

**CITY OF LOGAN, UTAH
ORDINANCE NO. 21-04**

**AN ORDINANCE ANNEXING PROPERTY TO THE MUNICIPALITY
OF THE CITY OF LOGAN**

SECTION 1: BE IT ORDAINED BY THE LOGAN MUNICIPAL COUNCIL, AS
FOLLOWS:

WHEREAS, the petition filed by Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, for the purposes of annexing 37.45 acres, more or less, into the City of Logan has been accepted and certified as required by law; and

WHEREAS, comments have been requested from the county government and other affected entities within the area, and the local boundary commission; and

WHEREAS, one protest has been filed with the Cache Boundary Commission by Nibley City which was;

NOW THEREFORE, BE IT ORDAINED BY THE LOGAN MUNICIPAL COUNCIL
THAT THE FOLLOWING ANNEXATION TO THE CITY OF LOGAN IS APPROVED

A tract of land to be included in the Corporate Limits of Logan City, Cache County, Utah located in Section 16, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, more particularly as described in Attachment A.

The subject property is contiguous to Logan City, is located at 2012 South 800 West on the east side of 800 West and north of 2200 South, and is identified as TIN: 03-001-0010 & 03-001-0013.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2021.

AYES:
NAYS:
ABSENT:

Mark A. Anderson, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2021.

Mark A. Anderson, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2021.

Holly H. Daines, Mayor

Attachment A

Parcel #03-001-0010

BEG 40 RDS N OF SW COR OF NW/4 OF SEC 16 T 11N R 1E & TH E 80 RDS TH N 0°09'36" W 314 FT TH 36.8 FT TO E LN OF OSL RR TH N 1°14'02" E 346.08 FT TO E-W CENTER LINE OF SD NW/4 TH W 1291.62 FT TO W LN OF SEC 16 TH S 40 RDS TO BEG 19.74 AC LESS OSL RR R/W 0.50 AC NET 19.24 AC LESS: THAT PT OF ABOVE LYING EAST OF OSL RR R/W (PT 0019) CONT 0.29 AC NET 18.95 Acres.

Parcel #03-001-0013

BEG AT SW COR OF W/2 OF NW/4 SEC 16 T 11N R 1E & TH E 74 RDS TH N'LY 40 RDS TH W 74.5 RDS TO PT N OF BEG TH S 40 RDS TO BEG CONT 18.5 Acres.



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: March 2, 2021
FROM: Mike DeSimone, Director
SUBJECT: Campbell Legacy Annexation Request
Ordinance No. 21-04

Background

Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, are requesting the annexation of approximately 37.45 acres into the City of Logan. The property is located at 2012 South 800 West on the east side of 800 West and north of 2200 South, and is within Logan City's Annexation Policy Plan. The property is currently used for agricultural operations and is adjacent to commercial and warehousing on the north (Millville), ag & multi-family residential to the west (Logan), single family to the south (Nibley), and agricultural to the east.

The Future Land Use Plan Map identifies the site as Mixed Residential (MR) which is consistent with the adjoining property to the west. The FLUP designates property to the north as Commercial. The proposed zoning is Mixed Residential Medium (MR-20).

The City Recorder certified the Annexation Petition on January 19, 2021. We publicly noticed this request and notified affected governmental entities, including both school districts, as required by State Law. This site is not located within the Logan City School District boundaries.

Nibley City has filed a protest with the Cache County Boundary Commission (attached). Because we have already noticed this for a public hearing, it is recommended that the Council conduct the public hearing, and then continue this matter to a future date for formal Council action once the protest with the Cache County Boundary Commission is resolved. We have not received any other comments from the public or affected entities.

If you have questions about this matter, please let me know.

Attachments

Ordinance No. 21-04
Proposed Annexation Plat Information

CITY OF LOGAN, UTAH
ORDINANCE NO. 21-04

**AN ORDINANCE ANNEXING PROPERTY TO THE MUNICIPALITY OF THE
CITY OF LOGAN**

SECTION 1: BE IT ORDAINED BY THE LOGAN MUNICIPAL COUNCIL, AS
FOLLOWS:

WHEREAS, the petition filed by Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, for the purposes of annexing 37.45 acres, more or less, into the City of Logan has been accepted and certified as required by law; and

WHEREAS, comments have been requested from the county government and other affected entities within the area, and the local boundary commission; and

WHEREAS, one protest has been filed with the Cache Boundary Commission by Nibley City which was;

NOW THEREFORE, BE IT ORDAINED BY THE LOGAN MUNICIPAL COUNCIL
THAT THE FOLLOWING ANNEXATION TO THE CITY OF LOGAN IS APPROVED

A tract of land to be included in the Corporate Limits of Logan City, Cache County, Utah located in Section 16, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, more particularly as described in Attachment A.

The subject property is contiguous to Logan City, is located at 2012 South 800 West on the east side of 800 West and north of 2200 South, and is identified as TIN: 03-001-0010 & 03-001-0013.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2021.

AYES:
NAYS:
ABSENT:

ATTEST:

Mark A. Anderson, Chair

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2021.

Mark A. Anderson, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2021.

Holly H. Daines, Mayor

Attachment A

Parcel #03-001-0010

BEG 40 RDS N OF SW COR OF NW/4 OF SEC 16 T 11N R 1E & TH E 80 RDS TH N 0°09'36" W 314 FT TH 36.8 FT TO E LN OF OSL RR TH N 1°14'02" E 346.08 FT TO E-W CENTER LINE OF SD NW/4 TH W 1291.62 FT TO W LN OF SEC 16 TH S 40 RDS TO BEG 19.74 AC LESS OSL RR R/W 0.50 AC NET 19.24 AC LESS: THAT PT OF ABOVE LYING EAST OF OSL RR R/W (PT 0019) CONT 0.29 AC NET 18.95 Acres.

Parcel #03-001-0013

BEG AT SW COR OF W/2 OF NW/4 SEC 16 T 11N R 1E & TH E 74 RDS TH N'LY 40 RDS TH W 74.5 RDS TO PT N OF BEG TH S 40 RDS TO BEG CONT 18.5 Acres.

**CITY OF LOGAN, UTAH
ANNEXATION CERTIFICATION**

TO: Logan Municipal Council

**RE: Paul Campbell (owner) and Mark Daines (applicant).
Property located on the east side of 800 West and north of 2200 South, Logan, Utah
84321 and consisting of two parcels (TIN: 03-001-0010 & 03-001-0013) containing
approximately 37.45 acres.**

I, Teresa Harris, Recorder of the City of Logan, Utah, do hereby certify that the Petition for Annexation filed in my office on January 6, 2021 meets the requirements of UCA 10-2-403 (3), (4) and (5).

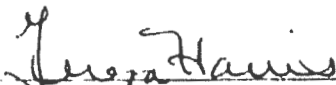
Contains signatures of owners of private real property in proposed annexed area.

Includes an accurate and recordable plat map of the proposed annexation, prepared by a licensed surveyor.

Designates as contact sponsor:

Mark Daines 3966 S 4000 W Wellsville, UT 84339

This petition does not propose the annexation of an area that is currently part of another annexation or a feasibility study.

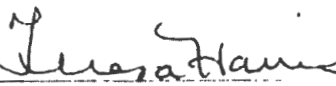

Teresa Harris, City Recorder



This Certification was provided to the Logan Municipal Council on the 19 day of January, 2021, with a copy mailed, postage prepaid on January 20, 2021.
to:

Mark Daines 3966 S 4000 W Wellsville, UT 84339

DATED this 20 day of January, 2021.


Teresa Harris, Recorder





APPLICATION FOR ANNEXATION REVIEW

Date of Application 12/15/2020 Total Acreage Involved 37.45

Address of Proposed Annexation 2012 S 800 W

Current and Proposed Future Use of the Land (Future Zoning) Current – Agriculture; Future – Multi Residential

Include the following additional information with this application:

1. Plat Map(s) showing all of the land included in the proposed annexation
2. A copy of the current year Cache County Tax Roll Report for each property

Please ensure the following table is complete. Indicate the official sponsor of the annexation by circling the name. Attach additional pages if necessary.

Printed Name of Property Owner	Date	Tax ID #	Property Address	Assessed Valuation	Signature of Property Owner in Favor of Annexation
1. Paul Ray & Leann B Campbell	12/15/20	03-001-0010	2012 S 800 W	1,322,050.00	
Mailing Address and Phone Number of Contact Person				Property Size	
Paul Campbell 2012 S 800 W Logan, UT 84321				18.95 Acres	
2. DRC Legacy Holdings LLC	12/15/20	03-001-0013	2200 S 800 W	852,750.00	
Mailing Address and Phone Number of Contact Person				Property Size	
Paul Campbell 2012 S 800 W Logan, UT 84321				18.50 Acres	
3.					
Mailing Address and Phone Number of Contact Person				Property Size	

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
LOGAN CITY, CACHE COUNTY, UTAH

* WILDMAN'S CORNER SECTION 16.
TOWNSHIP 11 NORTH RANGE 4 EAST
SALT LAKE BASIN AND MESA



THE BOLD OF BEARING FOR THIS SURVEY WAS SET AS S 85° 30' E D
BETWEEN FOUND MONUMENTS AT THE NORTHWEST CORNER AND THE
NE 1/4 QUARTER CORNER OF SECTION 16 TOWNSHIP 11 NORTH RANGE
1 EAST SALT LAKE BASIN AND MOUNTAIN

APPROVED THIS _____ DAY OF _____ A.D. 2014 BY THE
LOCAL CITY ENGINEER

CITY ENGINEER

THIS PAGE IS BE REPLY APPROVED AS PER LOCAL COUNTRY REPLY
RECEIVED BY MYRA CODE THREE, APPROVED THE
DATE OF _____ A.E. JOF

CACHÉ COUNTY SURVEYOR

I, WILHELM L. WASSERMAN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 86711 IN ACCORDANCE WITH TITLE 55, CHAPTER 15 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. I HAVE CAREFULLY EXAMINED THIS AFFIDAVIT. I FURTHER CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT(S) OF LAND TO BE APPRAISED IN THE JUDICIAL CITY, CAGNE COUNTY, UTAH.



THOMAS L. WILKINSON
LEE ADE 40-67798

[illegible]

 	SECTION CORNER	DISTANCE TO ADJACENT SECTION CORNER DISTANCE TO ADJACENT DISTANCE TO ADJACENT DISTANCE TO ADJACENT	CONTAINING RIGHT OF WAY SECTION LINE SETBACK LINE BOUNDARY LINE
	WITNESS CORNER		
	LOCAL CITY LIMITS		

THIS IS TO CERTIFY THAT WE, THE CITY COUNCIL OF LOUISIANA CITY, LTR-14, HAVE HERETOFORE ORDAINED TO ADJUST THE COMMON BOUNDARY BETWEEN HIGHLAND CITY AND ALABAMA CITY TO THE EFFECT THAT THE RELAYED CITY BOUNDARY OF LOUISIANA CITY BEING IN THE AREA OF THE ALABAMA CITY SCHOOL DISTRICT, BE REDUCED TO THE BOUNDARY, LATERALITY OF LOCUS SITE. WE FURTHER CERTIFY THAT THE COUNCIL, HAS HERETOFORE ADVERTISED AND HELD A PUBLIC HEARING RELATIVE TO THE PROPOSED BOUNDARY ADJUSTMENT AND DRAFTED AN ORDINANCE AND _____ RELATING THERETO, ALL IN ACCORDANCE WITH THE PROVISIONS OF LSA 33-2-14 WE WILL BE GRANTED AND DO HEREBY CONSENT TO AND ACCEPT THE ANNEXATION OF SAID PARCEL OF 15.3 ACRE PROPERTY FROM SAGINAW COUNTY

DALED THE ____ DAY OF _____ 1971 JOHNS CITY DISTRICT

NAME	COUNCIL MEMBER
COUNCIL MEMBER	COUNCIL MEMBER
COUNCIL MEMBER	COUNCIL MEMBER

ATTN: JIM LORAN CITY CLERK/RECORDS M

THIS IS TO CERTIFY THAT THE COUNTY BOARD OF CAGNE COUNTY, IOWA HAVE HERETOFORE DETERMINED TO ADJUST THE COMMON BOUNDARY BETWEEN LYMAN CITY AND CAGNE COUNTY TO THE LOCATION OF THE NE CORNER OF THE SECTION 36, TOWNSHIP 36 NORTH, RANGE 10 WEST, SECTION OF SHANE COUNTY. BE REDUCED TO THE MUNICIPAL JURISDICTION OF LYMAN CITY. WE FURTHER CERTIFY THAT THE COUNCIL HAS HERETOFORE ADVERTISED AND HELD A PUBLIC HEARING RELATING TO THE PROPOSED BOUNDARY ADJUSTMENT AND (SPECIALLY AN ORDINANCE NO.) RELATING WHEREBY, ALL IN ACCORDANCE WITH THE PROVISIONS OF IOWA, 1944-45, THEY ARE HEREBY MADE DO HEREBY CONSENT TO AND ACCEPT THE ADJUSTMENT OF SAID PARCEL OF REAL PROPERTY BY LYMAN CITY.

DATE: THIS _____ DAY OF _____, 2021

MAYOR	COUNCIL MEMBER
COUNCIL MEMBER	COUNCIL MEMBER
COUNCIL MEMBER	COUNCIL MEMBER

ATTEN: DICK COUNTY CLERK/RECORDER



A PROFESSIONAL LICENSED LAND SURVEYING COMPANY

1368 FARMWAY CIRCLE FARMINGTON, UT 84025

PHONE 801 725 8395

www.burtonbooks.com

www.washlandsurveying.com

CACHE COUNTY RECORDER

2071	2072
------	------

January	1990
---------	------

0-00000 | 000

SHEET 1

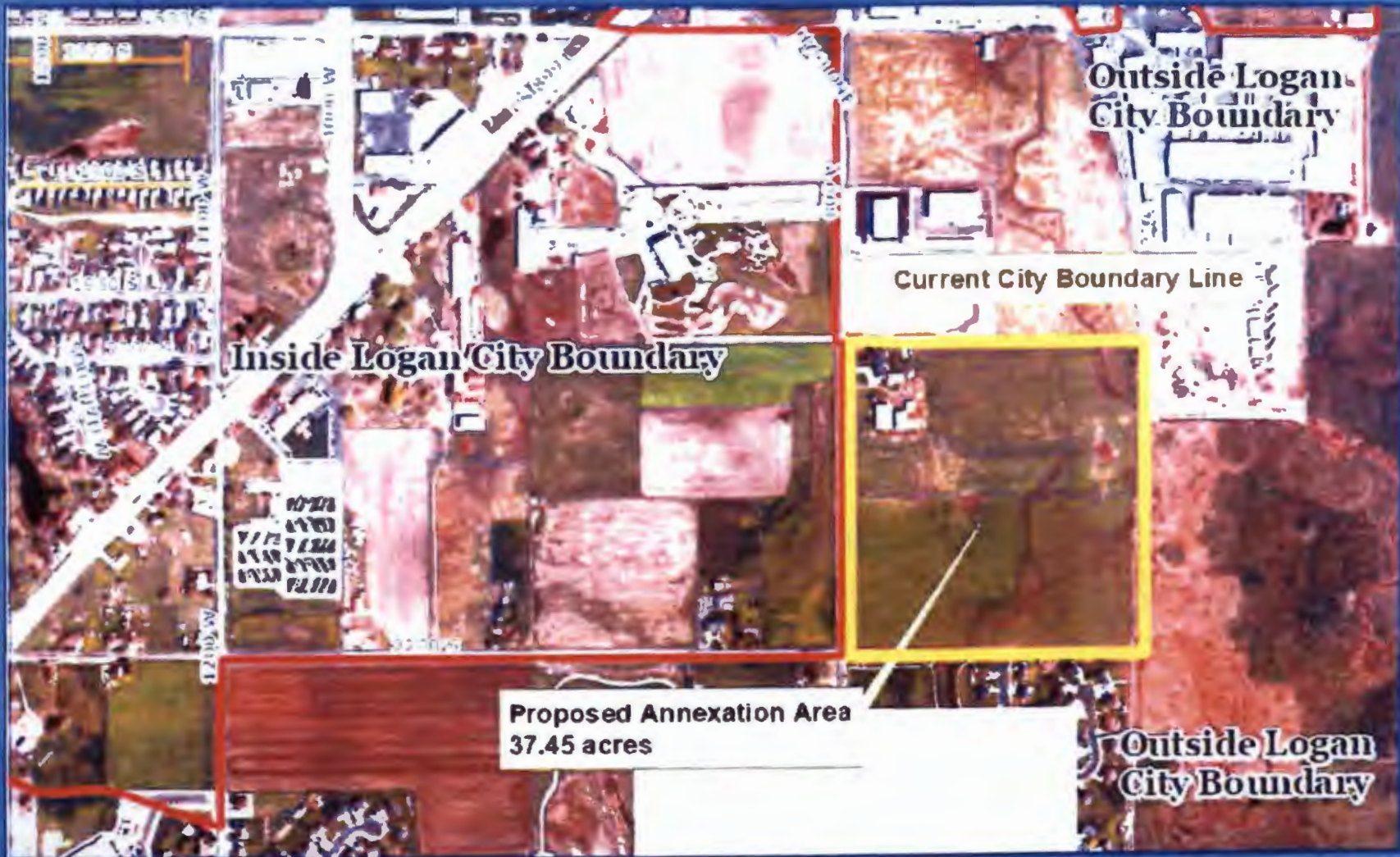
1 OF 1

1991



Campbell Annexation

2012 South 800 West (approx.)

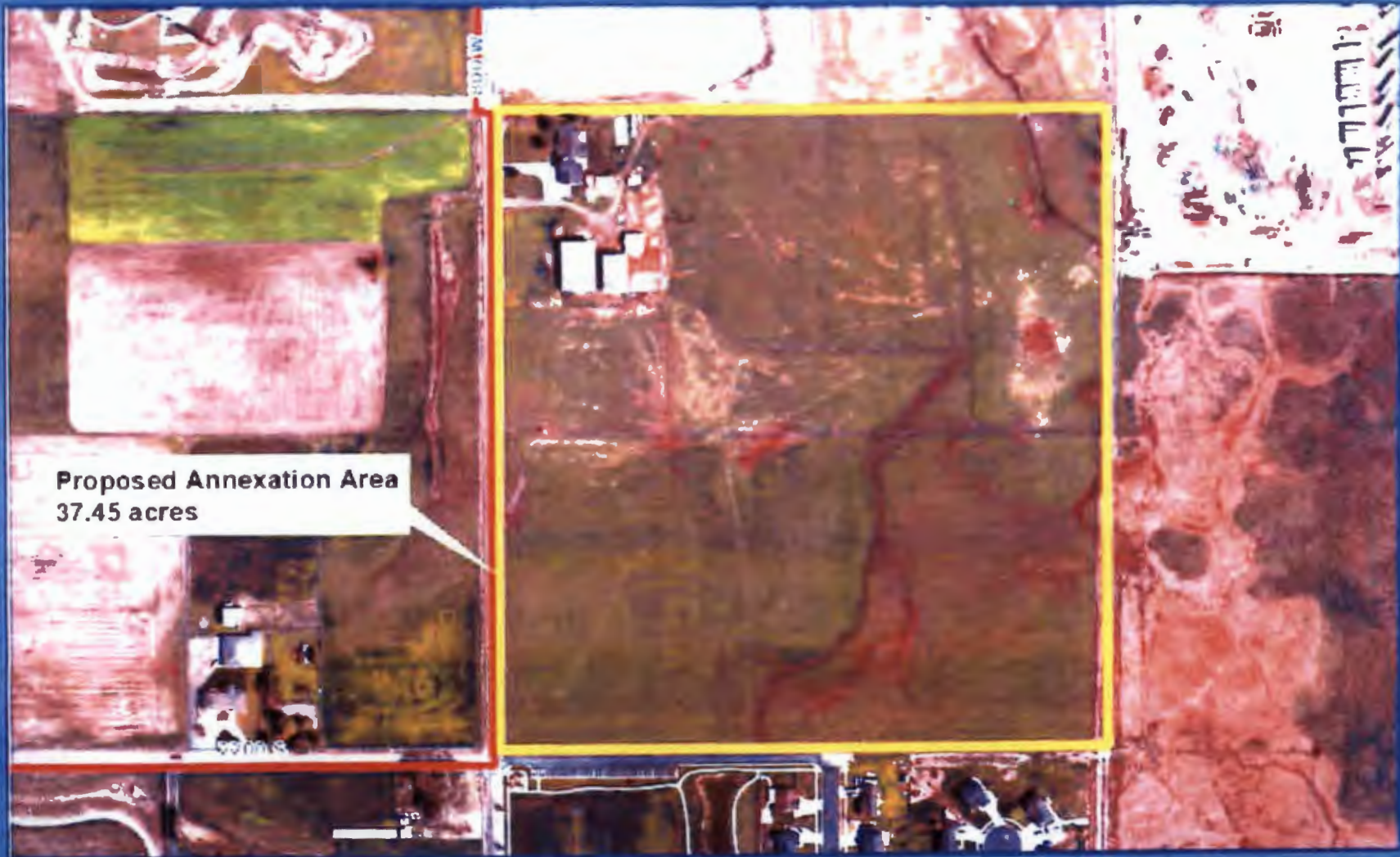


January 2021



Campbell Annexation

2012 South 800 West (approx.)



Proposed Annexation Area
37.45 acres

Proposed Zoning

Jan. 2021

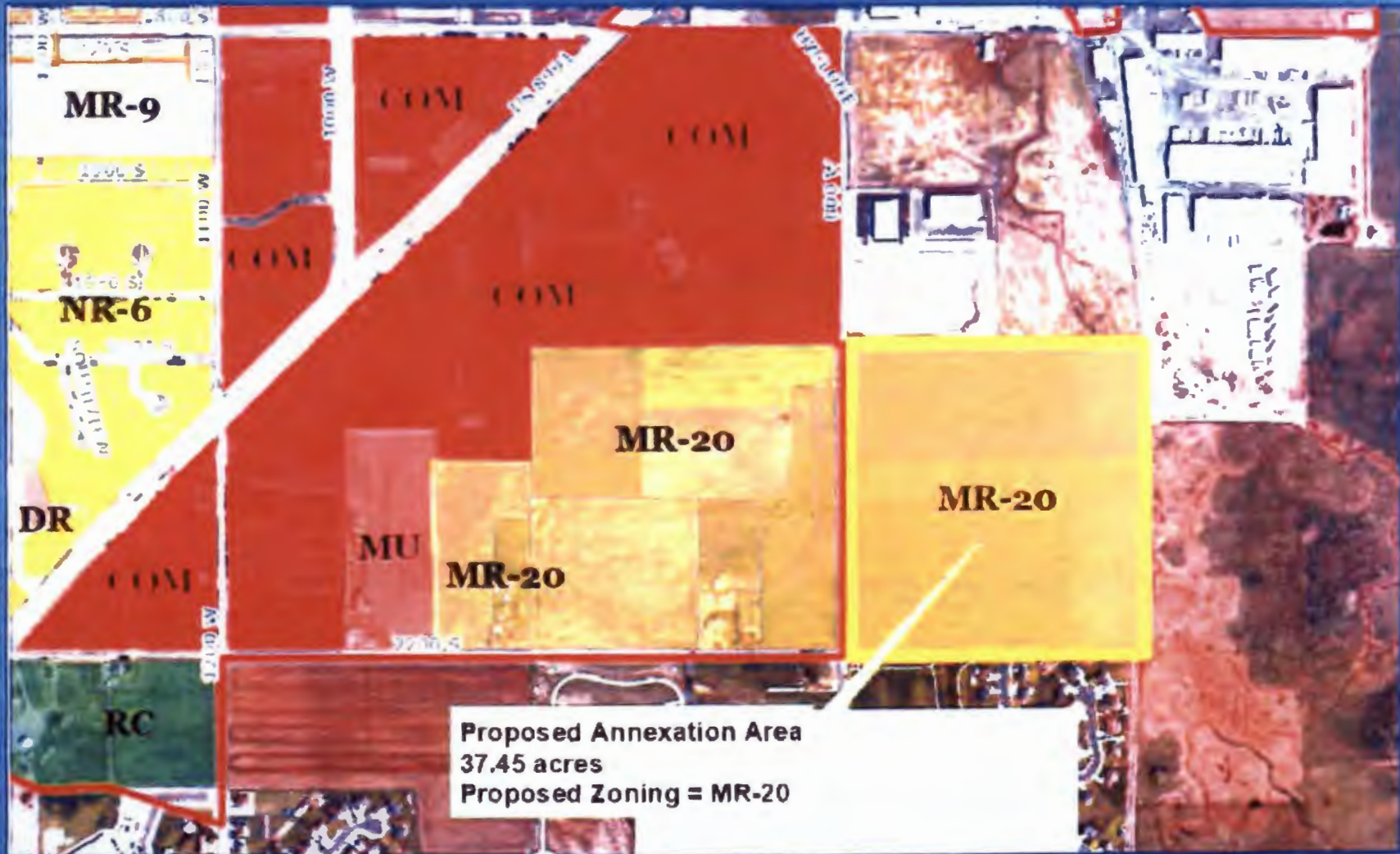
Campbell Annexation

2012 South 800 West (approx.)



Campbell Annexation

2012 South 800 West (approx.)



Proposed Zoning

Jan. 2021

NOTICE OF INTENT TO FILE A PETITION FOR ANNEXATION INTO THE CITY OF LOGAN

Pursuant to U.C.A §10-2-403, I, petitioner, on behalf of Paul Campbell, do hereby inform you of the intent to submit to the City of Logan a formal petition for annexation of property located north of 2200 South and east of 800 West, consisting of approximately 37.45 acres and identified as TIN: 03-001-0010 & 03-001-0013. This notice is being sent to you because you are considered an “affected entity” as defined in U.C.A. §10-2-401(a),

Mark Daines
3966 S 4000 W
Wellsville, UT 84339

This Notice is being sent to:

Logan City Recorder
Providence City Recorder
Millville City Recorder
Nibley City Recorder
Cache County Recorder
Cache County Clerk
Cache County Assessor
Cache County Development Services
Cache County Boundary Commission
Logan City School District
Cache County School District
Cache County Fire District
Cache Valley Transit District
Cache Mosquito Abatement District

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
FOR PURPOSES OF ANNEXING REAL PROPERTY INTO THE CITY OF LOGAN**

The Municipal Council of the City of Logan has accepted the petition of Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, for the purposes of annexing 37.45 acres, more or less, into the City of Logan.

The Recorder of the City of Logan certified to the Municipal Council on January 19, 2021 that the petitioned annexation meets the statutory requirements of Utah Code Ann. §10-2-403(3), (4), and (5).

The subject property is contiguous to Logan City, is located at 2012 South 800 West on the east side of 800 West and north of 2200 South, and is identified as TIN: 03-001-0010 & 03-001-0013. The area of annexation is described as follows:

A tract of land to be included in the Corporate Limits of Logan City, Cache County, Utah located in Section 16, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, described as follows:

Parcel #03-001-0010

BEG 40 RDS N OF SW COR OF NW/4 OF SEC 16 T 11N R 1E & TH E 80 RDS TH N 0°09'36" W 314 FT TH 36.8 FT TO E LN OF OSL RR TH N 1°14'02" E 346.08 FT TO E-W CENTER LINE OF SD NW/4 TH W 1291.62 FT TO W LN OF SEC 16 TH S 40 RDS TO BEG 19.74 AC LESS OSL RR R/W 0.50 AC NET 19.24 AC LESS: THAT PT OF ABOVE LYING EAST OF OSL RR R/W (PT 0019) CONT 0.29 AC NET 18.95 Acres.

Parcel #03-001-0013

BEG AT SW COR OF W/2 OF NW/4 SEC 16 T 11N R 1E & TH E 74 RDS TH N'LY 40 RDS TH W 74.5 RDS TO PT N OF BEG TH S 40 RDS TO BEG CONT 18.5 Acres.

The complete annexation petition and supporting documentation is available for inspection and copying in the offices of the City Recorder, City of Logan 290 North 100 West Logan, Utah 84321 and in the Department of Community Development at the same address during regular City business hours. More information is available by contacting Mike DeSimone, Director of Community Development, at 435-716-9022 or mike.desimone@loganutah.org.

The Municipal Council of the City of Logan may approve the annexation following a public hearing on Tuesday, March 2, 2021 beginning at 5:30 p.m. in the Municipal Council Chambers at the Logan City Hall, 290 North 100 West, Logan. All public comments shall be submitted in writing by February 19, 2021. This public hearing will take place and action may be taken unless a protest is filed with the Cache County Boundary Commission. A protest to the proposed annexation may be filed by the legislative body or governing board of an affected entity or the owner of rural real property as defined in Utah Code Ann. §17B-2a-1107.

The written protest must be filed with the Cache County Boundary Commission, 199 North Main, Logan, Utah 84321, no later than 4:00 p.m. on February 19, 2021 and a copy of the protest delivered to the Logan City Recorder, 290 North 100 West, Logan, Utah 84321. Failure to meet any and all of the requirements specified in Utah Code shall invalidate the protest.

Teresa Harris, Logan City Recorder

Publication Dates: January 26, February 2, and February 9, 2021

Parcel #03-001-0010 in 2020 - Cache County CORE

Owner(s)

History



CAMPBELL, PAUL RAY & LEANN B (06/18/2013 - Present) (Vesting: 1042530)

Owner(s)

History

CAMPBELL, PAUL RAY & LEANN B (06/18/2013 - Present) (Vesting: 1042530)

Property Address

2012 S 0800 W
NIBLEY

Current Owner Mailing Address

2012 S 800 W
NIBLEY, UT 84321-6824

① Tax District: COUNTY OUTSIDE (028)

① Tax Status: Taxable

① Parcel History: REM 3/87; REM 5/13-0019;

① Square Feet: 4319

① Legal Description: BEG 40 RDS N OF SW COR OF NW/4 OF SEC 16 T 11N R 1E & TH E 80 RDS TH N 0°09'36" W 314 FT TH W 36.8 FT TO E LN OF OSL RR TH N 1°14'02" E 346.08 FT TO E-W CENTER LINE OF SD NW/4 TH W 1291.62 FT TO W LN OF SEC 16 TH S 40 RDS TO BEG 19.74 AC LESS OSL RR R/W 0.50 AC NET 19.24 AC LESS: THAT PT OF ABOVE LYING EAST OF OSL RR R/W (PT 0019) CONT 0.29 AC NET 18.95 AC

① Acres: 18.95

① Water Rights: Yes, by document(s): #1234188

① Building Type: STR

① Year Built: 1972

Taxation Term

Prior Year Taxes (2019)

Amount

\$2,684.92

① Market Value

\$1,322,050.00

LAND GREENBELT

\$807,750.00

BUILDING RESIDENTIAL

\$388,900.00

LAND HOMESITE (GREENBELT LAND)

\$77,500.00

BUILDING AGRICULTURE

\$47,900.00

① Taxable Value

\$308,475.00

① Tax Rate

± 0.009244

① Tax Amount

\$2,851.54

① Last Payment Date

11/19/2020

Payment Category

Amount

① Principal

\$2,851.54

① Payments

\$2,851.54

① Current Amount Due

\$0.00

Parcel #03-001-0013 in 2020 - Cache County CORE

Owner(s)

History



DRC LEGACY HOLDINGS LLC (02/04/2020 - Present) (Vesting: 1234818)

Owner(s)

History

DRC LEGACY HOLDINGS LLC, (02/04/2020 - Present) (Vesting: 1234818)

Property Address

Current Owner Mailing Address

2012 S 800 W
NIBLEY, UT 84321-6824

① Tax District: COUNTY OUTSIDE (028)

① Tax Status: Taxable

① Acres: 18.5

① Water Rights: Yes, by document(s): #1234188 #1234817
#1234818

① Parcel History: COMB W/PT 03-001-0004; REM 5/13-0019;

① Legal Description: BEG AT SW COR OF W/2 OF NW/4 SEC 16 T 11N R 1E & TH E 74 RDS TH N'LY 40 RDS TH W 74.5 RDS TO PT N
OF BEG TH S 40 RDS TO BEG CONT 18.5 AC

Taxation Term	Amount
Prior Year Taxes (2019)	\$47.33
① Market Value	\$852,750.00
LAND GREENBELT	\$852,750.00
① Taxable Value	\$4,790.00
① Tax Rate	<u>\$ 0.009244</u>
① Tax Amount	\$44.28
① Last Payment Date	11/19/2020

Payment Category	Amount
① Principal	\$44.28
① Payments	\$44.28
① Current Amount Due	\$0.00

THE HERALD JOURNAL

EMPOWERING THE COMMUNITY

PROOF OF PUBLICATION Herald Journal

6899 67679
LOGAN CITY LEGAL

Civil
PROOF OF PUBLICATION

LOGAN CITY LEGAL
290 NORTH 100 WEST 290
NORTH 100 WEST
LOGAN UT 84321

STATE OF UTAH
COUNTY OF CACHE, ss

On this 9th day of February, A.D. 2021 personally appeared before me Jennifer Birch who being first being duly sworn, deposes and says that (s)he is the Principal Legal Clerk of the PNG Media LLC, publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 3 issue(s) and that said notice also published at ahlegals.com on the same day(s) as publication in said newspaper.

PUBLIC NOTICE NOTICE OF PUBLIC HEARING FOR PURPOSES OF ANNEXING REAL PROPERTY INTO THE CITY OF LOGAN

The Municipal Council of the City of Logan has accepted the petition of Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, for the purposes of annexing 37.45 acres, more or less, into the City of Logan.

The Recorder of the City of Logan certified to the Municipal Council on January 19, 2021 that the petitioned annexation meets the statutory requirements of Utah Code Ann. §10-2-403(3), (4), and (5).

The subject property is contiguous to Logan City, is located at 2012 South 800 West on the east side of 800 West and north of 2200 South, and is identified as TIN: 03-001-0010 & 03-001-0013. The area of annexation is described as follows:

A tract of land to be included in the Corporate Limits of Logan City, Cache County, Utah located in Section 16, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, described as follows:

Parcel #03-001-0010
BEG 40 RDS N OF SW COR OF NW/4 OF SEC 16 T 11N R 1E & TH E 80 RDS TH N 0°09'36" W 114 FT TH 36.8 FT TO E LN OF OSL RR TH N 1°14'02" E 346.08 FT TO E-W CENTER LINE OF SD NW/4 TH W 1291.62 FT TO W LN OF SEC 16 TH S 40 RDS TO BEG 19.74 AC LESS OSL RR R/W 0.50 AC NET 19.24 AC LESS: THAT PT OF ABOVE LYING EAST OF OSL RR R/W (PT 0019) CONT 0.29 AC NET 18.95 Acres.

Parcel #03-001-0013
BEG AT SW COR OF W/2 OF NW/4 SEC 16 T 11N R 1E & TH E 74 RDS TH NLY 40 RDS TH W 74.5 RDS TO PT N OF BEG TH S 40 RDS TO BEG CONT 18.5 Acres.

The complete annexation petition and supporting documentation is available for inspection and copying in the offices of the City Recorder, City of Logan 290 North 100 West Logan, Utah 84321 and in the Department of Community Development at the same address during regular City business hours. More information is available by contacting Mike DeSimone, Director of Community Development, at 435-716-9022 or mike.desimone@loganutah.org.

The Municipal Council of the City of Logan may approve the annexation following a public hearing on Tuesday, March 2, 2021 beginning at 5:30 p.m. in the Municipal Council Chambers at the Logan City Hall, 290 North 100 West, Logan. All public comments shall be submitted in writing by February 19, 2021. This public hearing will take place and action may be taken unless a protest is filed with the Cache County Boundary Commission. A protest to the proposed annexation may be filed by the legislative body or governing board of an affected entity or the owner of rural real property as defined in Utah Code Ann. §17B-2a-1107.

The written protest must be filed with the Cache County Boundary Commission, 199 North Main, Logan, Utah 84321, no later than 4:00 p.m. on February 19, 2021 and a copy of the protest delivered to the Logan City Recorder, 290 North 100 West, Logan, Utah 84321. Failure to meet any and all of the requirements specified in Utah Code shall invalidate the protest.

Teresa Harris, Logan City Recorder

Publication Dates: January 26, February 2, and February 9, 2021

Ref. No. 67679

nencing on the following days:
/21, 02/02/21, 02/09/21

Jennifer Birch
Principal Legal Clerk

scribed and sworn to before me on this 9th day of February, A.D. 2021

Nikole Lopez
y Public
missioned in the State of Utah
ommission expires 11-1-2021



Mayor
Shaun Dustin



Hand delivered by
Levi Roberts.
received
2/18/2021

Council Members
Norm Larsen
Kay Sweeten
Nathan Laursen
Kathryn Beus
Tom Bernhardt

February 17, 2021

Logan City Recorder
290 North 100 West
Logan, UT 84321

Logan City Recorder:

Attached is a protest letter to the Cache County Boundary Commission for the annexation petition recently submitted by Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, into the City of Logan for your records, pursuant to UCA 10-2-407.

Respectfully,

Shaun Dustin, Mayor

Mayor
Shaun Dustin



Council Members
Norm Larsen
Kay Sweeten
Nathan Laursen
Kathryn Beus
Tom Bernhardt

February 17, 2021

Cache County Boundary Commission
199 North Main Street
Logan, UT 84321

Cache County Boundary Commission:

Pursuant to UCA 10-2-407, The Municipal Council of Nibley City is submitting an official protest to the annexation petition of Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, into the City of Logan. The proposed annexation is located at 2012 South 800 West and is identified as TIN: 03-001-0010 & 03-001-0013.

The Nibley City Council is opposed to the annexation petition for the following reasons.

1. The area is proposed as a residential use. Under Logan City's Land Development Code, this type of use should "maintain, preserve, or enhance neighborhood integrity, identity, and architectural character" and "foster traditional community building principles." Logan City's annexation of this property would not serve these purposes. The properties around the proposed annexation in Logan City are generally undeveloped areas zoned for commercial development. The neighborhood community that the area would naturally become part of will be the residential community in Nibley City, located immediately adjacent to the area to the south. As such, the proposed annexation of a future residential community into Logan will not satisfy the standards, purposes, or policies of annexation.
2. The area is located entirely within the Nibley City Annexation Declaration Boundary of the Nibley City Annexation Policy Plan, adopted September 2018. This area is included within Nibley City's Annexation Declaration Boundary for the following reasons:
 - a. Nibley City can efficiently deliver services to this area. It is adjacent to existing Nibley City utilities which have capacity to absorb the appropriate development for this area.
 - i. **PARKS:** There are two existing Nibley City Parks immediately adjacent to this area. To date these have been purchased, developed, and maintained using Nibley tax dollars with no Logan participation. The proposed annexation and existing Logan development across the street from these parks will impose usages at a magnitude of up to 10 times what the parks were designed for with no mitigation by Logan City. Logan has no parks or open space within walking distance and has no plans to provide such. Logan's mitigation plan is for all resident's south of Highway 89/91 to drive to Logan City Parks on the other side of a 5-lane 60 MPH

- highway.
- ii. Nibley City maintains (plows and sweeps) the supporting streets which would serve this development, including 800 West and 2200 South.
 - b. There is an existing residential community immediately adjacent to this area, which future residents of the area will become part of.
 - c. The area is within the Cache County School District and Nibley Elementary school boundaries, which is supported by the Nibley City community. Logan has provided no mitigation plan to maintain Safe Routes to Schools, crossing guards, or other infrastructure/services that are currently paid for by Nibley City.
 - d. Nibley City has designated this area to appropriately absorb the City's projected growth in population, which is anticipated to nearly double between 2020 and 2030.
3. This petition conflicts with UCA 10-2-403(6)(a) as the area is located within Cache County School District, which services schools outside of Logan City boundaries. There is no justification as to why the area should not or cannot follow the existing school district boundaries.
 4. This petition conflicts with UCA 10-2-403(6)(d) as it does not promote the efficient delivery of services. As the area is directly adjacent to existing Nibley City neighborhoods, parks, utilities and streets, annexation to Nibley City would allow for much more efficient delivery of services to this area.
 5. This petition conflicts with UCA 10-2-403(6)(e) as it does not encourage the equitable distribution of community resources and obligations. As the area is directly adjacent to established Nibley City neighborhoods, parks, schools, and utilities, most of the impact of future development on these parcels will be borne by Nibley City and its residents.

Logan's current operation practices at adjacent properties on 2200 S have demonstrated conclusively that Logan's intent is to maximize the density in the area, collect the impact fees, and pass the burden of parks, maintenance, and community integration on to Nibley City while extracting the value of the tax base and the impact fees. Logan's intent appears to be to generate the tax base, collect the fees, and force Nibley and the County to pay the cost.

We therefore submit that under State Code, the County Boundary Commission should deny and disallow Logan's petition as unacceptable under State code.

We would be willing to support the annexation when Logan provides adequate mitigation for its development impacts on ALL impacted parties:

- 1) Logan should develop walkable park space commensurate with the population increase driven by their development on the South side of 89/91 and in value equal to the Park Impact Fee collected for all residential development in Logan south of 89/91, and appropriate for the ages and family types in all the new multifamily housing under construction and proposed. Alternatively, Logan can provide Nibley with 100% of Park and Road impact fees and a percentage of property taxes appropriate for Nibley's maintenance of parks and streets impacted by Logan to be collected from all development within ½ mile of Nibley on the south side of 89/91 and Nibley will continue to provide services.
- 2) Logan provides crosswalks, crossing guards, sidewalks, signalization, and other infrastructure necessary for supporting Safe Routes to School for the children and parents that will be coming into Nibley to attend County schools. CCUSD does not provide funding or resources for these;

Mayor
Shaun Dustin



Council Members
Norm Larsen
Kay Sweeten
Nathan Laursen
Kathryn Beus
Tom Bernhardt

the burden falls on the cities where the schools are located. Logan is responsible for getting Logan children safely to CCUSD schools.

- 3) Logan contributes to maintenance and operation of 800 West and 2200 South.

Any notices regarding the Cache County Boundary Commission protest proceeding should be sent to the following address:

Nibley City
Attn. Levi Roberts
455 W 3200 S
Nibley City, UT 84321

Respectfully,

Shaun Dustin, Mayor

**CITY OF LOGAN, UTAH
ANNEXATION CERTIFICATION**

TO: Logan Municipal Council

RE: Paul Campbell (owner) and Mark Daines (applicant).

Property located on the east side of 800 West and north of 2200 South, Logan, Utah 84321 and consisting of two parcels (TIN: 03-001-0010 & 03-001-0013) containing approximately 37.45 acres.

I, Teresa Harris, Recorder of the City of Logan, Utah, do hereby certify that the Petition for Annexation filed in my office on January 6, 2021 meets the requirements of UCA 10-2-403 (3), (4) and (5).

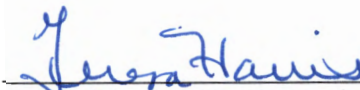
Contains signatures of owners of private real property in proposed annexed area.

Includes an accurate and recordable plat map of the proposed annexation, prepared by a licensed surveyor.

Designates as contact sponsor:

Mark Daines 3966 S 4000 W Wellsville, UT 84339

This petition does not propose the annexation of an area that is currently part of another annexation or a feasibility study.

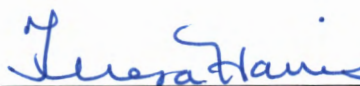

Teresa Harris, City Recorder



This Certification was provided to the Logan Municipal Council on the 19 day of January, 2021, with a copy mailed, postage prepaid on January 20, 2021.
to:

Mark Daines 3966 S 4000 W Wellsville, UT 84339

DATED this 20 day of January, 2021.


Teresa Harris, Recorder



**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
FOR PURPOSES OF ANNEXING REAL PROPERTY INTO
THE CITY OF LOGAN**

The Municipal Council of the City of Logan has accepted the petition of Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, for the purposes of annexing 37.45 acres, more or less, into the City of Logan.

The Recorder of the City of Logan certified to the Municipal Council on January 19, 2021 that the petitioned annexation meets the statutory requirements of Utah Code Ann. §10-2-403(3), (4), and (5).

The subject property is contiguous to Logan City, is located at 2012 South 800 West on the east side of 800 West and north of 2200 South, and is identified as TIN: 03-001-0010 & 03-001-0013. The area of annexation is described as follows:

A tract of land to be included in the Corporate Limits of Logan City, Cache County, Utah located in Section 16, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, described as follows:

Parcel #03-001-0010
BEG 40 RDS N OF SW COR OF NW/4 OF SEC 16 T 11N R 1E & TH E 80 RDS TH N 0°09'36" W 314 FT TH 36.8 FT TO E LN OF OSL RR TH N 1°14'02" E 346.08 FT TO E-W CENTER LINE OF SD NW/4 TH W 1291.62 FT TO W LN OF SEC 16 TH S 40 RDS TO BEG 19.74 AC LESS OSL RR R/W 0.50 AC NET 19.24 AC LESS: THAT PT OF ABOVE LYING EAST OF OSL RR R/W (PT 0019) CONT 0.29 AC NET 18.95 Acres.

Parcel #03-001-0013
BEG AT SW COR OF W/2 OF NW/4 SEC 16 T 11N R 1E & TH E 74 RDS TH N'LY 40 RDS TH W 74.5 RDS TO PT N OF BEG TH S 40 RDS TO BEG CONT 18.5 Acres.

The complete annexation petition and supporting documentation is available for inspection and copying in the offices of the City Recorder, City of Logan 290 North 100 West Logan, Utah 84321 and in the Department of Community Development at the same address during regular City business hours. More information is available by contacting Mike DeSimone, Director of Community Development, at 435-716-9022 or mike.desimone@loganutah.org.

The Municipal Council of the City of Logan may approve the annexation following a public hearing on Tuesday, March 2, 2021 beginning at 5:30 p.m. in the Municipal Council Chambers at the Logan City Hall, 290 North 100 West, Logan. All public comments shall be submitted in writing by February 19, 2021. This public hearing will take place and action may be taken unless a protest is filed with the Cache County Boundary Commission. A protest to the proposed annexation may be filed by the legislative body or governing board of an affected entity or the owner of rural real property as defined in Utah Code Ann. §17B-2a-1107.

The written protest must be filed with the Cache County Boundary Commission, 199 North Main, Logan, Utah 84321, no later than 4:00 p.m. on February 19, 2021 and a copy of the protest delivered to the Logan City Recorder, 290 North 100 West, Logan, Utah 84321. Failure to meet any and all of the requirements specified in Utah Code shall invalidate the protest.

Teresa Harris, Logan City Recorder

Publication Dates: January 26, February 2, and February 9, 2021
Ref. No. 67679

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
FOR PURPOSES OF ANNEXING REAL PROPERTY INTO THE CITY OF LOGAN**

The Municipal Council of the City of Logan has accepted the petition of Mark Daines, on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings LLC, for the purposes of annexing 37.45 acres, more or less, into the City of Logan.

The Recorder of the City of Logan certified to the Municipal Council on January 19, 2021 that the petitioned annexation meets the statutory requirements of Utah Code Ann. §10-2-403(3), (4), and (5).

The subject property is contiguous to Logan City, is located at 2012 South 800 West on the east side of 800 West and north of 2200 South, and is identified as TIN: 03-001-0010 & 03-001-0013. The area of annexation is described as follows:

A tract of land to be included in the Corporate Limits of Logan City, Cache County, Utah located in Section 16, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, described as follows:

Parcel #03-001-0010

BEG 40 RDS N OF SW COR OF NW/4 OF SEC 16 T 11N R 1E & TH E 80 RDS TH N 0°09'36" W 314 FT TH 36.8 FT TO E LN OF OSL RR TH N 1°14'02" E 346.08 FT TO E-W CENTER LINE OF SD NW/4 TH W 1291.62 FT TO W LN OF SEC 16 TH S 40 RDS TO BEG 19.74 AC LESS OSL RR R/W 0.50 AC NET 19.24 AC LESS: THAT PT OF ABOVE LYING EAST OF OSL RR R/W (PT 0019) CONT 0.29 AC NET 18.95 Acres.

Parcel #03-001-0013

BEG AT SW COR OF W/2 OF NW/4 SEC 16 T 11N R 1E & TH E 74 RDS TH N'LY 40 RDS TH W 74.5 RDS TO PT N OF BEG TH S 40 RDS TO BEG CONT 18.5 Acres.

The complete annexation petition and supporting documentation is available for inspection and copying in the offices of the City Recorder, City of Logan 290 North 100 West Logan, Utah 84321 and in the Department of Community Development at the same address during regular City business hours. More information is available by contacting Mike DeSimone, Director of Community Development, at 435-716-9022 or mike.desimone@loganutah.org.

The Municipal Council of the City of Logan may approve the annexation following a public hearing on Tuesday, March 2, 2021 beginning at 5:30 p.m. in the Municipal Council Chambers at the Logan City Hall, 290 North 100 West, Logan. All public comments shall be submitted in writing by February 19, 2021. This public hearing will take place and action may be taken unless a protest is filed with the Cache County Boundary Commission. A protest to the proposed annexation may be filed by the legislative body or governing board of an affected entity or the owner of rural real property as defined in Utah Code Ann. §17B-2a-1107.

The written protest must be filed with the Cache County Boundary Commission, 199 North Main, Logan, Utah 84321, no later than 4:00 p.m. on February 19, 2021 and a copy of the protest delivered to the Logan City Recorder, 290 North 100 West, Logan, Utah 84321. Failure to meet any and all of the requirements specified in Utah Code shall invalidate the protest.

Teresa Harris, Logan City Recorder

Publication Dates: January 26, February 2, and February 9, 2021

NOTICE OF POSTPONEMENT OF A PUBLIC HEARING BY THE CACHE COUNTY BOUNDARY COMMISSION

**THE FOLLOWING PUBLIC HEARING, PREVIOUSLY SCHEDULED FOR
MARCH 18, 2021, HAS BEEN RESCHEDULED TO MARCH 25, 2021.**

NOTICE OF A PUBLIC HEARING TO CONSIDER THE FORMAL PROTEST BY NIBLEY CITY AGAINST THE PROPOSED ANNEXATION FILED WITH LOGAN CITY BY MARK DAINES ON BEHALF OF PAUL RAY AND LEANN B. CAMPBELL & DRC LEGACY HOLDINGS, LLC. THE PROPOSED ANNEXATION IS LOCATED AT 2012 S. 800 W. AND IS IDENTIFIED AS TIN: 03-001-0010 & 03-001-0013.

NOTICE IS HEREBY GIVEN, pursuant to sections 10-2-407 and 10-2-415 of the Utah Code, 1953 as amended, that the Cache County Boundary Commission will hold a public hearing on March 25, 2021, at 4:00 p.m., in the Cache County Historic Courthouse, Council Chambers, at 199 North Main Street, Logan, Utah, for the purpose of considering the formal protest by Nibley City against the proposed annexation filed with Logan City by Mark Daines on behalf of Paul Ray and Leann B. Campbell & DRC Legacy Holdings, LLC.

The nature of the protest is as follows:

Nibley City alleges that Logan City's intent with the proposed annexation "is to maximize the density in the area, collect the impact fees, and pass the burden of parks, maintenance, and community integration on to Nibley City while extracting the value of the tax base and the impact fees." Nibley bases those allegations on the following:

1. The proposed annexation area would be annexed into Logan City for residential use. The properties in Logan City around the proposed annexation area are zoned for commercial development. The residential neighborhood that the area would become a part of will be a residential community in Nibley City. Nibley City alleges that the annexation would, therefore, violate Logan City's Land Development Code because it would not "maintain, preserve, or enhance neighborhood integrity" or "foster traditional community building principles."
2. The proposed annexation area is within the Nibley City Annexation Declaration Boundary Nibley City Annexation Policy Plan. Nibley City alleges that it can efficiently deliver services to this area – including parks, roads, road maintenance, and utilities – and that Logan City is not as well positioned to efficiently provide such services to the proposed annexation area.
3. The proposed annexation area is within the Cache County School District. Nibley City alleges that there is no justification as to why the area should not follow the existing school district boundaries. Nibley City also alleges that Logan City has provided no mitigation plan to maintain safe routes to schools or to provide

crossing guards or other similar services if the area is moved into the Logan School District.

All persons interested therein may appear at said hearing and voice their opinions relative to the proposed annexation. Copies of the protest and all pertinent materials are on file for public inspection in the office of the Cache County Executive, Historic Courthouse, 199 North Main Street, Logan, Cache County, Utah.

Cache County Boundary Commission

David Erickson
Chairman

Publication Date: March 18, 2021

Billing Information:
Cache County Executive Office
199 North Main Street
Logan, UT 84321
435-755-1850