

**TOQUERVILLE CITY**  
**ORDINANCE NO. 2017.09**



AN ORDINANCE ADJUSTING A PORTION OF THE COMMON BOUNDARIES BETWEEN LAVERKIN CITY AND TOQUERVILLE CITY, WASHINGTON COUNTY, STATE OF UTAH

**RECITALS**

WHEREAS, Utah Code Annotated § 10-2-419 established a procedure and criteria for the adjustment of the common boundary between adjacent municipalities; and

WHEREAS, Toquerville City ("Toquerville"), a municipal corporation and political subdivision of the State of Utah, shares certain common boundaries with LaVerkin City ("LaVerkin"), a municipal corporation and political subdivision of the State of Utah;

WHEREAS, Toquerville is in better position to provide municipal services to certain parcels along the common boundaries with LaVerkin;

WHEREAS, LaVerkin and Toquerville desire to adjust their common boundaries to enable certain property owners to obtain municipal services;

WHEREAS, the specific parcel of property to be transferred into the municipal jurisdiction of Toquerville is depicted in the "Municipal Boundary Adjustment Plat" marked "Exhibit A," attached to this Ordinance, and incorporated herein by this reference, consisting of approximately .69 acres, described more fully as:

Commencing at the Southwest Corner of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 14, Township 41 South, Range 13 West, Salt Lake Base and Meridian; Thence North 00°05'50" East, along the 1/16<sup>th</sup> Section Line a distance of 370.66 feet; Thence North 90°00'00" East, a distance of 17.78 feet; Thence South 22°15'55" East, a distance of 216.50 feet; Thence South 03°08'44" West, a distance of 30.70 feet; Thence South 40°19'22" West, a distance of 116.01 feet; Thence North 89°16'08" West, along the 1/16<sup>th</sup> line, a distance of 55.08 feet to the Point of Beginning. *(Containing 30,004 square feet or 0.69 acres, more or less)*

("Adjusted Parcel").

WHEREAS, on the 5<sup>th</sup> day of April, 2017, the LaVerkin City Council adopted LaVerkin Resolution No. 2017-07 indicating its intent to adjust its common boundaries with Toquerville and transfer the Adjusted Parcel into the municipal jurisdiction of Toquerville;

WHEREAS, on the 13<sup>th</sup> day of April, 2017, the Toquerville City Council adopted Toquerville Resolution No. 2017-08 indicating its intent to adjust its common boundaries with LaVerkin and accept the transfer of the Adjusted Parcel into its municipal jurisdiction;



WHEREAS, the Toquerville City Council held a public hearing on June 8, 2017 to consider approving said boundary adjustment and to receive public comment; and

WHEREAS, no protests were received which require Toquerville to disapprove the proposed boundary adjustment.

### ORDINANCE

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TOQUERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

1. The common boundary between LaVerkin and Toquerville be hereby adjusted, as depicted in Exhibit A and described above.
2. In accordance with the terms and provisions of Utah Code Annotated § 10-2-419, the Adjusted Parcel is hereby removed from the municipal jurisdiction of LaVerkin and transferred to the municipal jurisdiction of Toquerville.
3. The Municipal Boundary Adjustment Plat attached as Exhibit A is hereby approved and the Mayor and Recorder are instructed execute the same.
4. Toquerville Staff is directed to file and record copies of this Ordinance and other required documents and plats with LaVerkin, the Utah Lieutenant Governor's Office and Washington County, pursuant to the requirements of Utah Code Annotated §§ 10-2-419 and 10-2-425.
5. This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.
6. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any section, paragraph, sentence, clause or phrase of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.
7. This Ordinance shall take effect immediately upon approval and passage by the Toquerville City Council and a similar ordinance is adopted by LaVerkin.

*(Signature Page to Follow)*



**VOTE TALLY**

Keen Ellsworth	Aye <u>X</u>	Nay _____
Brad Langston	Aye <u>X</u>	Nay _____
Ty Bringhurst	Aye _____	Nay <u>Absent</u>
Paul Heideman	Aye <u>X</u>	Nay _____
Mark Fahrenkamp	Aye <u>X</u>	Nay _____

**TOQUERVILLE CITY**  
a Utah municipal corporation

Date:

  
\_\_\_\_\_  
M. Darrin LeFevre, Mayor

June 8, 2017

Attest:  
  
\_\_\_\_\_  
Dana M. Mckim, City Recorder

June 8, 2017

