

# 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 PAYSON CITY, dated August 29, 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 PAYSON CITY, 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 10<sup>th</sup> day of September 2019 at Salt Lake City, Utah.



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

SPENCER J. COX  
Lieutenant Governor



Sent Via Email  
annexations@utah.gov

NOTICE OF IMPENDING BOUNDARY ACTION  
PAYSON CITY, UTAH

August 29, 2019

Utah State Lt. Governor's Office  
Utah State Capitol Complex #220  
P O Box 142325  
Salt Lake City UT 84114-2325

RE: PAYSON HEIGHTS ANNEXATION

Honorable Lt. Governor:

I, Kim E. Holindrake, City Recorder for Payson City, hereby certify that Payson City, Utah has approved a petition for annexation, adopted an annexation ordinance, and completed all actions legally required to annex the territory described on the attached plat for annexation known as "Payson Heights Annexation."

If approved, please send the Certificate of Annexation to:

Payson City  
Kim E. Holindrake, MMC  
City Recorder  
439 W Utah Avenue  
Payson UT 84651

If you have any questions concerning this annexation, please contact me at 801-465-5205.

Sincerely,

Kim E. Holindrake, MMC  
City Recorder

Enclosures:  
Ordinance No. 08-28-2019-A  
Condie Annexation Plat

**ORDINANCE NO. 08-28-2019 -A**

**AN ORDINANCE ANNEXING APPROXIMATELY 216.57 ACRES EXTENDING THE MUNICIPAL BOUNDARIES OF PAYSON, UTAH TO INCLUDE PARCELS INCLUDED IN THE PAYSON HEIGHTS ANNEXATION, AND ZONING, AND AMENDING THE OFFICIAL ZONING MAP OF PAYSON CITY.**

**WHEREAS**, Payson City received an Application for Annexation of the Payson Heights Annexation area on January 29, 2018. The proposed annexation encompasses Utah County Parcels: 30:071:0006, 30:071:0007, 30:071:0008, 30:071:0009, 30:072:0020, 30:072:0088, 30:085:0018, and 30:072:0087, and includes approximately 216.00 acres, as indicated in The Payson Heights Annexation Legal Description, referenced in Exhibit "A"; and,

**WHEREAS**, the Payson City Council accepted a qualifying petition for the Payson Heights Annexation for further review on November 7, 2018, pursuant to Section 10-2-403, et seq. Utah Code Annotated, 1953, as amended, and the petition satisfied the requirements of the above-stated section; and,

**WHEREAS**, no qualified protests were filed with Payson City or Utah County pursuant to Section 10-2-407, Utah Code Annotated, 1953, as amended, and the petition was certified by the Payson City Recorder on November 14, 2018, and a notice was published and mailed pursuant to the requirements of Section 10-2-406, Utah Code Annotated, 1953, as amended; and,

**WHEREAS**, a public hearing was held on February 27, 2019, pursuant to Section 10-2-407(3)(b)(ii), Utah Code Annotated, 1953, as amended; and,

**WHEREAS**, the requested area for annexation is an unincorporated area that is contiguous to Payson City, and the applicable requirements of Utah state statutes in relation to annexation have been satisfied; and,

**WHEREAS**, the City Council has reviewed the proposal of the application (residential development and land preservation) is consistent with the general plan to provide a planning framework for the future growth and development of the approximately 216 acres in the Annexation Area; and,

**WHEREAS**, the City Council determined that the annexation is a logical extension of the municipal boundaries and will further the goals of the Payson City General Plan;

**WHEREAS**, the City Council finds that the R-1-12, Residential Zone and land preservation area zoning is consistent with the Payson City General Plan and Payson City planning principles; and

**WHEREAS**, the City Council finds that requiring the annexation petitioners to enter into an Annexation Agreement setting forth further terms and conditions of the Annexation will benefit and further the goals of Payson City; and,

**NOW THEREFORE**, be it ordained by the City Council of Payson, Utah, as follows:

ANNEXATION APPROVAL. The Property of the Payson Heights Annexation is hereby annexed into the corporate limits of Payson City, Utah according to the Payson Heights Annexation Plat executed in substantially the same form as is attached hereto as Exhibit "B" and according to the conditions that the annexation Applicants to enter into an Annexation Agreement specifying further the terms and conditions of the Payson Heights Annexation, between the City and Applicants, to be recorded concurrently with the Annexation Plat.

ANNEXATION AGREEMENT. The Council hereby authorizes the Staff to specify further the terms and conditions of the Payson Heights Annexation into an Annexation Agreement between the City and Applicants for approval by the City Council so it can thereafter be recorded concurrently with the Annexation Plat.

OFFICIAL PAYSON CITY ZONING MAP AMENDMENT. The Official Payson City Zoning Map is hereby amended to include said Property contained in the Payson Heights Annexation with the underlying R-1-12 Residential Zone and land preservation area for the area proposed to be dedicated to Payson City.

COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. The City Council finds this annexation meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code Annotated 1953 as amended, the Payson City General Plan, and The Payson City Annexation Policy Plan, and Chapter 19.12-1 et seq. Annexation, of the Payson City Code and that the underlying R-1-12 Residential Zone and land preservation area is consistent with the Payson City General Plan.

CONDITIONS OF APPROVAL. The Official Zoning Map shall be amended to include the Payson Heights Annexation property in the R-1-12, Residential Zoning District and land preservation area. The Annexation Agreement shall be fully executed and recorded with the Annexation Plat.

EXHIBITS. All Exhibits referenced in this Ordinance are incorporated into this Ordinance as if contained in the body of the ordinance.

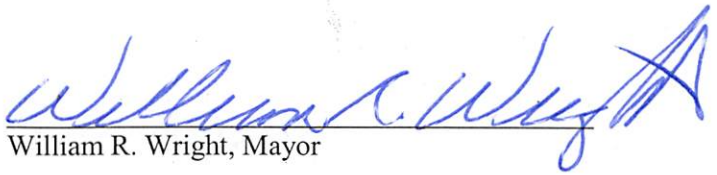
Exhibit "A" The Payson Heights Annexation Legal Description.

Exhibit "B" The Payson Heights Annexation Plat.

This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Annexation Agreement, and compliance with Utah annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

**Signature Page to Follow**

PASSED and ORDAINED this 28th day of August, 2019.

  
William R. Wright, Mayor

Attest:

  
Kim E. Holindrake, City Recorder



**Exhibit "A"**

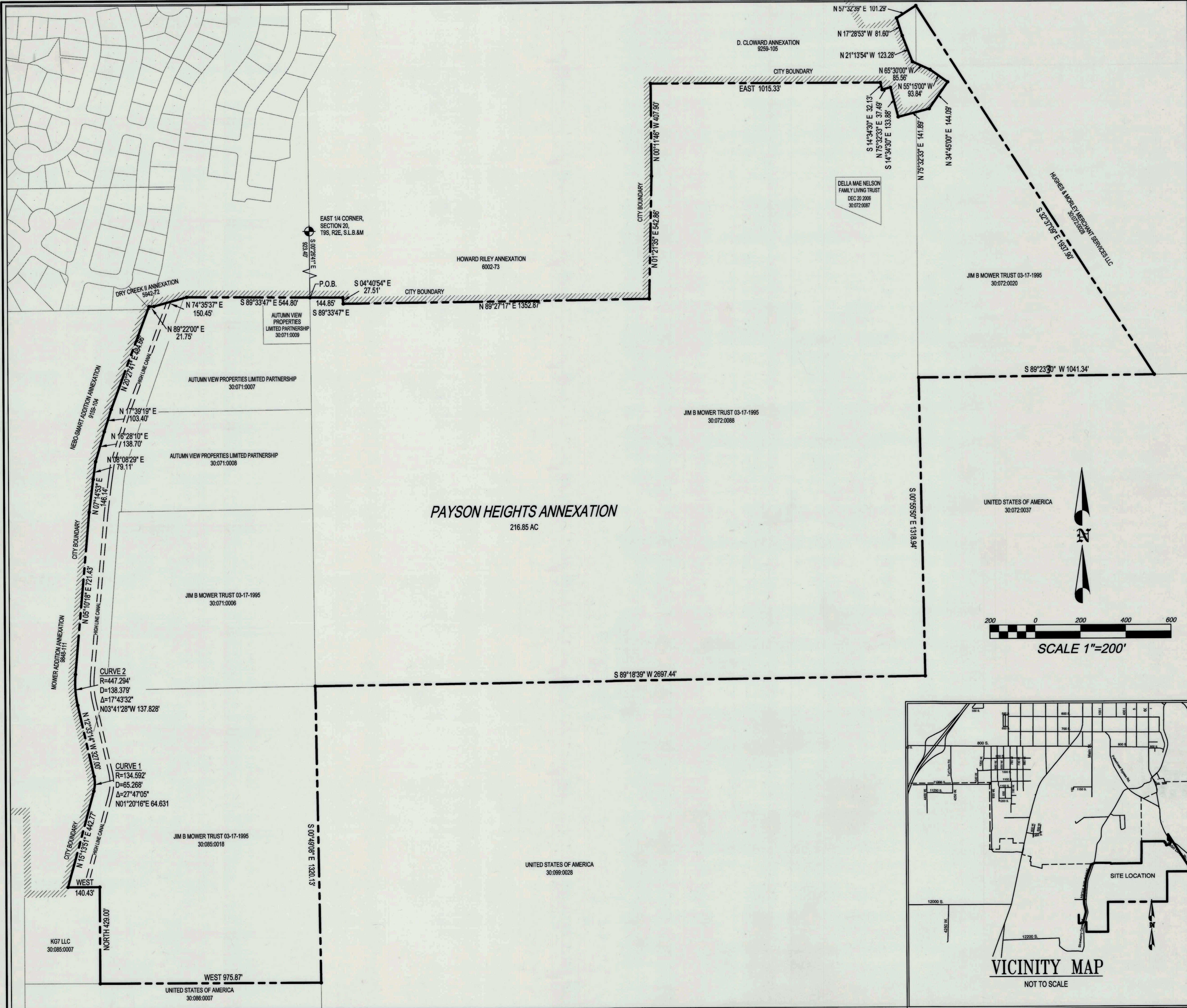
**The Payson Heights Annexation Legal Description**

**BEGINNING AT A POINT ALONG THE SOUTHERN BOUNDARY OF THE HOWARD RILEY ANNEXATION, SAID POINT LOCATED S 00°26'41" E ALONG THE SECTION LINE 923.78 FEET FROM THE EAST QUARTER CORNER OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN;**

**THENCE ALONG SAID HOWARD RILEY ANNEXATION BOUNDARY THE FOLLOWING FIVE (5) COURSES: 1) S 89°33'47" E 144.85 FEET, 2) S 04°40'54" E 27.51 FEET, 3) N 89°27'17" E 1352.87 FEET, 4) N 01°21'35" E 542.86 FEET AND 5) N 00°11'46" W 407.90 FEET TO A POINT ALONG THE SOUTHERN BOUNDARY OF THE D. CLOWARD ANNEXATION; THENCE ALONG SAID D. CLOWARD ANNEXATION THE FOLLOWING TEN (10) COURSES: 1) EAST 1015.33 FEET, 2) S 14°34'30" E 32.13 FEET, 3) N 75°32'33" E 37.49 FEET, 4) S 14°34'30" E 133.88 FEET, 5) N 75°32'33" E 141.89 FEET, 6) N 34°45'00" E 144.09 FEET, 7) N 55°15'00" W 93.84 FEET, 8) N 65°30'00" W 85.56 FEET, 9) N 21°13'54" W 123.28 FEET, AND 10) N 17°28'53" W 81.60 FEET; THENCE N 57°32'39" E 101.29 FEET; THENCE S 32°37'09" E 1937.90 FEET; THENCE S 89°23'30" W 1041.34 FEET; THENCE S 00°55'50" E 1318.94 FEET; THENCE S 89°18'39" W 2897.44 FEET; THENCE S 00°49'08" E 1320.13 FEET; THENCE WEST 975.87 FEET; THENCE NORTH 429.00 FEET; THENCE WEST 140.43 FEET TO A POINT ALONG THE EASTERN BOUNDARY OF THE MOWER ADDITION ANNEXATION; THENCE ALONG SAID MOWER ADDITION ANNEXATION THE FOLLOWING FIVE (5) COURSES: 1) N 15°13'51" E 442.77 FEET, 2) ALONG THE ARC OF A 134.592 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 65.268 FEET (CURVE HAVING A CENTRAL ANGLE OF 27°47'05" AND A LONG CHORD BEARS N01°20'16"E 64.631 FEET), 3) N 12°33'14" W 327.00 FEET, 4) ALONG THE ARC OF A 447.294 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 138.379 FEET (CURVE HAVING A CENTRAL ANGLE OF 17°43'32" AND A LONG CHORD BEARS N03°41'28"W 137.828 FEET), AND 5) N 05°10'18" E 721.43 FEET TO A POINT ALONG THE EASTERN BOUNDARY OF NEBO-SMART ADDITION ANNEXATION; THENCE ALONG SAID NEBO-SMART ADDITION ANNEXATION THE FOLLOWING FIVE (5) COURSES: 1) N 07°14'53" E 146.14 FEET, 2) N 08°08'29" E 79.11 FEET, 3) N 16°28'10" E 138.70 FEET, 4) N 17°39'19" E 103.40 FEET, AND 5) N 20°27'41" E 484.66 FEET TO A POINT ALONG THE SOUTHERN BOUNDARY OF THE DRY CREEK II ANNEXATION; THENCE ALONG SAID DRY CREEK II ANNEXATION THE FOLLOWING TWO (2) COURSES: 1) N 89°22'00" E 21.75 FEET, AND 2) N 74°35'37" E 150.45 FEET TO A POINT ALONG THE SOUTHERN BOUNDARY OF THE HOWARD RILEY ANNEXATION; THENCE ALONG SAID HOWARD RILEY ANNEXATION THE FOLLOWING COURSE: 1) S 89°33'47" E 544.80 FEET POINT OF BEGINING.**

**CONTAINING: 216.85 ACRES.**





**SURVEYOR'S CERTIFICATE**

I, Aaron Thomas, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAT OF ANNEXATION TO THE CORPORATE LIMITS OF PAYSON, UTAH COUNTY, UTAH IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM RECORDS ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

**BOUNDARY DESCRIPTION**

BEGINNING AT A POINT ALONG THE SOUTHERN BOUNDARY OF THE HOWARD RILEY ANNEXATION, SAID POINT LOCATED S 00°26'41" E ALONG THE SECTION LINE 923.78 FEET FROM THE EAST QUARTER CORNER OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE ALONG SAID HOWARD RILEY ANNEXATION BOUNDARY THE FOLLOWING FIVE (5) COURSES: 1) S 89°33'47" E 144.85 FEET, 2) S 04°40'54" E 27.51 FEET, 3) N 89°27'17" E 1352.87 FEET, 4) N 01°21'35" E 542.86 FEET AND 5) N 00°11'46" W 407.90 FEET TO A POINT ALONG THE SOUTHERN BOUNDARY OF THE D. CLOWARD ANNEXATION; THENCE ALONG SAID D. CLOWARD ANNEXATION THE FOLLOWING TEN (10) COURSES: 1) EAST 1015.33 FEET, 2) S 14°34'30" E 32.13 FEET, 3) N 17°52'33" E 37.49 FEET, 4) S 14°34'30" E 133.88 FEET, 5) N 75°32'33" E 141.89 FEET, 6) N 34°45'00" E 144.09 FEET, 7) N 55°15'00" W 93.84 FEET, 8) N 65°30'00" W 85.56 FEET, 9) N 21°13'54" W 123.28 FEET, AND 10) N 17°28'53" W 81.60 FEET; THENCE N 57°32'39" E 101.29 FEET; THENCE S 32°37'09" E 197.90 FEET; THENCE S 89°23'30" W 1041.34 FEET; THENCE S 00°55'50" E 1318.94 FEET; THENCE S 89°18'39" W 2697.44 FEET; THENCE S 00°49'08" E 1320.13 FEET; THENCE WEST 975.87 FEET; THENCE NORTH 428.00 FEET; THENCE WEST 140.43 FEET TO A POINT ALONG THE EASTERN BOUNDARY OF THE MOWER ADDITION ANNEXATION; THENCE ALONG SAID MOWER ADDITION ANNEXATION THE FOLLOWING FIVE (5) COURSES: 1) N 15°13'51" E 442.77 FEET, 2) ALONG THE ARC OF A 134.592 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 65.268 FEET (CURVE HAVING A CENTRAL ANGLE OF 27°47'05" AND A LONG CHORD BEARS N01°20'16" E 64.631 FEET), 3) N 12°33'14" W 327.00 FEET, 4) ALONG THE ARC OF A 447.294 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 138.379 FEET (CURVE HAVING A CENTRAL ANGLE OF 17°43'32" AND A LONG CHORD BEARS N03°41'28" W 137.828 FEET), AND 5) N 05°10'18" E 721.43 FEET TO A POINT ALONG THE EASTERN BOUNDARY OF NEBO-SMART ADDITION ANNEXATION; THENCE ALONG SAID NEBO-SMART ADDITION ANNEXATION THE FOLLOWING FIVE (5) COURSES: 1) N 07°14'53" E 146.14 FEET, 2) N 08°08'29" E 79.11 FEET, 3) N 16°28'10" E 138.70 FEET, 4) N 17°39'19" E 103.40 FEET, AND 5) N 20°27'41" E 484.86 FEET TO A POINT ALONG THE SOUTHERN BOUNDARY OF THE DRY CREEK II ANNEXATION; THENCE ALONG SAID DRY CREEK II ANNEXATION THE FOLLOWING TWO (2) COURSES: 1) N 89°22'00" E 21.75 FEET, AND 2) N 74°35'37" E 150.45 FEET TO A POINT ALONG THE SOUTHERN BOUNDARY OF THE HOWARD RILEY ANNEXATION; THENCE ALONG SAID HOWARD RILEY ANNEXATION THE FOLLOWING COURSE: 1) S 89°33'47" E 544.80 FEET POINT OF BEGINNING.

CONTAINING: 216.85 ACRES.  
BASIS OF BEARING: UTAH STATE PLANE COORDINATES, CENTRAL ZONE.

Aaron Thomas  
SURVEYOR

July 17, 2019  
DATE

**ACCEPTANCE BY LEGISLATIVE BODY**

THIS IS TO CERTIFY THAT I, THE MAYOR OF PAYSON CITY HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF PAYSON AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED (1953) 10-2-401 THRU 426 (AS REVISED) AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE

**PAYSON HEIGHTS ANNEXATION.**

DATED THIS 19<sup>th</sup> DAY OF June, 2019

William R. Wright  
MAYOR

ATTEST: Kari E. Hildebrand  
RECORDER

**ACCEPTANCE BY COUNTY SURVEYOR**

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO THE UTAH CODE ANNOTATED 17-23-20 AMENDED.

Darryl Ratzliff August 13, 2019  
COUNTY SURVEYOR

**ANNEXATION PLAT**

**PAYSON HEIGHTS ANNEXATION**

PAYSON, UTAH COUNTY, UTAH

LOCATED IN SE 1/4 SECTION 20, SE 1/4 & SW 1/4 SECTION 21, & NE 1/4 SECTION 29, TOWNSHIP 9 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, UTAH COUNTY, UTAH

SCALE: 1"=200'