

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR  
CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from TREMONTON CITY, dated September 3, 2019, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to TREMONTON CITY, located in Box Elder County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 9<sup>th</sup> day of October 2019 at Salt Lake City, Utah.



A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX  
Lieutenant Governor



**MAYOR:** Roger Fridal **COUNCIL:** Bret Rohde | Diana Dautre | Lyle Holmgren | Jeff Reese | Lyle Vance

## NOTICE OF IMPENDING BOUNDARY ACTION

Spencer J. Cox, Lieutenant Governor  
Utah State Capitol Complex  
PO Box 142325  
Salt Lake City, UT 84114-2325

Re: Notice of Annexation

Dear Lt. Governor Cox:

At the September 3, 2019 Tremont City Council meeting, the Mayor and City Council unanimously approved Ordinance No. 19-08 approving the Stanley and Kelly Summers annexation.

Enclosed you will find the above referenced ordinance along with the signed plat map and legal description for the property being annexed into Tremont City. This annexation meets all requirements.

Please send the Certificate of Annexation to:

Linsey Nessen, City Recorder  
Tremont City  
102 S. Tremont St.  
Tremont, UT 84337

I can be reached at [lnessen@tremontcity.com](mailto:lnessen@tremontcity.com) or 435-257-9506.

Sincerely,

Linsey Nessen  
City Recorder, CMC

enclosures

### CITY OFFICERS:

**City Manager**  
Shawn Warnke  
(435) 257-9504  
[swarnke@tremontcity.com](mailto:swarnke@tremontcity.com)

**City Recorder**  
Linsey Nessen, CMC  
(435) 257-9506  
[lnessen@tremontcity.com](mailto:lnessen@tremontcity.com)

**City Treasurer**  
Sharri Oyler, CMFA  
(435) 257-9502  
[soyler@tremontcity.com](mailto:soyler@tremontcity.com)

### DEPARTMENTS:

**Building Inspector**  
Steve Bench  
(435) 257-9510  
[sbench@tremontcity.com](mailto:sbench@tremontcity.com)

**Food Pantry Director**  
Cathy Newman  
(435) 257-9530  
[cnewman@tremontcity.com](mailto:cnewman@tremontcity.com)

**Fire Chief**  
Steve Batis  
(435) 257-9520  
[sbatis@tremontcity.com](mailto:sbatis@tremontcity.com)

**Library Director**  
Kim Griffiths  
(435) 257-9525  
[kgriffiths@tremontcity.com](mailto:kgriffiths@tremontcity.com)

**Community Services Director**  
Marc Christensen  
(435) 257-9485  
[mchristensen@tremontcity.com](mailto:mchristensen@tremontcity.com)

**Police Chief**  
Kurt Fertig  
(435) 257-9555  
[kfertig@tremontcity.com](mailto:kfertig@tremontcity.com)

**Public Works Director**  
Paul Fulgham  
(435) 257-9471  
[pfulgham@tremontcity.com](mailto:pfulgham@tremontcity.com)

**Senior Center Director**  
Jenny Christensen  
(435) 257-9455  
[jchristensen@tremontcity.com](mailto:jchristensen@tremontcity.com)

## ORDINANCE NO. 19-08

**ORDINANCE ANNEXING REAL PROPERTY, SPECIFICALLY, A PORTION OF CERTAIN REAL PROPERTY, BEING 2.92 ACRES OF THE 5.84 ACRES OF PROPERTY THAT COMPRISES TAX PARCEL NO. 05-074-0044 LOCATED AT APPROXIMATELY 100 SOUTH AND 1600 EAST (STATE ROAD 13) UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED, INTO TREMONTON, UTAH AND ZONING SAID AND SURROUND PARCELS AS GENERAL COMMERCIAL (CG)**

**WHEREAS**, Stan Summers and Kelly Summers, are owners of Tax Parcel No. 05-074-0044 comprising 5.84 acres of land lying within Box Elder County, Utah adjacent to current Tremonton City Corporate Boundary; and

**WHEREAS**, in June, 2019, Stan Summers and Kelly Summers, filed a petition with the City Recorder of Tremonton City along with an accurate plat of the Real Property, which was made under the supervision of a licensed surveyor to annex 2.92 acres of the 5.84 acres of land from Tax Parcel No. 05-074-0044 more particularly described in Exhibit "A" (hereto and hereafter "Real Property") into Tremonton City Corporate Boundary; and

**WHEREAS**, Stan Summers and Kelly Summers are the majority of the owners of the Real Property described below and in Exhibit "A", desire to annex such Real Property to Tremonton, Utah, said owners being the owners of at least one-third (1/3) in value of said Real Property as shown by the last assessment roll; and

**WHEREAS**, Tremonton City Council accepted the petition for annexation by adopting Resolution No. 19-37; and within 30 days of the City Recorder reviewing the petition and certifying that the petition meets the requirements for annexation as provided by Utah State Law (Subsections 10-2-403(2),(3), and (4)); and

**WHEREAS**, a notice was published once a week for three successive weeks, beginning no later than 10 days after receipt of the notice of certification, in a newspaper of general circulation in the area proposed for annexation and the unincorporated area within 1/2 mile of the area proposed for annexation as provided by Utah State Law (Subsection 10-2-406); and

**WHEREAS**, within 20 days of receipt of the notice of certification, written notices were mailed to the affected entities as provided by Utah State Law (Subsections 10-2-406(1)(b)); and

**WHEREAS**, no protests to the annexation petition were filed during the period specified.


**NOW THEREFORE BE IT ORDAINED** by the City Council of Tremonton, Utah that the Real Property, more particularly described and shown in Exhibit "A", is hereby annexed to Tremonton, Utah, and the corporate limits of Tremonton, Utah, are hereby extended accordingly.

**FURTHER BE IT ORDAINED**, that the zoning map of Tremonton City shall be amended to include the Real Property described above being zoned General Commercial (CG) and parcel

number 05-074-0047, 05-074-0043, and 05-075-0018. A certified copy of this Ordinance and an original plat setting forth the Real Property so annexed shall be filed with the County Recorder of Box Elder County, Utah by the City Recorder.

ADOPTED AND PASSED by the City Council of the City of Tremonton, Utah, this 3<sup>rd</sup> day of September, 2019.

TREMONTON CITY, a Utah Municipal Corporation

By   
Roger Fridal, Mayor

ATTEST:


  
Linsey Nessen, City Recorder



Publication or Posting Date: 9/11/19

STATE OF UTAH    )  
                          :SS.  
County of Box Elder )

On the 4 day of September, 2019, personally appeared before me Roger Fridal, the signer of the within instrument, who duly acknowledged to me that he executed the same.

  
Notary Public

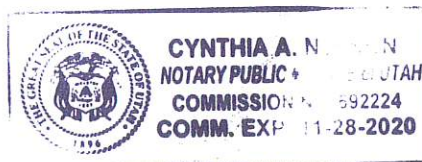




EXHIBIT "A"

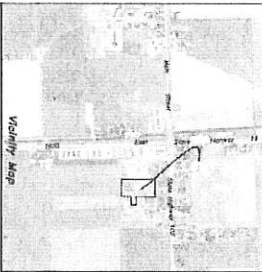
**ANNEXATION BOUNDARY DESCRIPTION**

*A PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 3 WEST OF THE SALT LAKE BASE AND MERIDIAN.*

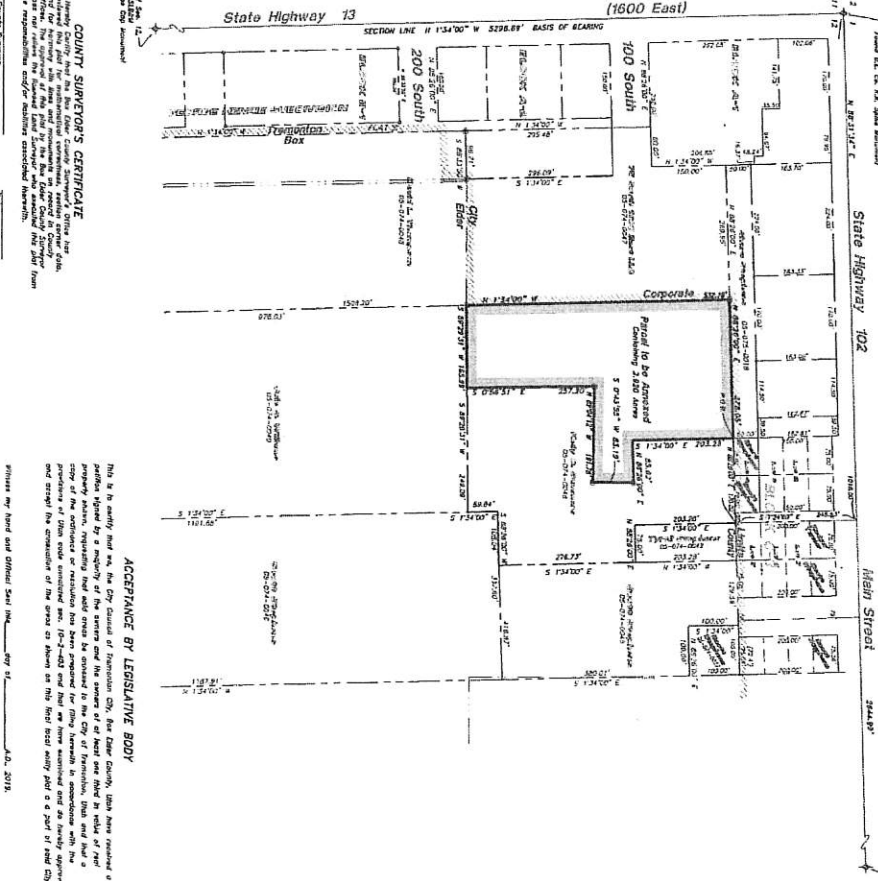
*BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK C-3 OF THE GEORGE HENRIE SUBDIVISION PLAT C LOCATED NORTH 88°31'34" EAST 1018.00 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AND SOUTH 01°34'00" EAST 245.53 FEET AND SOUTH 88°26'00" WEST 170.00 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER;*

*RUNNING THENCE SOUTH 01°34'00" EAST 203.28 FEET; THENCE NORTH 88°26'00" EAST 85.62 FEET; THENCE SOUTH 00°43'55" WEST 83.19 FEET; THENCE NORTH 89°04'12" WEST 191.78 FEET; THENCE SOUTH 00°56'51" EAST 257.20 FEET; THENCE SOUTH 89°29'31" WEST 165.99 FEET; THENCE NORTH 01°34'00" WEST 532.18 FEET TO THE SOUTH BOUNDARY LINE OF SAID GEORGE HENRIE SUBDIVISION; THENCE NORTH 88°26'00" EAST 278.05 FEET ALONG SAID SOUTH BOUNDARY LINE TO THE POINT OF BEGINNING. CONTAINING 2.920 ACRES.*

**PLAT OF ADDITION TO  
THE CORPORATE LIMITS OF TREMONTON CITY  
ANNEXATION PLAT ORDINANCE NO. 19-08**  
A Part of the Northwest Quarter of Section 12,  
Township 11 North, Range 3 West, Soil Lake Base & Meridian



**HANSEN & ASSOCIATES, INC.**  
Consulting Engineers and Land Surveyors  
229 North Main Street, Bismarck, North Dakota 58102  
Bismarck, North Dakota 58102  
Phone: (701) 781-1111  
Fax: (701) 781-1112  
www.hansenandassociates.com



**COUNTY SURVEYOR'S CERTIFICATE**  
I, the undersigned, County Surveyor of Grand Forks County, North Dakota, do hereby certify that the above and foregoing is a correct and true copy of the original survey and plat filed in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 2019. I make no claim to the land shown and surveyed in this plat from my independent knowledge of the location of the boundaries shown thereon.

County Surveyor \_\_\_\_\_ Date: \_\_\_\_\_ A.D., 2019.

**ACCEPTANCE BY LEGISLATIVE BODY**  
This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, the City Council of Tremonton, Grand Forks County, North Dakota, has reviewed and approved the above and foregoing plat and the boundaries and area thereof as shown thereon, and that the same are correct and true copies of the original survey and plat filed in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 2019. I make no claim to the land shown and surveyed in this plat from my independent knowledge of the location of the boundaries shown thereon.

City Recorder \_\_\_\_\_ Date: \_\_\_\_\_ A.D., 2019.

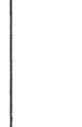
**BOX ELDER COUNTY RECORDER**  
I, \_\_\_\_\_, County Recorder of Grand Forks County, North Dakota, do hereby certify that the above and foregoing is a correct and true copy of the original survey and plat filed in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 2019. I make no claim to the land shown and surveyed in this plat from my independent knowledge of the location of the boundaries shown thereon.

County Recorder \_\_\_\_\_ Date: \_\_\_\_\_ A.D., 2019.

**ANNEXATION BOUNDARY DESCRIPTION**  
The above plat shows the boundaries of the addition to the Corporate Limits of Tremonton, Grand Forks County, North Dakota, as shown on the attached plat and as described in the description of the addition shown thereon.

**SURVEYOR'S CERTIFICATE**  
I, E. Greg Meinert, do hereby certify that I am a Registered Professional Land Surveyor in the State of North Dakota, License No. 108218. I have reviewed the above and foregoing plat and the boundaries and area thereof as shown thereon, and that the same are correct and true copies of the original survey and plat filed in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 2019. I make no claim to the land shown and surveyed in this plat from my independent knowledge of the location of the boundaries shown thereon.


Surveyor E. Greg Meinert License No. 108218  
Date: \_\_\_\_\_ A.D., 2019.



STATE OF UTAH     )  
   : ss.  
County of Box Elder )

I, Linsey Nessen, the City Recorder of Tremonton, Utah, do hereby certify that the above and foregoing is a full and correct copy of Ordinance No. 19-08, entitled, "**ORDINANCE ANNEXING REAL PROPERTY, SPECIFICALLY, A PORTION OF CERTAIN REAL PROPERTY, BEING 2.92 ACRES OF THE 5.84 ACRES OF PROPERTY THAT COMPRISES TAX PARCEL NO. 05-074-0044 LOCATED AT APPROXIMATELY 100 SOUTH AND 1600 EAST (STATE ROAD 13) UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED, INTO TREMONTON, UTAH AND ZONING SAID AND SURROUNDING PARCELS AS GENERAL COMMERCIAL (CG)**" adopted and passed by the City Council of Tremonton, Utah, at a regular meeting thereof on the 3<sup>rd</sup> day of September, 2019, which appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 3 day of September 2019.

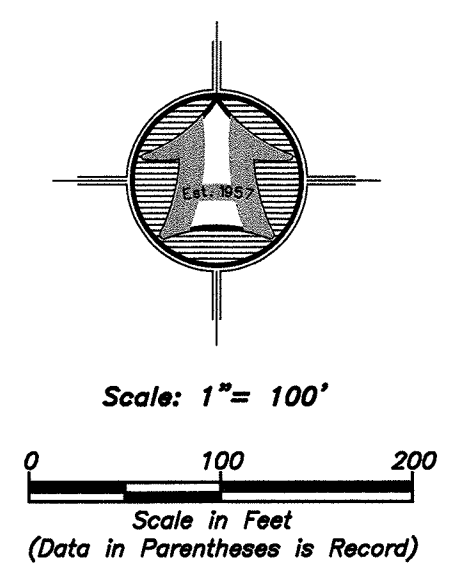
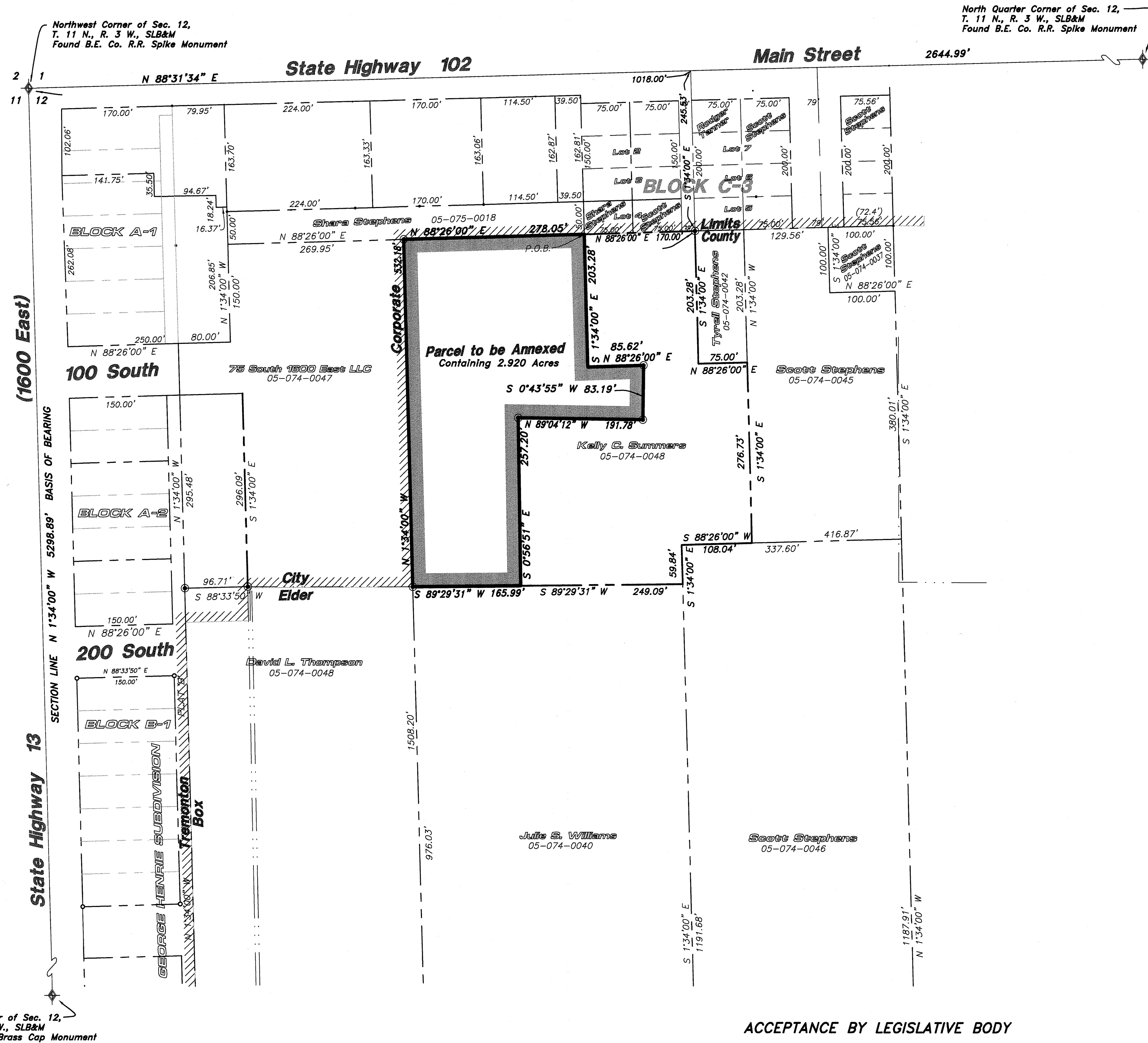
  
\_\_\_\_\_  
Linsey Nessen  
City Recorder



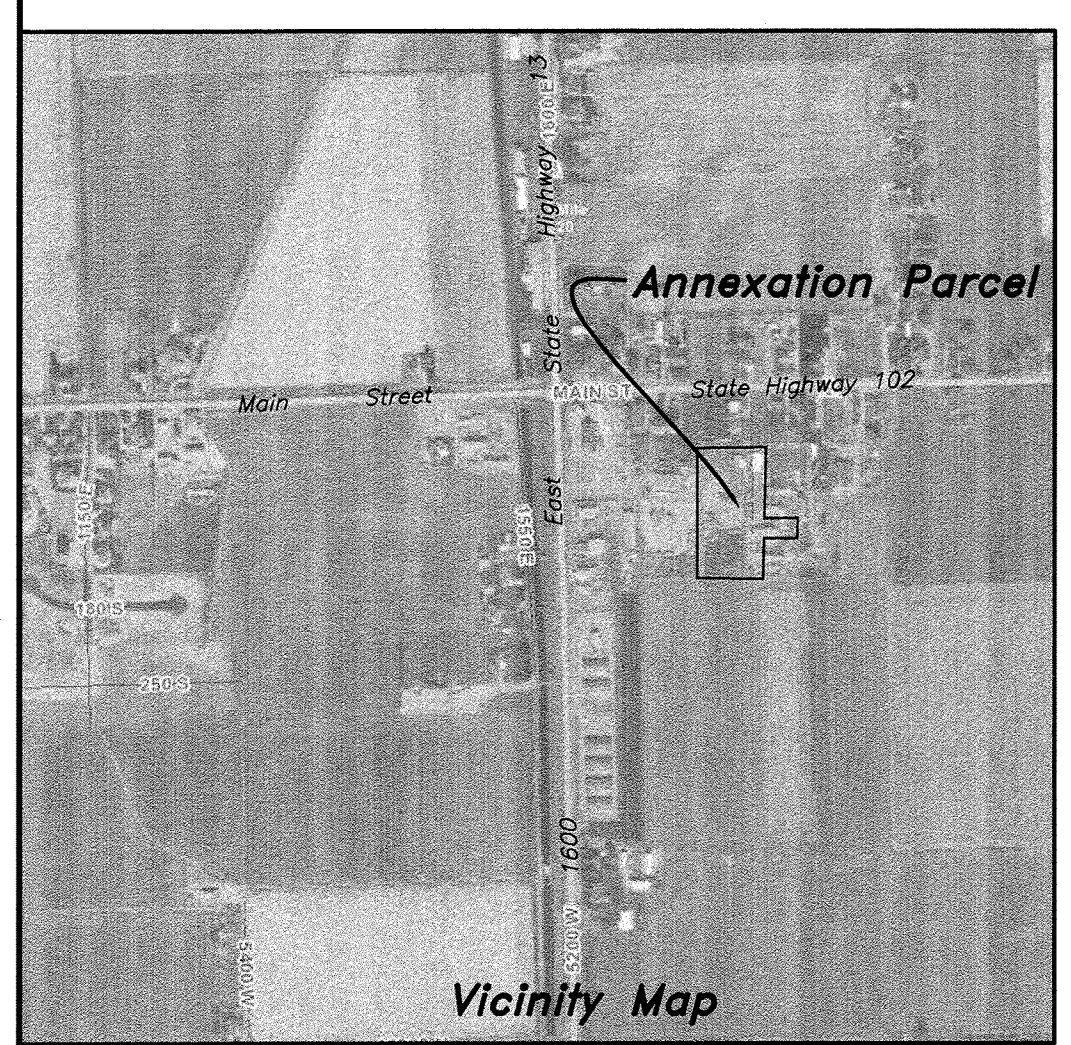


PLAT OF ADDITION TO  
**THE CORPORATE LIMITS OF TREMONTON CITY**  
**ANNEXATION PLAT ORDINANCE NO. 19-08**

A Part of the Northwest Quarter of Section 12,  
 Township 11 North, Range 3 West, Salt Lake Base & Meridian



- LEGEND**
- Subject Property Line
  - - - Adjoining Property Line
  - - - - Fence Line
  - Existing City Limits
  - Proposed Corporate Boundary
  - Found rebar set by others
  - Set 5/8"x24" Rebar With Cap
  - Section Corner

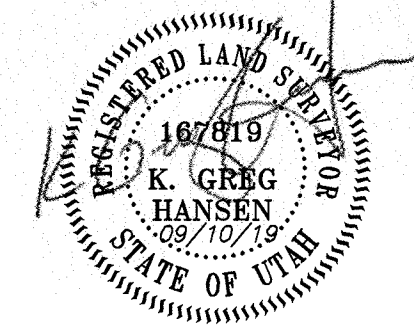


**SURVEYOR'S CERTIFICATE**

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Act; and I have completed a survey of the property described on this plat in accordance with section 17-23-17 and have verified all measurements, have placed monuments as represented on this plat and that this is a true and accurate map of the tract of land to be annexed into Tremonton City, Box Elder County, Utah.

Signed this 10th day of September, 2019.

K. Greg Hansen P.L.S.  
 Utah Land Surveyor Licence No. 167819



**ANNEXATION BOUNDARY DESCRIPTION**

A PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 3 WEST OF THE SALT LAKE BASE AND MERIDIAN.  
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK C-3 OF THE GEORGE HENRI SUBDIVISION PLAT C LOCATED NORTH 88°31'34" EAST 1018.00 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AND SOUTH 01°34'00" EAST 245.53 FEET AND SOUTH 88°26'00" WEST 170.00 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER;  
 RUNNING THENCE SOUTH 01°34'00" EAST 203.28 FEET; THENCE NORTH 88°26'00" EAST 85.62 FEET; THENCE SOUTH 00°43'55" WEST 83.19 FEET; THENCE NORTH 89°04'12" WEST 191.78 FEET; THENCE SOUTH 00°56'51" EAST 257.20 FEET; THENCE SOUTH 89°29'31" WEST 165.99 FEET; THENCE NORTH 01°34'00" WEST 532.18 FEET TO THE SOUTH BOUNDARY LINE OF SAID GEORGE HENRI SUBDIVISION; THENCE NORTH 88°26'00" EAST 278.05 FEET ALONG SAID SOUTH BOUNDARY LINE TO THE POINT OF BEGINNING. CONTAINING 2.920 ACRES.

**COUNTY SURVEYOR'S CERTIFICATE**

I hereby certify that the Box Elder County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for harmony with lines and monuments on record in County Offices. The approval of this plat by the Box Elder County Surveyor does not relieve the licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith.

*Sum W. Slater*  
 County Surveyor  
 9/26/19  
 Date

**ACCEPTANCE BY LEGISLATIVE BODY**

This is to certify that we, the City Council of Tremonton City, Box Elder County, Utah have received a petition signed by a majority of the owners and the owners of at least one third in value of real property shown, requesting that said areas be annexed to the City of Tremonton, Utah and that a copy of the ordinance or resolution has been prepared for filing herewith in accordance with the provisions of Utah Code Annotated Sec. 10-2-403 and that we have examined and do hereby approve and accept the annexation of the areas as shown on this final local entity plat a part of said City.

Witness my hand and Official Seal this 16 day of September A.D., 2019.

Approved: *[Signature]* Mayor  
*[Signature]* City Recorder

**BOX ELDER COUNTY RECORDER**

Entry No. \_\_\_\_\_  
 Fee Paid: \_\_\_\_\_  
 Filed for Record and Recorded: \_\_\_\_\_ 2019.  
 At \_\_\_\_\_ In Book \_\_\_\_\_ of the Official Records,  
 Page \_\_\_\_\_  
 Recorded For: \_\_\_\_\_ TIME: \_\_\_\_\_  
 BOX ELDER County Recorder  
 Deputy

**HAI** HANSEN & ASSOCIATES, INC.  
 Consulting Engineers and Land Surveyors  
 538 North Main Street, Brigham, Utah 84302  
 Visit us at www.haies.net  
 Brigham City Ogdan Logan  
 (435) 723-3491 (801) 399-4905 (435) 752-8272  
 Celebrating Over 60 Years of Business