

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 WEST HAVEN CITY, dated April 16, 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 WEST HAVEN CITY, located in Weber County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 27th day of April, 2020 at Salt Lake City, Utah.



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

SPENCER J. COX
Lieutenant Governor



4150 South 3900 West
West Haven, Utah 84401
(801) 731-4519

MAYOR: Sharon Bolos
CITY RECORDER: Shanda Reney

COUNCIL MEMBERS:
Randy Hunter
Stephanie Carlson
Dawnell Musselmann
Rob Vanderwood

Lacy Richards

Lieutenant Governor's Office
Spencer J. Cox
Utah State Capitol Complex
Suite 220
P.O. Box 142325
Salt Lake City, UT 84114-2325

April 16, 2020

Re: Notice of Annexation

Dear Lt. Governor Cox:

I am submitting an annexation for property located at approx. 2555 S 3500 W and containing 20.8 acres.

I have included the original ordinance approving the annexation, together with a plat prepared by a licensed surveyor, and approved by the County Surveyor and City Council. Per HB 61, upon your issuance of a certificate package, such documents are to be filed with the County Surveyor in accordance with Section 17-21-20, U.C.A. showing the new boundaries of the affected area.

Please provide a certified copy of the amended articles as well as the necessary certificate package to my attention at the West Haven City Recorder's Office. Should you have any questions, please contact my office at 801-731-4519

Sincerely,

Emily Green
City Recorder

ORDINANCE NO. 08-2020

AN ORDINANCE OF WEST HAVEN CITY, UTAH, ANNEXING CERTAIN PROPERTY LOCATED AT APPROXIMATELY 2555 SOUTH 3500 WEST, AND INCORPORATING THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY PURSUANT TO THE PROVISIONS OF THE ORDINANCES OF WEST HAVEN CITY AS AMENDED; SETTING THE ZONING CLASSIFICATION OF SAID PROPERTY AS A-1 AND C-1; ADOPTING AND ANNEXING AN EXPLANATORY MAP OF SAID PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition for annexation has been submitted by the property owners requesting annexation of certain territory into the City of West Haven City and;

WHEREAS, the general plan and policy of the City regarding the annexation of property will be satisfied by annexing the identified property as requested since annexation of the property is necessary for the City to serve the area with utilities and other municipal services in a reasonable time and to eliminate an existing island of unincorporated which is otherwise surrounded by the City; and,

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents of the City, and the property owner adjacent thereto, and is in conformity with the general policy for West Haven City for annexations; and,

WHEREAS, the petition for annexation of this property has been duly accepted by the City Council as the governing body of the City, and the Mayor has been authorized to sign the resolution of acceptance on behalf of the City Council; and,

WHEREAS, in conformance with Utah Code ("UC") §10-9-401 the governing body of the city may enact a zoning ordinance establishing regulations for land use and development within the city; and,

WHEREAS, West Haven City has adopted and promulgated a city zoning ordinance; and,

WHEREAS, the City Council finds that the City Planning Staff has recommended annexation of the property that is the subject of the petition, under the conditions of the City's Zoning Ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, WEBER COUNTY, STATE OF UTAH AS FOLLOWS:

SECTION 1 - ANNEXATION OF TERRITORY.

1(a) There is annexed into West Haven City, County of Weber, State of Utah, and incorporated within the corporate boundaries thereof, the following described parcel of land:

BOUNDARY DESCRIPTION

The Property Is Located At Approximately 2555 SOUTH 3500 WEST And Is Described As:

Part Of The Northeast Quarter Of Section 33, Township 6 North, Range 2 West, Salt Lake Base And Meridian, U.S. Survey: Beginning At The Northeast Corner Of Said Quarter Section; Running Thence South 0°55'08" West Along The Section Line 700.00 Feet More Or Less To The North Line Of Those Parcels Conveyed In Warranty Deed Entry No. 2279415 Of Weber County Records; Thence Along Said North Line North 89°04'52" West 351.00 Feet; Thence South 0°55'08" West 342.37 Feet More Or Less To The Current City Boundary According To The Annexation To West Haven City Ordinance No. 11-2019 Recorded September 11, 2019 In The Weber County Recorder's Office, Thence Along Said City Boundary The Following Two (2) Courses: (1) North 89°08'55" West 975.00 Feet And (2) North 0°53'04" East 548.52 Feet To The North Line Of That Parcel Conveyed In Warranty Deed Entry #2873258 Of Weber County Records; Thence South 89°04'52" East Along Said North Line 745.52 Feet; Thence North 0°55'08" East 154.50 Feet; Thence South 89°07'48" East 97.80 Feet; Thence North 0°55'08" East 340.00 Feet More Or Less To The North Section Line Of Said Quarter Section; Thence Along Said Section Line South 89°07'48" East 483.00 Feet To The Point Of Beginning.

[See Attachment "A" for Plat Layout of the subject property.]

1(b) Zoning for the annexed property is set at and the property is declared to be zoned as: Parcel # 150880035 A-1 and all remaining parcels C-1

The foregoing recitals are fully incorporated herein.

SECTION 2 - NEW CORPORATE LIMITS.

The corporate limits of the City of West Haven City are extended and increased to include and embrace within the corporate limits of the City, the territory described and such territory is declared to be a part of the City of West Haven City.

SECTION 3 - CLASSIFICATION FOR ZONING PURPOSES.

Under the West Haven City Zoning Ordinance and General Plan, the territory annexed is classified as A-1 and C-1 as noted above.

SECTION 4 - PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of all prior Ordinances and Resolutions, with their provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

SECTION 5 - REPEALER OF CONFLICTING ENACTMENTS:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 6 - SAVINGS CLAUSE:


If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 7 - EFFECTIVE DATE.

This Ordinance shall be effective on the 1st day of April, 2020, and after publication or posting as required by law.

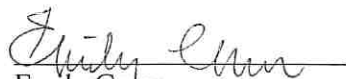
DATED this 1st day of April, 2020

WEST HAVEN CITY



Sharon Bolos
Mayor

ATTESTED AND RECORDED:



Emily Green
City Recorder

ATTACHMENT "A"

ORDINANCE NO. 08-2020

An Ordinance Of West Haven City, Utah, Annexing Certain Property Located At Approximately 2555 South 3500 West, And Incorporating The Same Within The Corporate Boundaries Of The City Pursuant To The Provisions Of The Ordinances Of West Haven City As Amended; Setting The Zoning Classification Of Said Property As A-1 And C-1; Adopting And Annexing An Explanatory Map Of Said Property; And Providing For An Effective Date.

01 Apr 20

Resolution No. 02-2020

RESOLUTION OF WEST HAVEN CITY AUTHORIZING ACCEPTANCE OF A PETITION FOR ANNEXATION OF CERTAIN CONTIGUOUS REAL PROPERTY PRESENTLY LOCATED IN UNINCORPORATED WEBER COUNTY; AUTHORIZING THE MAYOR TO SIGN THIS RESOLUTION OF ACCEPTANCE ON BEHALF OF THE CITY; AUTHORIZING AND DIRECTING THAT NOTIFICATION OF THE PENDING ANNEXATION BE GIVEN TO PROPERTY OWNERS IN THE AREA OF THE PROPOSED ANNEXATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1 - RECITALS:

WHEREAS, the City Council of West Haven City ("City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with Utah Code ("UC"), the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS UC §10-2-403 provides that a property owner may petition the city council to have his/her property annexed into the city; and,

WHEREAS, *Debra J. Stone, as Successor Trustee for the Shirl B & Beverly J. Hess Revocable Trust; and, Wayne Ball, owner of Wayne Properties LLC* ("Applicants") own certain property in unincorporated Weber County but contiguous to the present boundary of West Haven; and,

WHEREAS, Applicants have filed a petition (**Attachment "A" – "Petition for Annexation"**) including the required property description of the contiguous real property, which is incorporated by this reference, with the City Council for annexation of the property into the City; and,

WHEREAS, the City finds that the annexation of the described contiguous real property into West Haven is appropriate under current law,

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Haven:

1. The petition for annexation from Applicants be accepted by the City Council as the governing body of the City, and that the Mayor be authorized to sign this resolution of acceptance on behalf of the City Council.

2. That the City Recorder be directed and authorized to provide notice of the pendency of the requested annexation to the public at large and directly to the property owners near the property proposed for annexation, said notice to contain information of the proposed annexation and the right to file a protest with the county boundary commission.

3. That the City Recorder be directed and authorized to certify the petition for annexation and provide a copy thereof to the boundary commission

4. That the petition for annexation be referred to the city planning commission for review and processing as required by law.

5. That the foregoing recitals are incorporated herein by this reference.

BE IT FURTHER RESOLVED the foregoing recitals are incorporated herein and this Resolution shall become effective immediately upon its passage.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS

All orders, and Resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with any of this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION VI - DATE OF EFFECT

This Resolution shall be effective on the 15th day of January, 2020, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 15th day of January, 2020.


WEST HAVEN CITY



Sharon Bolos

Mayor

ATTEST:


Emily Green
City Recorder

ATTACHMENT “A”

Resolution No. 02-2020

Resolution Of West Haven City Authorizing Acceptance Of A Petition For Annexation Of Certain Contiguous Real Property Presently Located In Unincorporated Weber County; Authorizing The Mayor To Sign This Resolution Of Acceptance On Behalf Of The City; Authorizing And Directing That Notification Of The Pending Annexation Be Given To Property Owners In The Area Of The Proposed Annexation; And, Providing For An Effective Date.

15 Jan 20

Debra J Stone
1141 E Eliason Avenue
Brigham City, Utah 84302

City of West Haven
4150 S 3900 W
West Haven, Utah 84401

December 30, 2019

Annexation Letter

Attention: Emily Green

Debra J Stone, as Successor Trustee, for Shirl B & Beverly J Hess Revocable Trust, hereby Petitions to annex said parcel from Weber County into West Haven City. These 5.6 acres are located at approx 3535 W 2550 So. Described as follows:

Three Green Belt parcels # 150880019, 150880038, 150880037.
They are found on the North East Corner of 2550 S. 3500 W.

I also petition to have this property zoned (R-2) 2 units per acre, as shown in the West Haven City's general plan.

I intend to follow all the counties rules and guidelines concerning the annexation of this parcel into West Haven City. I look forward to working with West Haven City in this process.

Thank you,



Debra J Stone

WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS ID 834032906

City of West Haven
4150 S. 3900 W.
West Haven, Utah 84401

January 7, 2020

Petition to Annex

Attention: Emily Green

Wayne Ball, owner of Wayne Properties LLC, hereby petitions to annex his property from Weber County into West Haven City. The detail according to the Weber County parcel records is:

Parcel # 15-088-0035

13.12 acres located at 2629 S 3500 W OGDEN 84401.

I would also like to petition to have this property rezoned (R-2) 2 units per acre, as shown in the West Haven City's general plan to match the zoning of the properties to the south and West of this parcel.

I intend to follow all the county's and city's rules and guidelines concerning the annexation of this parcel into West Haven City.

I look forward to working with you!

<i>Wayne Ball</i>	dotloop verified 01/07/20 2:43 PM EST YFOS-BRSE-JKAB-2A41
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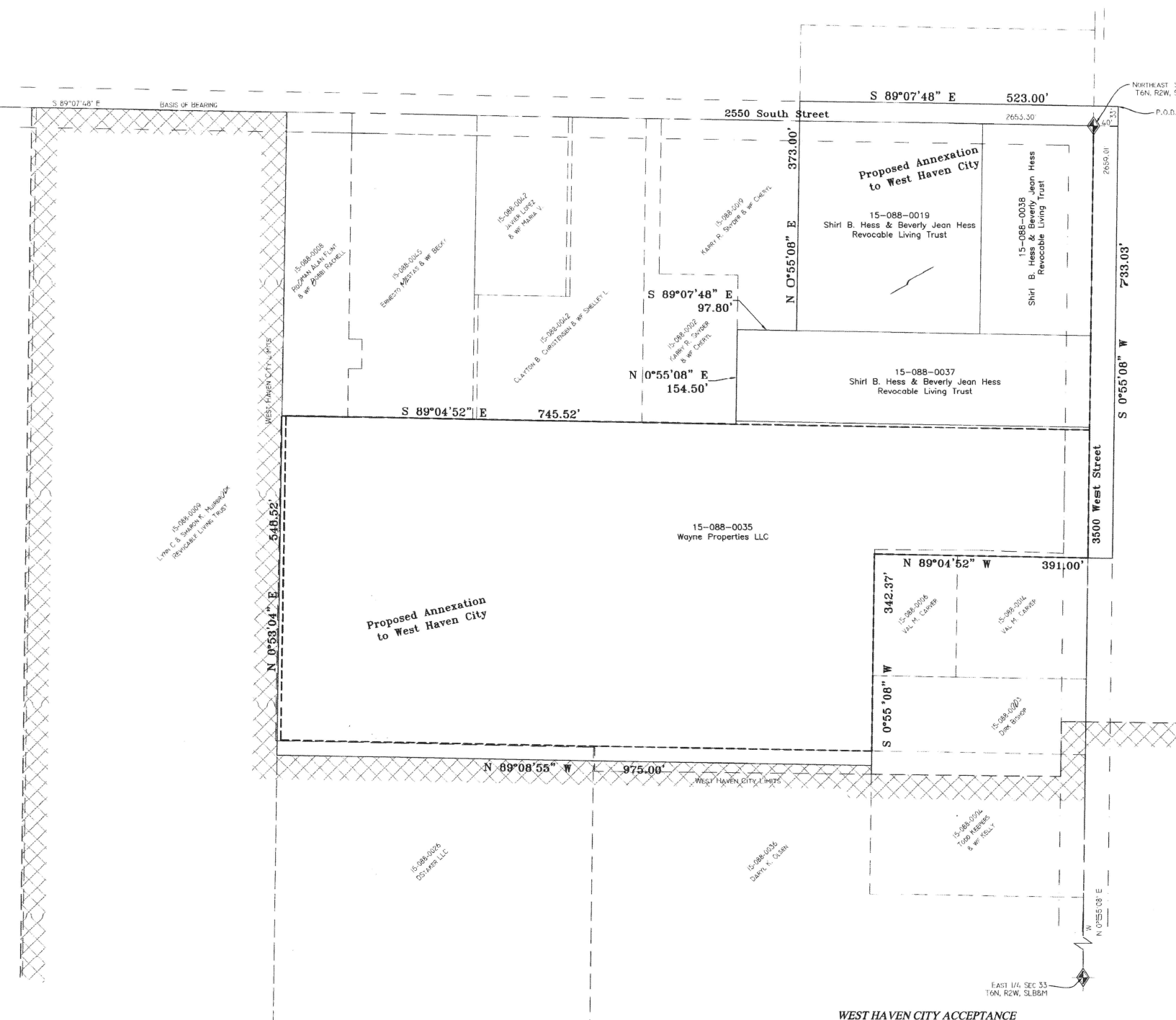
Wayne Ball

Annexation to West Haven City Ordinance No. 08-2020
PART OF THE NE 1/4 OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
WEBER COUNTY, UTAH - PREPARED APRIL 2020

Scale ~ 1" = 100'

Legend

- EXISTING CITY BOUNDARY
- PROPOSED ANNEX LINE
- STREET CENTERLINE
- SECTION CORNER
- RECORD DATA



BOUNDARY DESCRIPTION

Part of the Northeast Quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at the Northeast corner of the intersection of 2550 South Street and 3500 West Street, which is 40.00 feet South 89°07'48" East and 33.00 feet North 0°55'08" East from the Northeast Corner of said Quarter Section; running thence South 0°55'08" West 733.03 feet along the East right-of-way line of said 3500 West Street; thence North 89°04'52" West 391.00 feet; thence South 0°55'08" West 342.37 feet more or less to the current City Boundary according to the Annexation to West Haven City Ordinance No 11-2019 recorded September 11, 2019 in the Weber County Recorder's Office, thence along said City boundary the following two (2) courses: (1) North 89°08'55" West 975.00 feet and (2) North 0°53'04" East 548.52 feet to the North line of that parcel conveyed in Warranty Deed Entry #2873258 of Weber County Records; thence South 89°04'52" East along said North line 745.52 feet; thence North 0°55'08" East 154.50 feet; thence South 89°07'48" East 97.80 feet; thence North 0°55'08" East 373.00 feet more or less to the North Section line of said Quarter Section; thence along said Section line South 89°07'48" East 523.00 feet to the point of beginning.

NARRATIVE

The purpose of this plot is to prepare an annexation plot for the property shown and described. The basis of bearing is as shown between two Section Corners. No survey of this property has been done in this work. The records of Weber County have been utilized in preparing this plot.

SURVEYOR'S CERTIFICATE

I, Tyler D. Knight, do hereby certify that I am a professional land surveyor in the State of Utah and hold certificate no. 9008384-9901 in accordance with Title 58, Chapter 22 known as the Professional Engineers and Land Surveyor's Licensing Act. That I have prepared this plot in accordance with UCA 17-25-20. That this plot and the description hereon are sufficient to enable the county surveyor to establish the boundary on the ground and sufficient to enable the county recorder to identify, for tax purposes, each tract or parcel included within the boundary.



WEST HAVEN CITY ACCEPTANCE

I hereby certify that this annexation to the corporate limits of West Haven City has been accepted by the Mayor and the City Council by Ordinance passed on the 15 day of April, 2020.

In witness hereof I hereby set my hand and affix the corporate seal of the City of West Haven.

Approved this 1 day of April, 2020

Debbie Stone
Mayor

Emily Green
Attest, City Recorder

WEBER COUNTY SURVEYOR'S CERTIFICATE

I hereby certify that the Weber County Surveyor's Office has reviewed this plot and all conditions for approval by this office have been satisfied. The approval of this plot by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plot from the responsibilities and/or liabilities associated therewith.

Signed this 15th day of April, 2020

T. D. Knight
Weber County Surveyor

Landmark Surveying, Inc. A Complete Land Surveying Service www.LandmarkSurveyUtah.com		4646 South 3500 West - 6A-3 West Haven, UT 84401 801-731-4075	Weber County Recorder Entry no. _____ Filed for record and recorded _____ day of _____ 20____ at _____ in book _____ of official records, on page _____ County Recorder: Leann H Kits By Deputy: _____ Fee paid: _____
CLIENT: Debbie Stone Address: _____		Annexation Plat	
NW 1/4 of Section 3, Township 5 North, Range 2 West, Salt Lake Base and Meridian.		DRAWN BY: TDK CHECKED BY: TDK DATE: 1/20/2020 PROJ: 4008annex1	