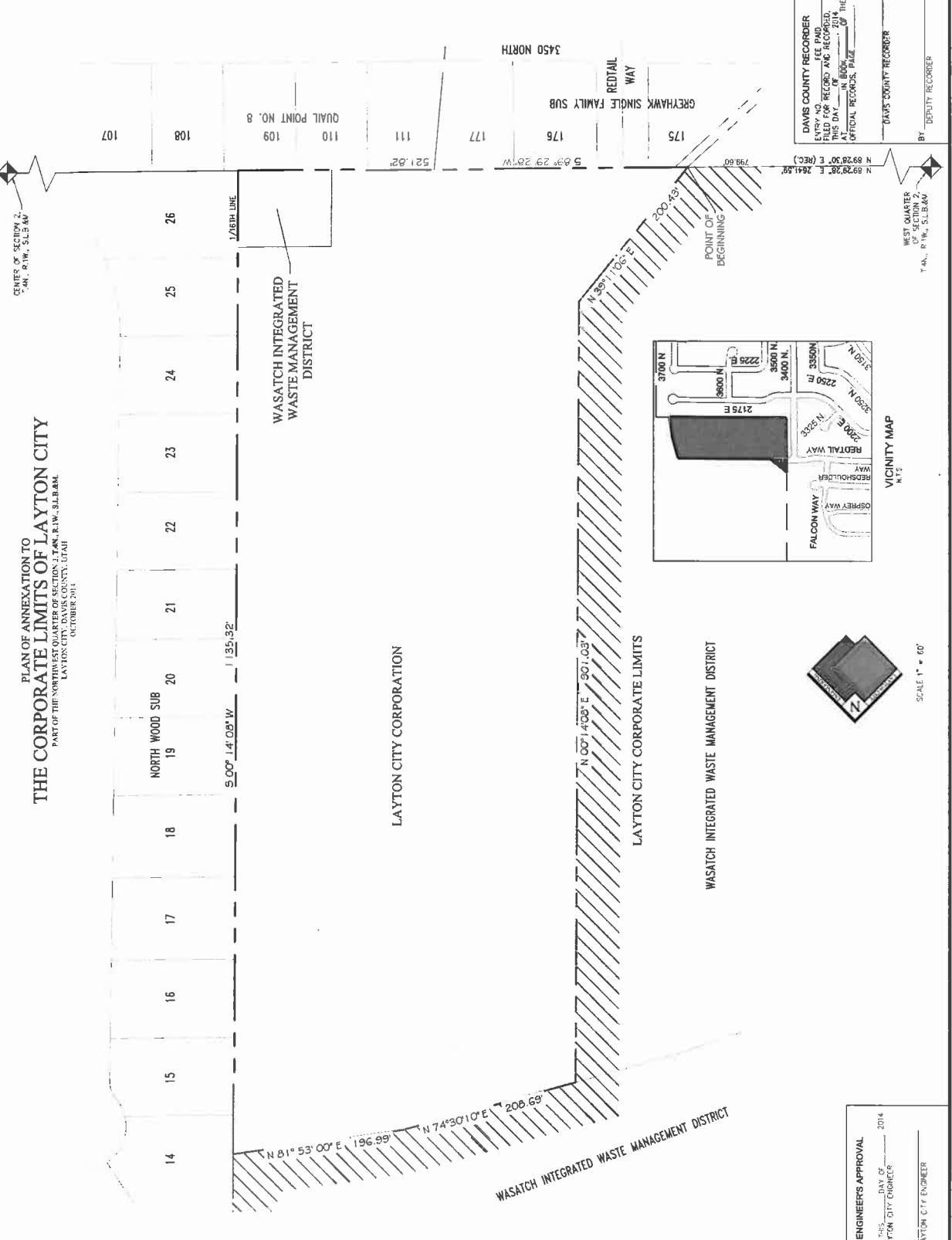
A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, T41N, R14W, S14E, AND THE WEST 1/4 OF SECTION 26, T41N, R14W, S14E, AS SHOWN ON THE PLAT OF GREYHAWK SINGLE FAMILY SUBDIVISION, BEING AS A POINT THAT IS NORTH 29°10'58" WEST 200.43 FEET ALONG THE EAST/WEST QUARTER SECTION LINE FROM A BRASS CAP MONUMENT AT THE WEST QUARTER CORNER OF SAID SECTION 26, THENCE NORTH 39°17'05" EAST 200.43 FEET, THENCE NORTH 00°14'08" EAST 901.03 FEET, THENCE NORTH 00°14'08" EAST 901.03 FEET, THENCE WEST 108.69 FEET TO THE WEST SOUTHWEST CORNER OF SAID PARCEL ALSO BEING THE WEST LINE OF NORTH WOOD SUBDIVISION, AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, BEING THE WEST LINE OF NORTH WOOD SUBDIVISION, AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, ALONG THE LINE 113.53 FEET TO THE EAST WEST QUARTER SECTION LINE AND 1/4 NORTH LINE OF DUAL POINT PHASE A, AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, TO THE WEST SOUTHWEST CORNER OF SAID PARCEL, THE NORTH LINE AND SAID PARCEL LINE 821.82 FEET TO SAID PARCEL, THE NORTH LINE OF GREYHAWK SINGLE FAMILY SUBDIVISION, AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER TO THE POINT OF BEGINNING.

CONTAINS - 445,842 SQ. FT. 10.24 ACRES.

**LAYTON CITY ENGINEERS OFFICE**

\_\_\_\_\_  
 DAVIS COUNTY RECORDER

**Attorney:**  
Surrey & McPherson, Inc.  
 1825 W. 4400 S. PO Box 207  
 Roy, Utah 84067  
 Phone: (801) 725-1356 email: mms@redpystak.utah.gov



**PLAN OF ANNEXATION TO THE CORPORATE LIMITS OF LAYTON CITY**  
 PART OF THE NORTHWEST QUARTER OF SECTION 26, T41N, R14W, S14E, DAVIS COUNTY, UTAH, OCTOBER 2014

**WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT**

**LAYTON CITY CORPORATE LIMITS**

**LAYTON CITY CORPORATION**



CENTER OF SECTION 26, T41N, R14W, S14E, UTAH

WEST QUARTER OF SECTION 26, T41N, R14W, S14E, UTAH

**DAVIS COUNTY RECORDER**  
 LAYTON, UTAH  
 THIS DAY OF \_\_\_\_\_, 2014  
 OFFICIAL RECORDS FILE NO. \_\_\_\_\_

**DAVIS COUNTY RECORDER**  
 BY \_\_\_\_\_ DEPUTY RECORDER

**ENGINEER'S APPROVAL**  
 I, \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014  
 \_\_\_\_\_  
 LAYTON CITY ENGINEER

**RESOLUTION 15-06**  
**(Layton City-Greyhawk Park Annexation)**

**A RESOLUTION ACKNOWLEDGING THE RECEIPT OF CERTIFICATION  
OF THE PETITION FOR ANNEXATION OF PROPERTY LOCATED AT  
APPROXIMATELY 3500 NORTH REDTAIL WAY (2100 EAST).**

**WHEREAS**, a petition for annexation was received and accepted by the Layton City Council pursuant to Utah Code Annotated, for property located at approximately 3500 North Redtail Way (2100 East) on February 19, 2015, (Reference Resolution 15-05); and

**WHEREAS**, the City Recorder has certified that the petition for annexation complies with the statutory requirements of Utah State Code sections 10-2-403(3), (4), and (5) and said certification was received by the City Council on February 19, 2015; and

**WHEREAS**, notices of the proposed annexation must be advertised in the newspaper and sent to entities prescribed in Utah State Code section 10-2-406(1)(b) and 10-2-408.5.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON,  
UTAH:**

SECTION I: Staff is hereby directed to publish the prescribed notice of the proposed annexation at least once a week for three (3) successive weeks with the first notice being published within ten (10) days of the Council's receipt of the notice of certification.

SECTION II: Staff is hereby directed to mail written notice of the proposed annexation to the Davis County Commission, to the board of any special or independent service district that services any of the properties within the subject annexation area, the city council of any city whose boundaries are within one-half mile of the subject area, and to the Davis County School District.

SECTION III: The published and mailed notice shall contain the prescribed information, as outlined in Utah Code Annotated. Said notice shall provide the necessary information relative to the filing of protests and deadlines for filing such protests.

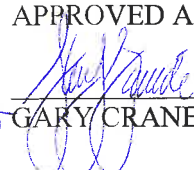
**PASSED AND ADOPTED** by the City Council of Layton, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
ROBERT J STEVENSON, Mayor

ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:-

  
\_\_\_\_\_  
WILLIAM T. WRIGHT, Director  
Community & Economic Development

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 5.C.

**Subject:**

Annexation Request - Morgan-Bone - Acceptance and Certification of the Petition for Annexation - Resolutions 15-07 and 15-08 - Approximately 200 South 3200 West

**Background:**

The proposal is to annex 32.968 acres. If the annexation petition is accepted and certified, Staff will initiate the necessary annexation procedures as outlined in Utah Code Annotated. The annexation area consists of four separate parcels located just south of Gentile Street and west of 3200 West. The applicant is Destination Homes representing three separate property owners.

The annexation petition is accompanied by a rezone request for R-S zoning to develop a single-family residential subdivision with access from 3200 West and a street connection to Island View Park Subdivision at Overlook Drive.

**Alternatives:**

Alternatives are to 1) Adopt Resolutions 15-07 and 15-08 accepting and certifying the petition for annexation and direct Staff to initiate the necessary annexation procedures; or 2) Not adopt Resolutions 15-07 and 15-08 denying the petition for annexation.

**Recommendation:**

Staff recommends the Council adopt Resolutions 15-07 and 15-08 accepting and certifying the petition for annexation and directing Staff to initiate the necessary annexation procedures.

**RESOLUTION 15-07**  
**(Morgan-Bone Annexation Petition)**

**A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF  
PROPERTY LOCATED AT 200 SOUTH 3200 WEST.**

**WHEREAS**, a petition has been received by Layton City, pursuant to Utah Code Annotated, petitioning for annexation of certain properties located at approximately 200 South 3200 West; and

**WHEREAS**, this property is located within an area where Layton City can provide urban services; and

**WHEREAS**, this property is identified in the Layton City Annexation Policy Plan, Expansion Area Five, adopted by the City Council on December 5, 2002; and

**WHEREAS**, the City Council determines it to be in the best interest of the citizens of Layton City to accept the petition for annexation and direct staff to certify the annexation petition and provide notice thereof relative to the proposed annexation; and

**WHEREAS**, the property owners wish to proceed with the petition for annexation to the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON,  
UTAH:**

1. The City has received a petition for annexation presented by Clyde B. and Lottie S. Morgan, Lee and Ruth Bone Family LLC, and Sarah R. Allred Trustee, owners of 32.968 acres, located at approximately 200 South 3200 West. The above property represents 100 percent of the private land and constitutes 100 percent of the value of all the private property within the area proposed for annexation. This property is more particularly described in the description presented with the petition, which is attached hereto and made a part hereof by reference. The petition is hereby accepted by the City.

2. Staff is hereby directed to certify the petition for the proposed annexation pursuant to Utah Code Annotated and initiate the necessary annexation procedures.


**PASSED AND ADOPTED** by the City Council of Layton, Utah, this \_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
ROBERT J STEVENSON, Mayor

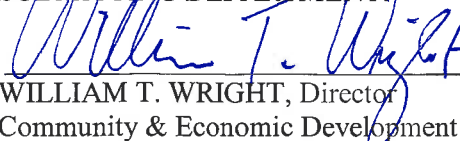
ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:

  
\_\_\_\_\_  
WILLIAM T. WRIGHT, Director  
Community & Economic Development



• Council Members •

Joyce F. Brown  
Tom Day  
Jory Francis  
Scott Freitag  
Joy Petro

February 19, 2015

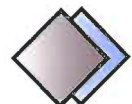
To the Layton City Council

I hereby certify the petition for annexation commonly known as the Morgan/Bone annexation, located at approximately 200 South 3200 West. The proposed annexation includes approximately 32.968 acres as drawn and described in the survey filed with the petition.

In my opinion, the annexation meets the statutory requirements of Utah State Code sections 10-2-403(3), (4) and (5).

Respectfully,

Thieda Wellman  
City Recorder







Mayor • Steve Curtis  
City Manager • Alex R. Jensen  
Asst. City Manager • James S. Mason

•Community Development Department•  
William T. Wright • Director  
Telephone (801) 336-3780  
Fax: (801) 336-3789

## PETITION FOR ANNEXATION

To receive an authorized application, the applicant must meet the following regulations

Update 2/1/10

<b>FEES: Annexation</b>	<b>\$ 700</b>	<b>Receipt:</b> <u>353038</u>
<b>Annexation and Rezone</b>	<b>\$ 800</b>	<b>Date:</b> <u>2-3-15</u>

Please Submit the following with your application and applicable fees:

- County printout of property legal description
- Copy of section map with reference properties highlighted
- Four copies of annexation plat with wet stamp

Name of Petitioner: Destination Homes c/o Cameron Scott  
(Please Print)

Address: 67 S. Main St., Suite 300, Layton, UT 84041  
Street City State Zip

Phone: 801-593-9993

Fax: \_\_\_\_\_

Email: cscott@destinationhomes.com

Parcel Identification Number(s): \_\_\_\_\_  
\_\_\_\_\_

I/We the undersigned hereby respectfully petition the Layton City Council to amend the Zoning Map (or Zoning Text) as follows: from Agriculture to R-S

Property Address: See attached

From: Agriculture  
(Current Zoning)

To: R-S  
(Proposed Zoning)

By: F. Cameron Scott  
(Signature of Petitioner)

**\*\*Note: The "Property Owner Affidavit" and "Agent Authorization" must be signed by the owner (of record), and notarized before this application can be accepted.**

**PROPERTY OWNER AFFIDAVIT**

**PROPERTY OWNER AFFIDAVIT**

STATE OF UTAH )  
 ) ss.  
COUNTY OF Davis )

agent (see power of attorney)  
for Sarah Tillotson Allread

I (we) Ann A. Schultz, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified on the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I (we) have received written instructions regarding the process for which I (we) am (are) applying and the Layton City Planning Staff have indicated they are available to assist me in making this application.

Prop. Identification # 12-111-0083 Ann A. Schultz  
Please Print Name Under Signature

Prop. Identification # 12-111-0084 Ann A. Schultz  
Please Print Name Under Signature

Subscribed and sworn to me this 29<sup>th</sup> day of January, 2015  
Residing in: Weber County UT  
My Commission Expires: 1-30-15

STATE OF UTAH NOTARY PUBLIC  
JULIE K MATTHEWS  
COMMISSION # 605535  
MY COMMISSION EXPIRES:  
1-30-2015  
Julie K. Matthews  
Notary

**AGENT AUTHORIZATION**

I (we), Ann A. Schultz, the owner(s) of the real property described in the attached application, do authorize as my (our) agent agent for Sarah Tillotson Allread Destination Homes-David Bailey to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in Layton City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Property I.D. # 12-111-0083 Ann A. Schultz  
Please Print Name Under Signature

Property I.D. # 12-111-0084 Ann A. Schultz  
Please Print Name Under Signature

Dated this 29<sup>th</sup> day of January, 2015, Ann A. Schultz personally appeared before me and are the signers of the above Agent Authorization who duly acknowledged to me that they executed the same.

STATE OF UTAH NOTARY PUBLIC  
JULIE K MATTHEWS  
COMMISSION # 605535  
MY COMMISSION EXPIRES:  
01-30-2015  
Julie K. Matthews  
Notary

**Layton City Council:**

The undersigned owner(s) of real property located in Davis County, State of Utah, hereby respectfully petition the Layton City Council for annexation to Layton City of the following described territory lying contiguous to the corporate limits of Layton City, and for the purpose represented to the to the City Council that the territory hereby sought to be annexed is described on the attached sheet.

Wherefore, the undersigned respectfully request your favorable consideration of this petition and the passage of an ordinance of annexation by the council effectuating the same.

Respectfully submitted this 29<sup>th</sup> day of January, 20 15.

Ann A. Schulz  
Print Name Here

Ann A. Schulz  
Signature Here

\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature Here

\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature Here

Layton City Council:

The undersigned owner(s) of real property located in Davis County, State of Utah, hereby respectfully petition the Layton City Council for annexation to Layton City of the following described territory lying contiguous to the corporate limits of Layton City, and for the purpose represented to the to the City Council that the territory hereby sought to be annexed is described on the attached sheet.

Wherefore, the undersigned respectfully request your favorable consideration of this petition and the passage of an ordinance of annexation by the council effectuating the same.

Respectfully submitted this 14<sup>th</sup> day of January, 20 15.

Lottie Morgan  
Print Name Here

Lottie Morgan  
Signature Here

\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature Here

\_\_\_\_\_  
Print Name Here

\_\_\_\_\_  
Signature Here

**PROPERTY OWNER AFFIDAVIT**

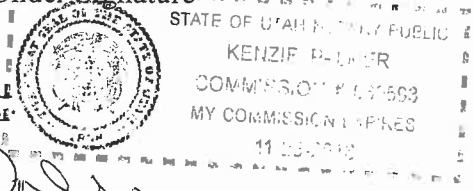
STATE OF UTAH )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I (we) Lottie Morgan, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified on the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I (we) have received written instructions regarding the process for which I (we) am (are) applying and the Layton City Planning Staff have indicated they are available to assist me in making this application.

Prop. Identification # 12-111-0105  
12-111-0079 Lottie Morgan  
Please Print Name Under Signature

Prop. Identification# \_\_\_\_\_ LOTTIE MORGAN  
Please Print Name Under Signature

Subscribed and sworn to me this 14<sup>th</sup> day of Jan, 2015.



Residing in: Sugar  
My Commission Expires: 11/25/16 Kenzie Palmer  
Notary

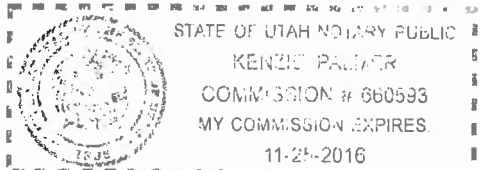
**AGENT AUTHORIZATION**

I (we), Lottie Morgan, the owner(s) of the real property described in the attached application, do authorize as my (our) agent Destination Homes to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in Layton City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Property I.D. # 12-111-0105  
12-111-0079 Lottie Morgan  
Please Print Name Under Signature

Property I.D. # \_\_\_\_\_ LOTTIE MORGAN  
Please Print Name Under Signature

Dated this 14 day of Jan, 2015, Lottie Morgan personally appeared before me and are the signers of the above Agent Authorization who duly acknowledged to me that they executed the same.



Kenzie Palmer  
Notary

**DURABLE POWER OF ATTORNEY  
OF  
SARAH TILLOTSON ALLRED**

**Introductory Provision.** I, Sarah Tillotson Allred, as principal (the "Principal") have this day appointed Ann Schulz to serve as my agent ("Agent") and to exercise the powers and discretions set forth below. If Ann Schulz shall be unable or unwilling to serve or to continue to serve, then I appoint Arnon Allred and Daren Allred to serve as my Agents, all of whom are collectively referred to herein as my "Agent", to exercise the powers and discretions set forth below either (i) alone and without the approval or consent of any other Agent named herein, or (ii) jointly with any other Agent named herein.

**Designator of Person to Fill Agent Vacancy.** If at any time no one shall be serving as my Agent under this power of attorney, then my agent shall be such person as may be appointed by Ann Schulz who shall fill such vacancy in a written instrument that shall be acknowledged before a notary public, and shall be attached to this power of attorney with the signature of such appointee indicating acceptance.

**Statement of Intent to Create Durable Power of Attorney Under State Statute.** By this instrument I intend to create a Durable Power of Attorney under Utah law.

**Revocation of Prior Powers of Attorney.** I hereby revoke all powers of attorney, general and/or limited, heretofore created by me as principal and terminate all agency relationships created thereunder, including those of all successor Agents named therein, if any, except that powers granted by me on forms provided by financial institutions granting the right to write checks on, deposit funds to and withdraw funds from accounts to which I am a signatory or granting access to a safe deposit box shall not be revoked, but shall continue in full force and effect.

**Delegation of All Powers Lawful to Delegate.** I herewith delegate to my Agent each and every power that I may lawfully delegate, subject only to those limitations specifically set forth in this instrument.

**ARTICLE 1.**

**ASSET POWERS**

**Introduction.** My Agent is authorized in my Agent's sole and absolute discretion from time to time and at any time, with respect to any and all of my property and interests in property, real, personal, intangible and mixed, as follows:

IN WITNESS WHEREOF, I have executed this Durable Power of Attorney this  
the 20 day of March, 2008.

Sarah T. Allred

Sarah Tillotson Allred, Principal

528-22-7911

Social Security Number

WITNESSES:

[Signature]  
[Signature]



Layton City Council:

The undersigned owner(s) of real property located in Davis County, State of Utah, hereby respectfully petition the Layton City Council for annexation to Layton City of the following described territory lying contiguous to the corporate limits of Layton City, and for the purpose represented to the to the City Council that the territory hereby sought to be annexed is described on the attached sheet.

Wherefore, the undersigned respectfully request your favorable consideration of this petition and the passage of an ordinance of annexation by the council effectuating the same.

Respectfully submitted this 12 day of January, 20 15.

Marie Bone

Print Name Here

Manager, Lee & Ruth Bone Family, LLC

Marie Bone

Signature Here

Print Name Here

Signature Here

Print Name Here

Signature Here

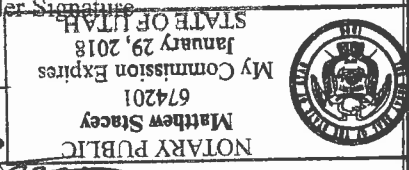
**PROPERTY OWNER AFFIDAVIT**

STATE OF UTAH )  
 ) ss.  
COUNTY OF Davis )

Marie Bone, Manager of  
I (we) Lee & Ruth Bone Family, LLC, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified on the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I (we) have received written instructions regarding the process for which I (we) am (are) applying and the Layton City Planning Staff have indicated they are available to assist me in making this application.

Prop. Identification # 12:111:0077 Marie Bone  
12:111:0078 Please Print Name Under Signature  
12:111:0081 Marie Bone  
12:111:0082  
Prop. Identification# \_\_\_\_\_  
Please Print Name Under Signature \_\_\_\_\_

Subscribed and sworn to me this 12 day of January, 2015  
Residing in: Pleasant Grove  
My Commission Expires: 1/29/18 Notary

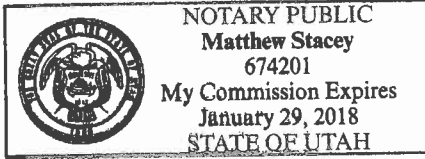


**AGENT AUTHORIZATION**

Marie Bone, Manager of  
I (we), Lee & Ruth Bone Family, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent Destination Homes to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in Layton City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Property I.D. # 12:111:0077 Marie Bone  
12:111:0078 Please Print Name Under Signature  
12:111:0081 Marie Bone  
12:111:0082  
Property I.D. # \_\_\_\_\_  
Please Print Name Under Signature \_\_\_\_\_

Dated this 12 day of January, 2015, Marie Bone personally appeared before me and are the signers of the above Agent Authorization who duly acknowledged to me that they executed the same.



Matthew Stacey  
Notary

\* Municipal Offices • 437 N. Wasatch Dr. • Layton, Utah 84041 • (801) 336-3780 • Fax: (801) 336-3789

Destination Homes Annexation  
Morgan and Bone Property  
3200 West Gentile Street  
Layton Utah  
L-2214  
February 3, 2015

### Annexation Legal Description

Beginning at a corner point on a current south and west line of Layton City as defined on an Annexation Plat titled, "Plat of the Addition to the Corporate Limits of Layton City, Davis County, Utah 1991 as Entry no. 948092 recorded on November 14, 1991 in Book 1450 at Page 516 of the records of Davis County, said point being South 0°11'56" West 412.50 feet along the section line and North 89°53'55" West 233.00 feet from the Northeast Corner of Section 26, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and running;

Thence South 0°11'56" West 1083.49 feet along the west line of said corporate limits as defined on the aforementioned annexation plat;

Thence North 89°18'00" West 125.70 feet;

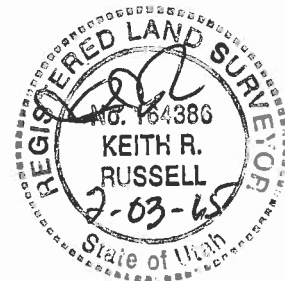
Thence South 0°11'56" West 271.67 feet;

Thence North 89°18'00" West 963.91 feet to an extension of the east line of Island View Ridge Subdivision;

Thence North 0°12'31" East 1343.78 feet to and along the east line of Island View Ridge Subdivision to the south line of the aforementioned annexation plat;

Thence South 89°53'55" East 1089.33 feet along the south line of the aforementioned annexation plat to the point of beginning.

Contains 1,436,028 square feet, 32.968 acres.



# City Council Meeting

February 19, 2015

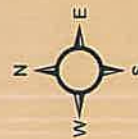
## Morgan-Bone Annexation Petition

### LEGEND

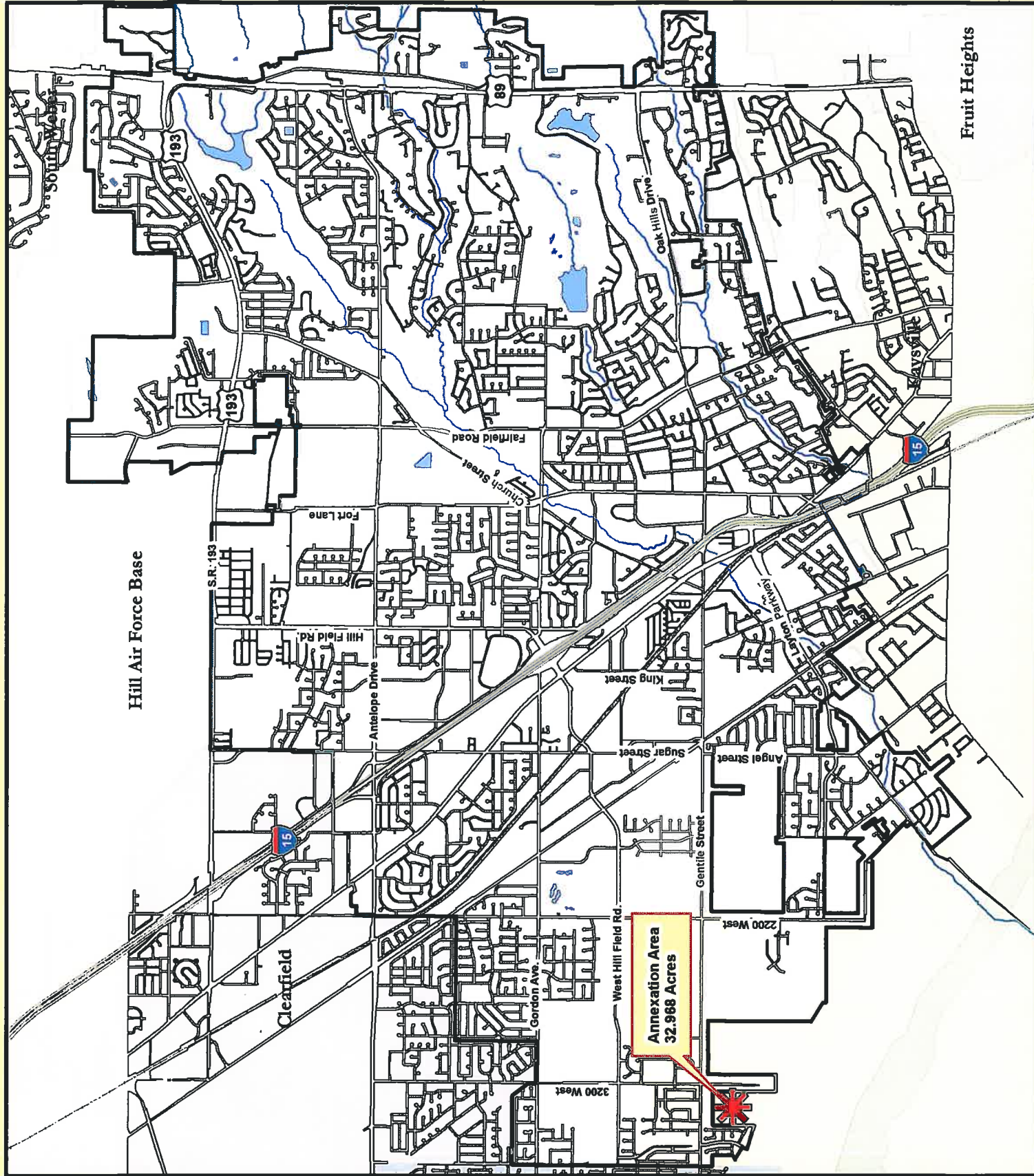
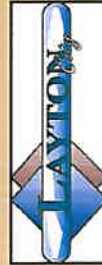
- Rail Lines
- Interstate 15
- Layton City Boundary
- Rights of Way
- Lakes
- Streams
- Annexation Area



Annexation Area



1 inch = 4,250 feet

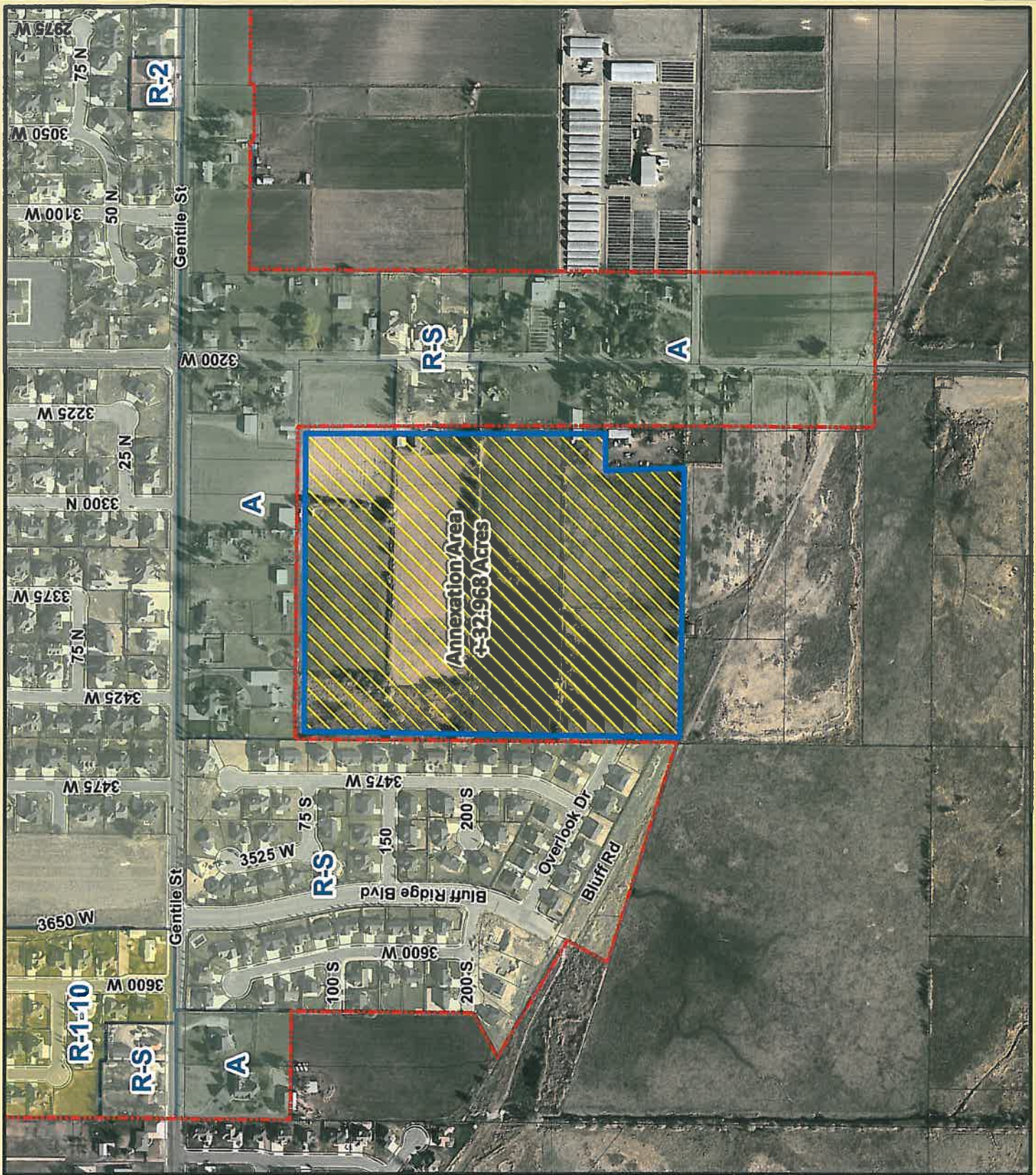


Fruit Heights

Hill Air Force Base

Clearfield

Annexation Area  
32,968 Acres



**City Council Meeting**

**February 19, 2015**

**Morgan-Bone Annexation Petition**

**Approx. 200 South 3200 West**

**32.968 Acres**

- LEGEND**
- Layton City Boundary
  - Property
  - Lakes
  - Streams

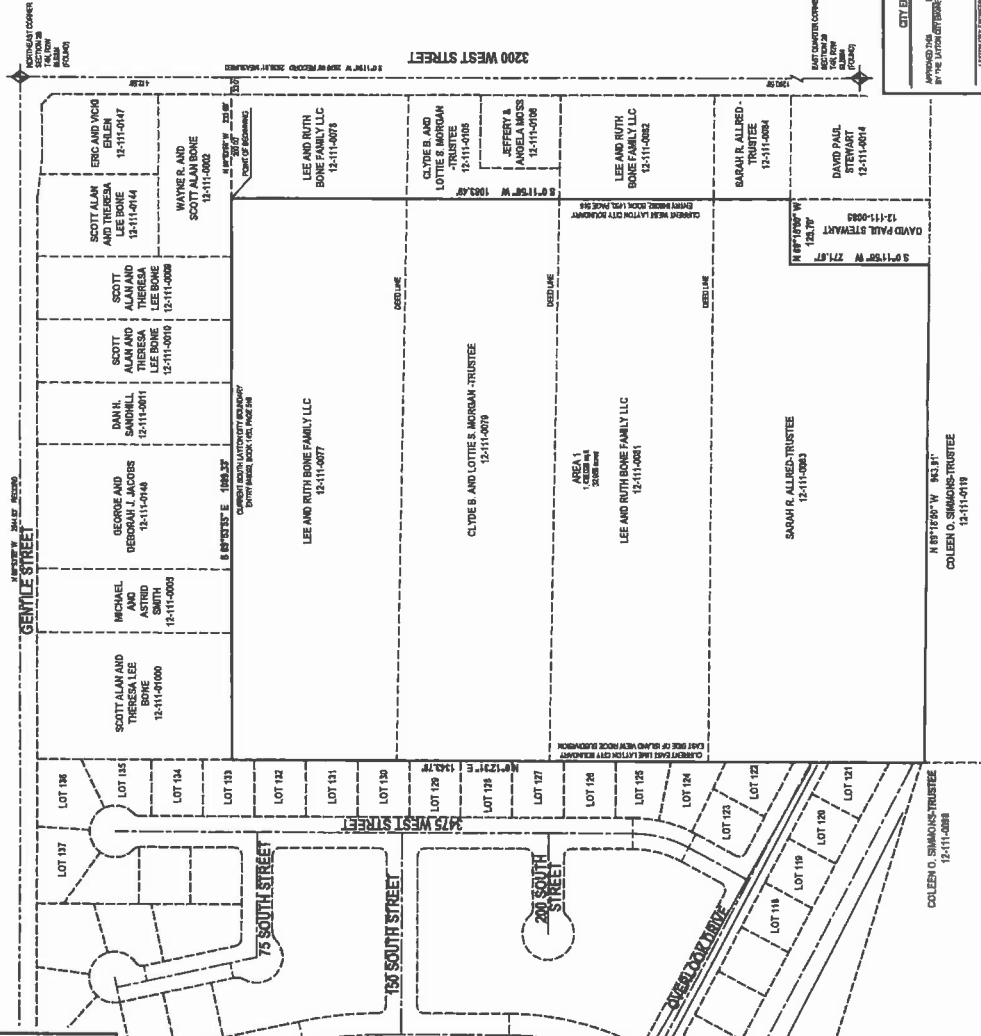
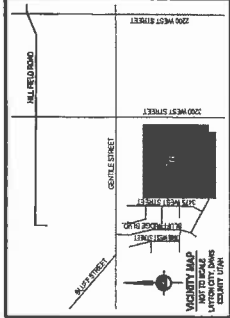


**1 inch = 458.33 feet**



**MORGAN-BONE ANNEXATION TO LAYTON CITY CORPORATION**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 TOWNSHIP 4 NORTH RANGE 3 WEST COUNTY OF WASATCH, UTAH LAYTON CITY, DANAS COUNTY, UTAH



**SURVEYOR'S CERTIFICATE**  
I, Matthew A. Bernal, a duly sworn and duly qualified Surveyor, and duly sworn and duly qualified Assistant Surveyor, have surveyed the above described property and the same is shown on the attached plat. I hereby certify that the same is correct and true to the best of my knowledge and belief.

**RECORDING INFORMATION**  
This plat is being recorded for the purpose of recording the same in the public records of the County of Danas, Utah. The plat is being recorded for the purpose of recording the same in the public records of the County of Danas, Utah.

**RECORDING DESCRIPTION**  
This plat is being recorded for the purpose of recording the same in the public records of the County of Danas, Utah. The plat is being recorded for the purpose of recording the same in the public records of the County of Danas, Utah.

**APPROVED**  
Matthew A. Bernal  
Surveyor  
License No. 14488

**APPROVED**  
Layton City Corporation  
2-09-15

**APPROVED**  
Layton City Corporation

**APPROVED**  
Layton City Corporation

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Layton City Corporation

**APPROVED**  
Layton City Corporation

**REVEALER**  
DESTINATION MARKERS  
87 SOUTH MAIN STREET, SUITE 100  
LAYTON, UTAH 84040  
COMMERCIAL DISTRICT  
PHONE: 801-965-8888

**ENSTON**  
LAYTON  
14501 SHARPE BLVD  
PH: 801-965-1320  
FAX: 801-965-1325  
WWW.ENSTON.COM

**DAVIS COUNTY RECORDER**  
COUNTY RECORDS AND CLERK  
100 N. MAIN ST.  
LAYTON, UT 84040  
PH: 801-965-1320

**CITY ENGINEER'S APPROVAL**  
DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
LAYOUT NUMBER: \_\_\_\_\_

**DAVIS COUNTY RECORDER**  
COUNTY RECORDS AND CLERK  
100 N. MAIN ST.  
LAYTON, UT 84040  
PH: 801-965-1320

**LAYTON CITY CORPORATION**  
CITY ENGINEER  
100 N. MAIN ST.  
LAYTON, UT 84040  
PH: 801-965-1320

**DAVIS COUNTY RECORDER**  
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100 N. MAIN ST.  
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**LAYTON CITY CORPORATION**  
CITY ENGINEER  
100 N. MAIN ST.  
LAYTON, UT 84040  
PH: 801-965-1320

**DAVIS COUNTY RECORDER**  
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**RESOLUTION 15-08**  
**(Morgan-Bone Annexation Petition Certification)**

**A RESOLUTION ACKNOWLEDGING THE RECEIPT OF CERTIFICATION  
OF THE PETITION FOR ANNEXATION OF PROPERTY LOCATED AT  
APPROXIMATELY 200 SOUTH 3200 WEST.**

**WHEREAS**, a petition for annexation was received and accepted by the Layton City Council pursuant to Utah Code Annotated, for property located at approximately 200 South 3200 West on February 19, 2015, (Reference Resolution 15-07); and

**WHEREAS**, the City Recorder has certified that the petition for annexation complies with the statutory requirements of Utah State Code sections 10-2-403(3), (4), and (5) and said certification was received by the City Council on February 19, 2015; and

**WHEREAS**, notices of the proposed annexation must be advertised in the newspaper and sent to entities prescribed in Utah State Code section 10-2-406(1)(b) and 10-2-408.5.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON,  
UTAH:**

SECTION I: Staff is hereby directed to publish the prescribed notice of the proposed annexation at least once a week for three (3) successive weeks with the first notice being published within ten (10) days of the Council's receipt of the notice of certification.

SECTION II: Staff is hereby directed to mail written notice of the proposed annexation to the Davis County Commission, to the board of any special or independent service district that services any of the properties within the subject annexation area, the city council of any city whose boundaries are within one-half mile of the subject area, and to the Davis County School District.

SECTION III: The published and mailed notice shall contain the prescribed information, as outlined in Utah Code Annotated. Said notice shall provide the necessary information relative to the filing of protests and deadlines for filing such protests.

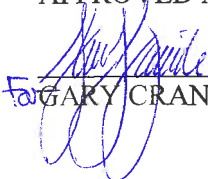
**PASSED AND ADOPTED** by the City Council of Layton, Utah, this \_\_\_ day of \_\_\_\_\_ 2015.

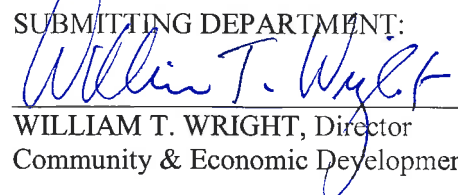
\_\_\_\_\_  
ROBERT J STEVENSON, Mayor

ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
GREGORY CRANE, City Attorney

SUBMITTING DEPARTMENT:  
  
\_\_\_\_\_  
WILLIAM T. WRIGHT, Director  
Community & Economic Development

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 6.A.

**Subject:**

Ordinance Amendment – Amend Title 18, Chapter 18.25, Section 18.25.010 of the Layton Municipal Code by Clarifying the Requirements of Public Utility and Drainage Easements – Ordinance 15-02

**Background:**

Two impacts that the development of land create are the need for services and increased surface water runoff. To address those needs the City uses public utility and drainage easements (PUDEs), sometimes referred to as PUEs. These easements house utilities commonly required to support development, such as fiber, telecommunication, gas, electric, and water facilities. They can also be occupied by land drains and storm water systems. Additionally, they are designed to channel and direct surface drainage to these storm water systems. (As a matter of clarification, the terms PUE and PUDE are used interchangeably. Even though an easement may be referred to as a PUE, that easement still includes the drainage component thereof.)

With the important role these PUDEs have for the citizenry and the City, it is necessary to ensure the requirement for these easements is specified in the City's Code. The proposed amendment clarifies this requirement and also establishes the timing of the establishing of the PUDE.

**Alternatives:**

Alternatives are to 1) Adopt Ordinance 15-02 amending Title 18, Chapter 18.25, Section 18.25.010 by clarifying the requirements of public utility and drainage easements; 2) Adopt Ordinance 15-02 amending Title 18, Chapter 18.25, Section 18.25.010 by clarifying the requirements of public utility and drainage easements with corrections or additions; or 3) Not adopt Ordinance 15-02 leaving the existing regulations for public utility and drainage easements in place.

**Recommendation:**

On January 27, 2015, the Planning Commission unanimously recommended the Council adopt Ordinance 15-02 amending Title 18, Chapter 18.25, Section 18.25.010 by clarifying the requirements of public utility and drainage easements.

Staff supports the recommendation of the Planning Commission.



## ORDINANCE 15-02

### **AN ORDINANCE AMENDING TITLE 18, CHAPTER 18.25, SECTION 18.25.010 OF THE LAYTON MUNICIPAL CODE BY CLARIFYING THE REQUIREMENTS OF PUBLIC UTILITY AND DRAINAGE EASEMENTS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, one measure the City employs in achieving its objective of coordinated, orderly, and effective development, is the public utility and drainage easements (PUDE); and

**WHEREAS**, these PUDEs ensure that each lot can be serviced by necessary utilities such as water, gas, electrical, and telecommunication entities; and

**WHEREAS**, these easements are also needed to ensure that the surface drainage of water is handled cooperatively in directing these waters so as to minimize burdens on private property and to reduce the risk of damage. This is done by the use of the PUDEs, which direct the water to the storm water facilities; and

**WHEREAS**, any time a parcel is developed, whether within a subdivision or on an existing lot, access to utilities becomes a demand, and the increase of surface water is apparent; and

**WHEREAS**, the development of properties creates the need for the PUDEs and these PUDEs must then be established at the time of subdivision or construction as dictated by the existing circumstances, as set forth herein; and

**WHEREAS**, the City Council of Layton City, upon recommendation of the Planning Commission, and at the conclusion of its own public hearing, finds it to be in the best interest of its citizens to amend Title 18, Chapter 18.25, Section 18.25.010 of the Layton Municipal Code by clarifying the requirements of public utility and drainage easements

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:**

**SECTION I: Repealer.** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

**SECTION II: Enactment.** Title 18, Chapter 18.25, Section 18.25.010 shall be amended to read as follows:

**18.25.010. Public utility and drainage easements.**

A public utility and drainage easement (PUDE) shall be established on all property lot lines as described hereafter. The PUDE shall be for the installation of underground utilities such as power, ~~phone~~fiber, telecommunications gas, cable T.V., water, secondary water, sewer, storm drains, irrigation, residential post office boxes, and subsurface drains. The PUDE shall also be used to convey surface runoff to the nearest street or storm drain structure.

The PUDE shall be established as a part of the subdivision process on property being divided. For existing lots, the PUDE shall be created as a prerequisite to obtaining a building or other development permit.

**SECTION III: Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

**SECTION IV: Effective Date.** This ordinance shall be in effect twenty (20) days after publication or posting, or thirty (30) days after final passage by the governing body, whichever is sooner.

PASSED AND ADOPTED by the City Council of Layton, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
ROBERT J STEVENSON, Mayor

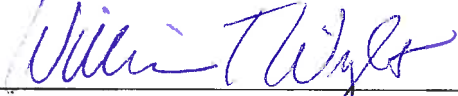
ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
STEVEN L. GARSIDE, Assistant City Attorney

SUBMITTING DEPARTMENT:

  
\_\_\_\_\_  
WILLIAM T. WRIGHT, Director  
COMMUNITY & ECONOMIC DEVELOPMENT

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 6.B.

**Subject:**

Amend Budget for Fiscal Year 2014-2015 - Ordinance 15-04

**Background:**

Utah State Code Sections 10-6-127 and 10-6-128 provide that amendments may be made to any fund after advertising and holding a public hearing.

On February 5, 2015, a public hearing was set for February 19, 2015, to hear all interested persons regarding amendments to the 2014-2015 budget. The public hearing was advertised for at least seven days prior to the hearing. A summary of the proposed amendments is attached for the Council's review.

The Council should hear all interested persons regarding the amendments prior to adoption.

**Alternatives:**

1) Adopt Ordinance 15-04 amending the budget for fiscal year 2014-2015; 2) Adopt Ordinance 15-04 with modifications; or 3) Not adopt Ordinance 15-04 and remand to Staff with directions.

**Recommendation:**

Staff recommends the Council adopt Ordinance 15-04 amending the budget for fiscal year 2014-2015.

**ORDINANCE 15-04**

**AMENDING THE ADOPTED BUDGET FOR LAYTON CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015.**

**WHEREAS**, a budget was previously approved and adopted by the City Council as required by law; and

**WHEREAS**, a public hearing has been advertised and held as required by law for Thursday, February 19, 2015, at the Layton City Center, for the purpose of hearing all interested persons on the matter of said budget amendments; and

**WHEREAS**, said public hearing having been duly and regularly held, and all persons present to be heard, having been heard; and

**WHEREAS**, the City Council must approve and adopt amendments to the budget for the period beginning July 1, 2014, and ending June 30, 2015, for Layton City, Utah.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:**

That the City Council of Layton City, Davis County, State of Utah, does hereby approve and adopt the budget amendments for the fiscal year beginning July 1, 2014, and ending June 30, 2015, in form and amounts set forth in the written document attached hereto and made a part of this ordinance, as though set forth in full herein.

**PASSED AND ADOPTED** by the City Council of Layton, Utah, this **19th day of February, 2015.**

\_\_\_\_\_  
ROBERT J STEVENSON, Mayor

ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

  
For GARY CRANE, City Attorney

PREPARED BY:

  
TRACY PROBERT, Finance Director

**Layton City Corporation  
FY2014-2015 Budget Amendment Summary**

**General Fund**

<u>\$</u>	<u>175,617.42</u>	Net additions and reductions of the budget
\$	102,530.58	<b>Appropriation of fund balance</b> <i>Health insurance increase, Armory Boiler, UTOPIA connections to City facilities, etc.</i>
\$	60,814.43	<b>Grant revenue that was unanticipated or for which a preliminary estimate was not available</b>
<u>\$</u>	<u>12,272.41</u>	<b>Other unanticipated revenue received</b>
<u>\$</u>	<u>175,617.42</u>	

**Layton City Corporation  
FY2014-2015 Budget Amendment Summary**

**Other Funds**

<b>CDBG</b>	\$	19,764.60	Reappropriate prior year grant awards to school house project
<b>Impact fees</b>	\$	8,000.00	Appropriate for park impact fee study
<b>Davis Metro</b>	\$	789.30	Reappropriate prior year carryover for agent overtime
<b>E911</b>	\$	(75,000.00)	Spillman software server paid for in FY14 with Amendment
<b>Water</b>	\$	162,013.00	Appropriations for water meter replacement projects
<b>EMS</b>	\$	30,000.00	Appropriation for new EKG and defibrillator equipment
<b>Storm Water</b>	\$	1,544.00	Appropriate for merit increases above estimates
<b>Various funds</b>	\$	18,365.29	Appropriation for health insurance increase in other funds

## Budget Amendments Fiscal Year 2014 - 2015

Fund:		Increase
	Department/Division	
	Description	(Decrease)
<b>General Fund:</b>		
<b>Expenditure:</b>		
Administration		
	Appropriate funds received for Economic Development Corporation of Utah grant	\$ 2,500.00
	Appropriate fund balance for unbudgeted costs associated with transfer of employee from Parks to Admin	2,287.00
	Appropriate fund balance for rebranding project	4,500.00
Police - Administration		
	CIT (crisis intervention team) class expenses	2,722.41
	Appropriate fund balance for hate crimes training funds from prior years	556.91
Police - Patrol		
	Appropriate JAG grant for police equipment	16,221.00
Police - Support Services		
	SAFG grant 15N33 for FY15	17,022.00
	ICAC grant for FY15	24,000.00
Community & Economic Development		
	Appropriate developer payments toward roundabout costs	1,550.00
	Appropriate funds received from UTA for study to economic development project account	1,071.43
Parks & Recreation Administration		
	Appropriate transfer from park impact fee fund for impact fee study	8,000.00
	Appropriate fund balance for UTOPIA connection to Parks shop and Community Center	5,000.00
	Appropriate fund balance to pay additional costs of boiler at Central Davis armory building	25,000.00
Non-departmental		
	Transfer to Alcohol Enforcement fund to cover city portion of the health Insurance increase	551.96
Various departments		
	Appropriate fund balance to the various departments for health insurance increase	64,634.71
<b>Total General Fund Expenditure</b>		<b>\$ 175,617.42</b>
<b>Revenue:</b>		
	Fund balance for donations received in prior years to public safety training	\$ 556.91
	Fund balance to provide UTOPIA connections to Parks shop and Community Center	5,000.00
	Fund balance to provide for vehicle allowance and computer replacement new administrative employee	2,287.00
	Fund balance to cover the city portion of the health insurance increase in the Alcohol Enforcement fund	551.96
	Fund balance to cover the additional cost of a new boiler at Central Davis armory building	25,000.00
	Fund balance to cover city portion of health insurance increase	64,643.71
	Fund balance to cover additional costs of rebranding project	4,500.00
	Recognize grant from Economic Development Corporation of Utah	2,500.00
	Recognize JAG grant revenue	16,221.00
	Recognize transfer from impact fee fund for park impact fee study	8,000.00
	Recognize developer payments for roundabout costs	1,550.00
	Recognize UTA reimbursement for study participation	1,071.43
	Recognize ICAC grant award for FY15	24,000.00
	Recognize CIT class fees	2,722.41
	Recognize SAFG 15N33 grant for FY15	17,022.00
<b>Total General Fund Revenue</b>		<b>\$ 175,626.42</b>

## Budget Amendments Fiscal Year 2014 - 2015

Fund:		Increase (Decrease)
	Department/Division	
	Description	
<b>CDBG</b>		
	Expenditure:	
	Appropriate prior year grant awards to Davis School District - Angel street house project	\$ 19,794.60
	Revenue:	
	Reappropriate prior year grant award from Weaver project to Angel project	\$ 19,794.60
<b>Impact Fees</b>		
	Expenditure:	
	Appropriate Park impact fees to the General Fund to pay for a Park impact fee study	\$ 8,000.00
	Revenue:	
	Recognize revenue for the Park impact fee study	\$ 8,000.00
<b>Davis Metro Narcotic Strike Force Fund:</b>		
	Expenditure:	
	Appropriate prior year carryover for HIDTA grant overtime	\$ 789.30
	Revenue:	
	Recognize grant award for HIDTA from prior year	\$ 789.30
<b>E911 Dispatch</b>		
	Expenditure:	
	Decrease expenditures for Dispatch - Spillman server paid for in FY14 with budget amendment	\$ (75,000.00)
	Revenue:	
	Decrease use of fund balance	\$ (75,000.00)
<b>Water Operations Fund:</b>		
	Expenditure:	
	Change in wage and benefit allocation between Utility funds based on updated personnel assignments	\$ 7,013.00
	Appropriate net assets for water meter replacement project	\$ 105,000.00
	Appropriate new user connection fees for purchase of new meters	50,000.00
	Total Expenditure	\$ 162,013.00
	Revenue:	
	Recognize new user connection fees	\$ 50,000.00
	Appropriation of net assets for water meter replacement project	\$ 105,000.00
	Appropriation of net assets for merit increases above estimates	7,013.00
	Total Revenue	\$ 162,013.00
<b>Emergency Medical Services Fund</b>		
	Expenditure:	
	Appropriate additional funds for new EKG and defibrillator equipment	\$ 30,000.00
	Revenue:	
	Appropriation of net assets	\$ 30,000.00
<b>Storm Water Operations Fund</b>		
	Expenditure:	
	Change in wage and benefit allocation between Utility funds based on updated personnel assignments	\$ 1,544.00
	Revenue:	
	Appropriation of net assets	\$ 1,544.00
<b>Various funds, other than General Fund</b>		
	Expenditure:	
	Appropriate fund balance or net assets used to cover the city portion of the health insurance increase	\$ 18,365.29
	Revenue:	
	Fund balance or net assets used to cover the city portion of the health insurance increase	\$ 18,365.29