

# 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 CITY OF ELKRIDGE, dated February 20, 2020, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

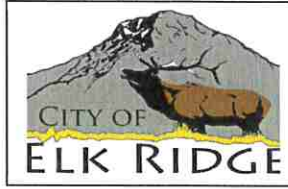
NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to CITY OF ELKRIDGE, located in Utah County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 24<sup>th</sup> day of February 2020 at Salt Lake City, Utah.



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

SPENCER J. COX  
Lieutenant Governor



**80 East Park Drive Elk Ridge, UT 84651**

tel. 801/423-2300 | web [elkridgecity.org](http://elkridgecity.org) | web [staff@elkridgecity.org](mailto:staff@elkridgecity.org)

Notice of Impending Boundary Action

The Honorable Spencer J. Cox  
Lieutenant Governor of the State of Utah  
Utah State Capitol Complex  
Suite 200  
PO Box 142325  
Salt Lake City, UT 84114-2325

Re: Haskell Dryland Annexation of 46.14 Acres into the Corporate Limits of the City of Elk Ridge.

Lieutenant Governor Cox:

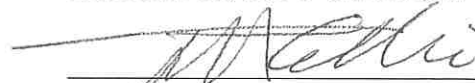
On February 11, 2020, the Elk Ridge City Council acting as the governing body for the City of Elk Ridge, a political subdivision of the State of Utah, adopted an ordinance regarding the annexation of 46.14 acres along the City's west boundary for the unincorporated area of Utah County, Utah.

Accompanying this Notice is a certified copy of Ordinance No.20-2 related to the above referenced annexation, together with a copy of the final local entity plat, otherwise titled Annexation Plat, Haskell Dryland Annexation, prepared by and signed by a licensed surveyor and approved by the Elk Ridge City Council and the Utah County Surveyor.


Pursuant to Utah Code Ann. 10-2-405 and 67-1a-6.5(3) the Elk Ridge City Council hereby certifies that all requirements applicable to this boundary action have been met and it seeks a certificate of annexation of the 46.14 acres in the city of Elk Ridge boundaries.

Dated this 26<sup>th</sup> day of February, 2020

ELK RIDGE CITY COUNCIL

  
Ty Ellis, Mayor

ATTEST

  
Royce Swensen, Recorder  
(Seal)



**ORDINANCE NO. 20-2**

**AN ORDINANCE OF THE ELK RIDGE CITY COUNCIL ANNEXING THE PROPERTY LOCATED WITHIN THE HASKELL DRYLAND ANNEXATION PLAT IN THE VICINITY OF 11400 GOLDEN EAGLE WAY,**

**WHEREAS**, on January 8, 2019, Lee Haskell filed an Application for Annexation by Resolution with Elk Ridge City requesting annexation of approximately 46.14 acres in the vicinity of 11400 Golden Eagle Way, which property is shown and more particularly described in the Elk Ridge Annexation Application as Haskell Dryland Annexation Plat which is attached hereto as Exhibit "A" and by reference is made a part hereof (hereinafter referred to as the "Dryland Annexation"); and

**WHEREAS**, and the request for planned residential land uses matches the Elk Ridge General Plan, as adopted on March 8, 2018, for the area; and

**WHEREAS**, Elk Ridge City has determined an ability to provide all necessary municipal services to the Dryland Annexation Plat properties; and

**WHEREAS**, on February 12, 2019 the Elk Ridge City Council adopted a resolution for the Intent to Annex the properties located within the Dryland Annexation Plat; and

**WHEREAS**, a public notice regarding the application for annexation was published in the **Payson Chronicle and The Daily Herald Newspaper**, newspapers of general circulation within the City, for three consecutive weeks; and at least 30 days after of the adoption of the resolution

**WHEREAS**, the Elk Ridge Planning Commission held a public hearing on the 1<sup>st</sup> day of August, 2019, to consider the request for annexation, which public hearing was preceded by the posting of a notice of public hearing in at least three (3) public places within the City limits of Elk Ridge City, and which notice of public hearing was published in the **Daily Herald Newspaper**, a newspaper of general circulation within the City; and

**WHEREAS**, the notice of public hearing by the Planning Commission was posted and published not less than three weeks before the date of the public hearing; and

**WHEREAS**, the notice of hearing which was posted and published by the Planning Commission contains specific advance notice that the proposed ordinance, as set forth herein, would be considered and that copies thereof were available for inspection in the city offices; and

**WHEREAS**, the Public Hearing was held no earlier than 30 days after the adoption of the Resolution by the City Council.; and

**WHEREAS**, during the thirty day notice period no valid protests had been filed; and

**WHEREAS**, the applicant desires to go forward with the request to annex the Dryland Annexation Plat properties into Elk Ridge; and

**WHEREAS**, the proposed annexation is located within the Elk Ridge Annexation Boundary Plan and meets the applicable City and State requirements for annexation; and

**WHEREAS**, the City Council has determined that the R&L 1-20,000 residential zoning designation, as designated in the 2018 Elk Ridge City General Plan is an appropriate zone for the Dryland Annexation properties; and

**WHEREAS**, the Elk Ridge City Council has determined that the adoption of this ordinance is necessary for the general welfare of the City and its inhabitants;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS:**

1. The City Council hereby annexes the properties known as the Dryland Annexation Plat, the location and description of which is contained in the Dryland Annexation Plat which is attached hereto as Exhibit "A" and by reference is made a part hereof.
2. The City Council hereby amends the Zoning Map of Elk Ridge City, to include within the City boundaries the properties shown in the Dryland Annexation Plat as "R&L – 1-20,000."
3. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in Elk Ridge.
4. All other resolutions and policies in conflict herewith, either in whole or part, are hereby repealed.

**SECTION I. Codification, Inclusion in the Code, and Scrivener's Errors.** It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filling a corrected or re-codified copy of the same with the City Recorder.

**SECTION II. Severability.** If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION III. Posting.** A copy of this Ordinance shall be deposited in the office of the Elk Ridge City Recorder, and on 2/12/2020 the Elk Ridge City Recorder shall certify that this Ordinance has been posted in three public places within the municipality on that date, as provided in Utah State Code Annotated § 10-3-711(1).

**SECTION IV. EFFECTIVE DATE.** This ordinance shall become effective immediately upon passage.

Passed and duly adopted this 11<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
Ty Ellis, MAYOR

Councilmember Nelson Abbott	Voted <u>AYE</u>
Councilmember Tricia Thomas	Voted <u>AYE</u>
Councilmember Jared Peterson	Voted <u>AYE</u>
Councilmember Jim Chase	Voted <u>AYE</u>
Councilmember Cory Thompson	Voted <u>Abstained</u>

ATTEST:



\_\_\_\_\_  
ROYCE SWENSEN  
Elk Ridge City Recorder



STATE OF UTAH                    )  
                                                  ) ss.  
COUNTY OF UTAH                )

I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of

Ordinance # 20-2, passed by the City Council of the City of Elk Ridge, Utah, on the 11<sup>th</sup> day of February, 2020, entitled

**“AN ORDINANCE OF THE ELK RIDGE CITY COUNCIL ANNEXING THE PROPERTY LOCATED WITHIN THE DRYLAND ANNEXATION PLAT IN THE VICINITY OF 11400 GOLDEN EAGLE WAY”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Elk Ridge City Utah this 11<sup>th</sup> day of February, 2020.



\_\_\_\_\_  
ROYCE SWENSEN  
Elk Ridge City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH )

) ss.

COUNTY OF UTAH )



I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that I posted in three (3) public places Ordinance # 20-2, which is attached hereto on the 12<sup>th</sup> day of February, 2020.

The three places are as follows:

1. The Elk Ridge City Office, 80 E Park Drive
2. The Elk Ridge Public Works Building, 645 W. Gooseneast Drive
3. The pole located at 11200 South and North Twilight Way

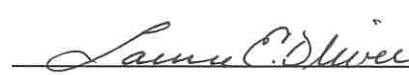
I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

  
 \_\_\_\_\_  
 ROYCE SWENSEN  
 Elk Ridge City Recorder

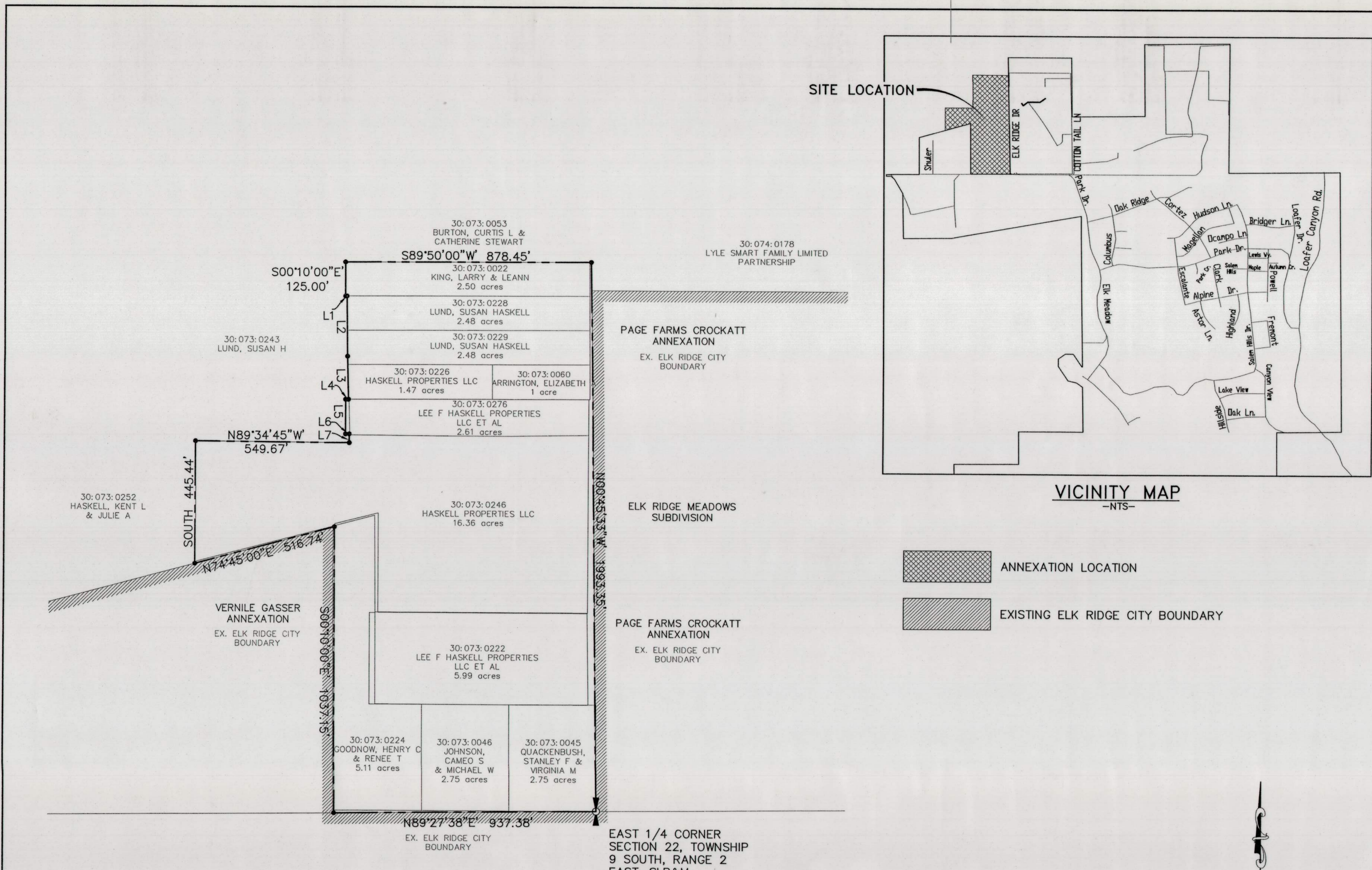
The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of February, 2020, by ROYCE SWENSEN.

My Commission Expires: 8/23/2023

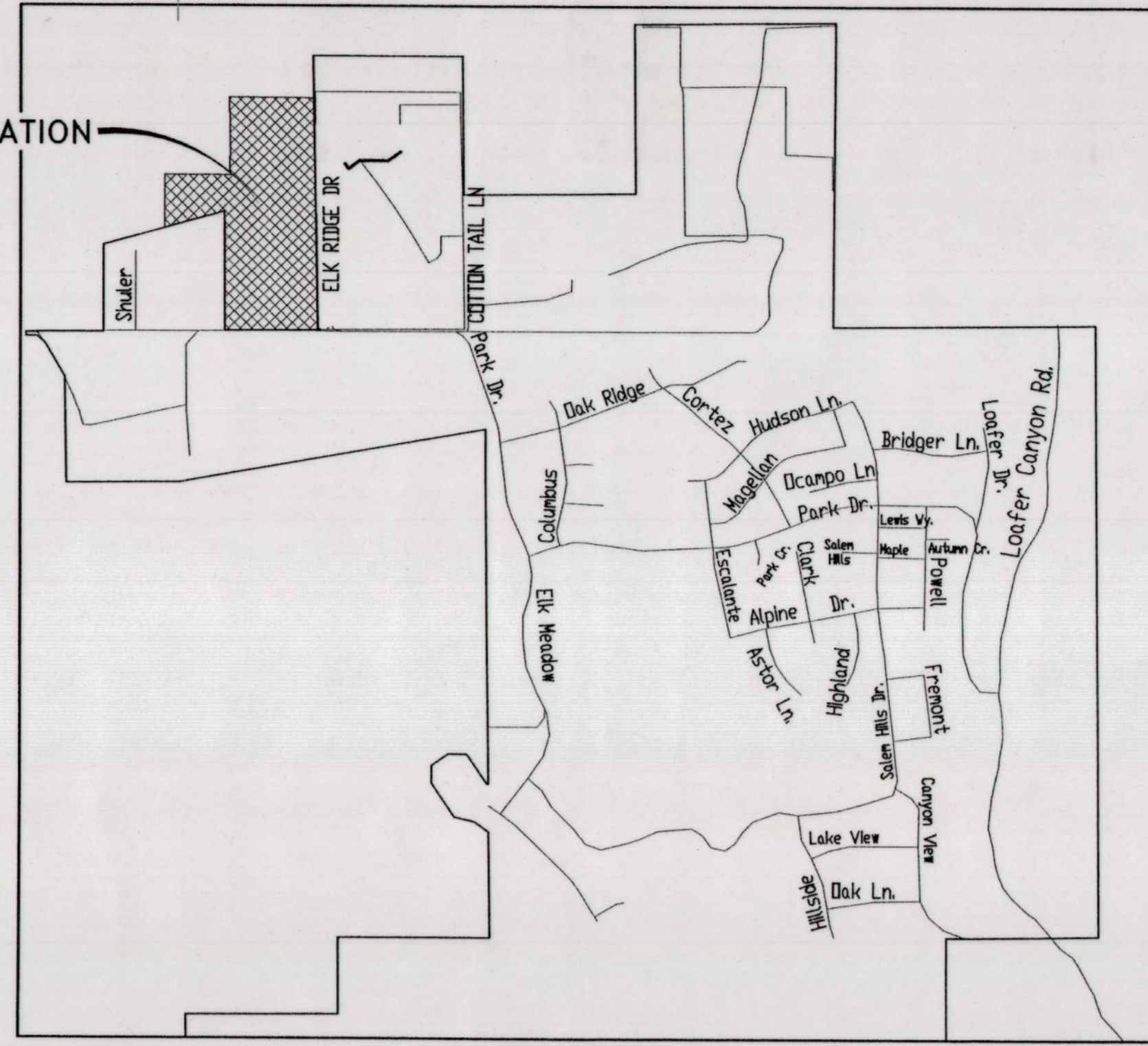


  
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 Notary Public

Residing at: Elk Ridge, Utah County

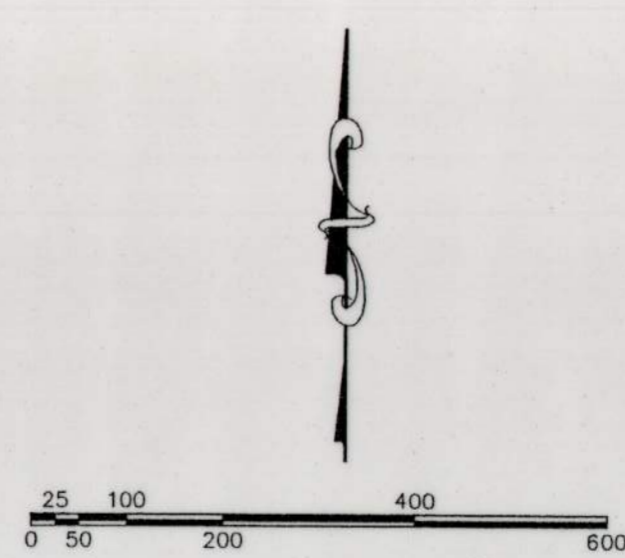


SITE LOCATION



VICINITY MAP  
-NTS-

ANNEXATION LOCATION  
EXISTING ELK RIDGE CITY BOUNDARY



LINE	LENGTH	BEARING
L1	5.15	N 89°50'00" E
L2	219.71	S 00°34'27" E
L3	155.34	S 01°26'47" E
L4	10.18	S 89°50'00" W
L5	125.00	S 00°10'00" E
L6	12.97	N 89°50'00" E
L7	31.86	S 01°29'47" E

**SURVEYORS CERTIFICATE**

I, BARRY PRETTYMAN DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 166406 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT, BASED ON UTAH COUNTY NAD27, OF LAND TO BE ANNEXED INTO ELK RIDGE CITY, UTAH COUNTY, UTAH.

**BOUNDARY DESCRIPTION**

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 22, TOWNSHIP 9 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN ; AND RUNNING THENCE ALONG THE WEST LINE OF PAGE FARMS CROCKATT ANNEXATION N00°45'33"W 1993.35 FEET; THENCE S89°50'00"W 878.45 FEET; THENCE S00°10'00"E 125.00 FEET; THENCE N89°50'00"E 5.14 FEET; THENCE S00°34'27"E 219.71 FEET; THENCE S01°26'47"E 155.34 FEET; THENCE S89°50'00"W 10.18 FEET; THENCE S00°10'00"E 125.00 FEET; THENCE N89°50'00"E 12.97 FEET; S01°29'47"E 31.86 FEET; THENCE N89°34'45"W 549.67 FEET; THENCE SOUTH 445.44 FEET; THENCE ALONG THE WEST BOUNDARY OF VERNILE GASSER ANNEXATION THE FOLLOWING 3 COURSES TO WIT: (1) N74°45'00"E 516.74 FEET; (2) S00°10'00"E 1037.15 FEET; N89°27'38"E 937.38 FEET TO THE POINT OF BEGINNING. CONTAINS 46.14 ACRES 2,009,666 SQ. FT.

SURVEYOR *Darryl Prettyman* DATE *Feb. 3, 2020*

ACCEPTANCE BY THE CITY ENGINEER  
*Daria Hawks P.E.* DATE *2/5/2020*  
CITY ENGINEER *Daria Hawks*

ACCEPTANCE BY THE LEGISLATIVE BODY  
THIS IS TO CERTIFY THAT WE THE UNDERSIGNED ELK RIDGE CITY COUNCIL HAVE ADOPTED A RESOLUTION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREIN AND HAVE SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT INTO ELK RIDGE CITY, UTAH AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith ALL IN ACCORDANCE WITH UTAH COUNTY CODE SECTION 10-2-418 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE HASKELL DRYLAND ANNEXATION

DATED THIS *11* DAY OF *February*, 20*20*

*[Signatures]*  
CLERK RECORDER DATE *2/11/2020*

ACCEPTANCE BY UTAH COUNTY SURVEYOR  
THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. 17-23-20 AS AMENDED.  
*Darryl Prettyman* DATE *Feb. 12, 2020*  
UTAH COUNTY SURVEYOR

**ANNEXATION PLAT**  
**HASKELL DRYLAND ANNEXATION**  
ELK RIDGE CITY, UTAH COUNTY, UTAH

UTAH COUNTY RECORDER SEAL COUNTY SURVEYOR SEAL SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL

*[Seals and Signatures]*