

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 MOAB CITY, dated July 14, 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 MOAB CITY, located in Grand 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 August 2020 at Salt Lake City, Utah.



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

SPENCER J. COX  
Lieutenant Governor

217 East Center Street  
Moab, Utah 84532-2534  
Main Number (435) 259-5121  
Fax Number (435) 259-4135



Mayor: Emily S. Niehaus  
Council : Tawny Knuteson-Boyd  
Rani Derasary  
Mike Duncan  
Karen Guzman-Newton  
Kalen Jones

July 14, 2020

Lieutenant Governor's Office  
State Capital Complex East Building, Suite 220  
P.O. Box 142220  
Salt Lake City, Utah 84114

Re: City of Moab – Notice of Annexation

Dear Sirs,

The City of Moab has complied with the laws which govern the annexation of property into the corporate boundaries of the City. Please be advised that the City of Moab has recently adopted an Annexation Ordinance annexing real property into its corporate boundaries. Pursuant to the provisions of §10-2-425 Utah Code Ann., I have enclosed the following for your review: (1) A certified Copy of Annexing Ordinance 2020-08 dated June 23, 2020, (2) Notice of Impending Boundary Action and (3) a copy of the Annexation Plat.

We are requesting that your Office issue a Certificate of Annexation regarding this matter. If you require any additional information, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Sommar Johnson".

Sommar Johnson  
Moab City Recorder

USPS TRACKING #  
& CUSTOMER  
RECEIPT

**9114 9999 9170 3123 6137 86**  
For Tracking or inquiries go to [USPS.com](https://www.usps.com)  
or call 1-800-222-1811.

**CITY OF MOAB ORDINANCE #2020-08**

**AN ORDINANCE OF THE CITY COUNCIL OF MOAB ANNEXING THE LIONS  
BACK HOLDINGS, LLC, PROPERTY AT 938 AND 940 SOUTH HIGHWAY 191 TO  
THE CITY OF MOAB AND ASSIGNING THE ZONE OF C-4 GENERAL  
COMMERCIAL TO THE PARCEL**

The following findings describe the intent and purpose of this ordinance:

- a. The Moab governing body received a petition for annexation of certain property approximately 3.12 acre in size as described in Exhibit "1" hereto; and,
- b. The property has been proposed for development with overnight accommodations, an allowed use in the requested zoning designation, at the time of application; and,
- c. The City Council reviewed and approved a pre-annexation agreement in a regularly scheduled meeting held on January 28, 2020, setting forth minimum project development standards in Section 3.2 of the pre-annexation agreement; and,
- d. The Moab Planning Commission reviewed the application in a public meeting held on May 14, 2020, to review the annexation and the requested zoning for C4 (General Commercial) Zone and found that the zone is acceptable for the types of uses proposed for the area; and
- e. The Moab Planning Commission recommended that the City Council add an additional condition of approval as follows: the developer shall comply with future C-4 overnight accommodations regulations if they are finalized prior to site plan approval; and
- f. As required by law, the City Council must consider comments from affected entities, if any, and no notice of protest has been filed subsequent to the publication of notice of the application; and
- g. The City Council has determined that the property meets the requirements of the City's annexation policy plan; and
- h. The City Council has determined that the property meets the annexation requirements of Utah State Code; and
- i. The City Council endorses the intent of the Utah Annexation Act, U.C.A. 10-20401, et. seq., as amended, and finds this annexation meets the criteria for acceptance. Criteria and findings for annexation of property to the City are as follows:
  1. The property must be contiguous to the boundaries of the City. The property is contiguous with City boundaries.
  2. The property must lie within the area projected for the City municipal expansion. The property is contiguous with the City boundaries.
  3. The property must not be included within the boundaries of another incorporated municipality. The property is not incorporated within the boundaries of another municipality.
  4. The annexation must not create unincorporated islands within the boundaries of the City. The annexation does not create unincorporated islands within the boundaries of the City.
  5. The property proposed to be annexed hereunder will not be annexed for the sole purpose of acquiring municipal revenue or for retarding the capacity of any other municipality to

annex into the same or related area.

j. The governing body has held the appropriate public hearings and given the appropriate public notice and received public input.

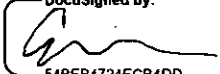
k. Therefore, be it ordained by the governing body of the City of Moab that:

The property known as the Lions Back Holdings, LLC, Annexation, as described in "Exhibit 1" and illustrated on the attached plat, "Exhibit 2", and located at 938 and 940 South Main Street, is hereby annexed into the City of Moab and the zoning designation, upon recommendation from the Planning Commission for said annexation, shall be C4 Zone.

This ordinance shall take effect immediately upon passage and this ordinance constitutes an amendment to the articles of incorporation for the City of Moab.

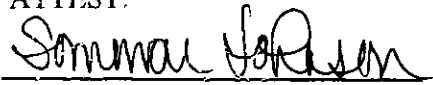
PASSED AND APPROVED this 23<sup>rd</sup> day of June, 2020, by a majority of the City of Moab City Council.

SIGNED:

DocuSigned by:  
  
54BEB4724ECB4DD  
\_\_\_\_\_  
Emily S. Niehaus, Mayor

June 23, 2020  
\_\_\_\_\_  
Date

ATTEST:

  
\_\_\_\_\_  
Sommar Johnson, Recorder

“Exhibit 1”

Parcel 1:

A PARCEL OF LAND IN THE SE1/4NE1/4 SECTION 12, T26S, R21E SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a chain link fence corner post, said post bears North 17° 48' West 3035.8 feet from the Southeast corner Section 12, T26S, R21 E, SLM, and proceeding thence with a chain link fence South 44° 31' West 367.0 feet to a chain link fence corner post, thence with a chain link fence North 55°49' West 31.0 feet; thence North 45°14' East 377.7 feet to a chain link fence; thence with said chain link fence South 45°45' East 24.3 feet to the point of beginning. (Parcel No. 02-0012-0037)

Parcel 2:

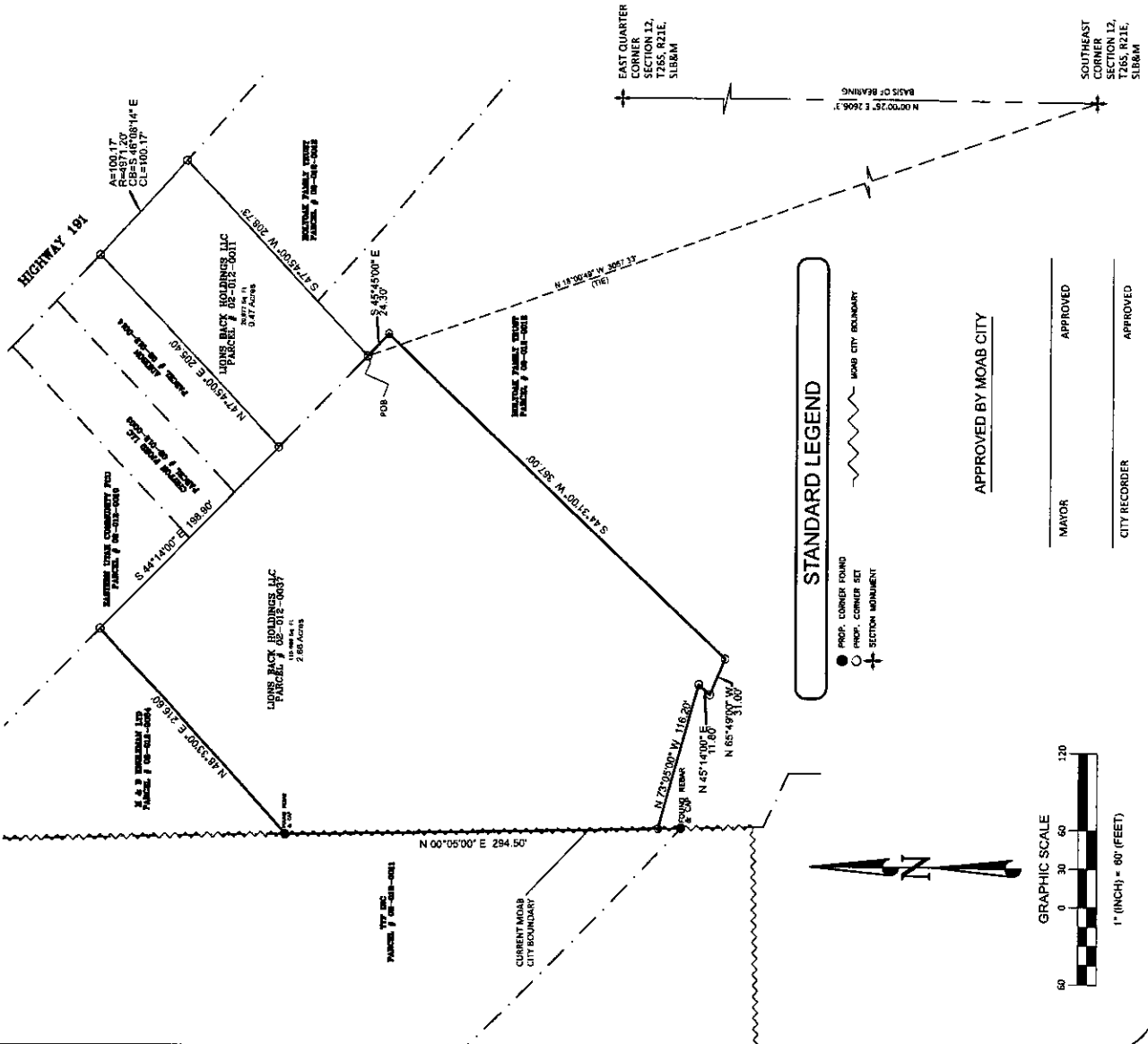
ALSO A DESCRIPTION OF A PARCEL OF LAND IN THE EAST½ SECTION 12, T26S, R21 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point which bears North 0°05' East 83.0 feet from the Center East 1/16 of Section 12, T26S, R21E, SLM, and proceeding thence with the 1/16 line North 0°05' East 294.5 feet; thence North 48°33' East 216.6 feet; thence South 44°14' East 298.9 feet; thence South 45°14' West 365.9 feet; thence North 73°05' West 116.2 feet to the point of beginning. (Parcel of 02-0012-0037)

DESCRIPTION OF A PARCEL OF LAND IN THE SE1/4NE1/4, SECTION 12, T26S, R21 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast corner of the Heath Property, said corner by record bears North 3048.3 feet and West 790. feet from the Southeast corner of Section 12, Township 26 South, Range 21 East, SLM, and proceeding thence South 47°45' West 208.73 feet to the Southeast corner of the Heath property; thence with the Southwest fine of Heath North 44°14' West 100.0 feet; thence North 47°45' East 205.4 feet to the Southwesterly Right of Way of U.S. Highway 191; thence with said Right of Way along a 4971.2 foot radius curve to the left 100.0 feet to the point of beginning. (Parcel No. 02-0012-0011)

# MOAB LBH ANNEXATION MAP MOAB CITY, GRAND COUNTY, UTAH



### Surveyor's Certificate

I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that a land survey was made of the property described below, and the findings of that survey are as shown herein.

### ANNEXATION DESCRIPTION

A parcel of land located within the Northeast Quarter of Section 12, Township 26 South, Range 21 East, Salt Lake Base and Meridian, being more particularly described as:  
Beginning at a point on the Westerly boundary of the Holyoak Family Trust parcel, said point being North 18°00'49" West 3057.33 feet from the Southeast corner of Section 12, Township 26 South, Range 21 East, Salt Lake Base and meridian, and proceeding with said parcel thence South 45°45'00" East 24.30 feet; thence South 44°31'00" West 366.95 feet; thence North 65°49'00" West 31.00 feet; thence North 45°14'00" East 11.80 feet; thence North 73°05'00" West 116.18 feet to a point on the east line of the SW1/4NE1/4 of said Section 12, said point also being the current Moab City boundary line; thence with said boundary lines North 00°05'00" East 294.46 feet; thence North 48°33'00" East 216.57 feet; thence South 44°14'00" East 198.87 feet; thence North 47°45'00" East 205.37 feet to a point on the southerly right-of-way of Highway 191; thence with said right-of-way with a curve having a radius of 4970.48 feet, to the left with an arc length of 100.16 feet, (a chord bearing of South 46°08'14" East 100.16 feet); thence South 47°45'00" West 208.70 feet to the point of beginning, having an area of 3.13 acres, more or less.

Lucas Blake  
License No. 7540504

### COUNTY SURVEYOR APPROVAL:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020 A.D. BY \_\_\_\_\_

COUNTY SURVEYOR

COUNTY RECORDER NO.

STATE OF UTAH, GRAND COUNTY, RECORDED AT THE REQUEST OF

DATE \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ FEE \_\_\_\_\_

COUNTY RECORDER

LOCATED IN THE NORTHEAST QUARTER OF SECTION 12 TOWNSHIP 26 SOUTH, RANGE 21 EAST SALT LAKE BASE AND MERIDIAN

ANNEXATION MAP  
938 & 940 S. MAIN ST.  
MOAB, UT 84532



93 South 102nd West  
Moab, UT 84532  
Tel: 435-253-1971

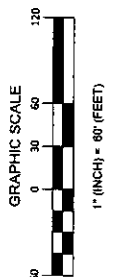
Project	08120
Date	4/2/20
Sheet	1 of 1

### STANDARD LEGEND

- PROP. CORNER FOUND
- PROP. CORNER SET
- ⊕ SECTION MONUMENT
- ~~~~~ MOAB CITY BOUNDARY

### APPROVED BY MOAB CITY

MAYOR \_\_\_\_\_ APPROVED  
CITY RECORDER \_\_\_\_\_ APPROVED



**CITY OF MOAB  
NOTICE OF IMPENDING BOUNDARY ACTION**

The Honorable Spencer J. Cox  
Lieutenant Governor of the State of Utah  
Utah State Capitol Complex  
P.O. Box 14235

Pursuant to the provisions of Utah Code Ann. §10-2-425 the Moab City Council hereby gives notice to the Lieutenant Governor of the State of Utah, that the boundaries of the City of Moab, a municipal corporation of the State of Utah, have been changed through the annexation of approximately 3.12 acres of property into the corporate limits of the City of Moab. The property annexed is located in Grand County, State of Utah and is described as follows:

**Parcel 1:**

**A PARCEL OF LAND IN THE SE1/4NE1/4 SECTION 12, T26S, R21E SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at a chain link fence corner post, said post bears North 17° 48' West 3035.8 feet from the Southeast corner Section 12, T26S, R21 E, SLM, and proceeding thence with a chain link fence South 44° 31' West 367.0 feet to a chain link fence corner post, thence with a chain link fence North 55°49' West 31.0 feet; thence North 45°14' East 377.7 feet to a chain link fence; thence with said chain link fence South 45°45' East 24.3 feet to the point of beginning. (Parcel No. 02-0012-0037)

**Parcel 2:**

**ALSO A DESCRIPTION OF A PARCEL OF LAND IN THE EAST½ SECTION 12, T26S, R21 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at a point which bears North 0°05' East 83.0 feet from the Center East 1/16 of Section 12, T26S, R21E, SLM, and proceeding thence with the 1/16 line North 0°05' East 294.5 feet; thence North 48°33' East 216.6 feet; thence South 44°14' East 298.9 feet; thence South 45°14' West 365.9 feet; thence North 73°05' West 116.2 feet to the point of beginning. (Parcel of 02-0012-0037)

**DESCRIPTION OF A PARCEL OF LAND IN THE SE1/4NE1/4, SECTION 12, T26S, R21 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Northeast corner of the Heath Property, said corner by record bears North 3048.3 feet and West 790. feet from the Southeast corner of Section 12, Township 26 South, Range 21 East, SLM, and proceeding thence South 47°45' West 208.73 feet to

the Southeast corner of the Heath property; thence with the Southwest fine of Heath North 44°14' West 100.0 feet; thence North 47°45' East 205.4 feet to the Southwesterly Right of Way of U.S. Highway 191; thence with said Right of Way along a 4971.2 foot radius curve to the left 100.0 feet to the point of beginning. (Parcel No. 02-0012-0011)

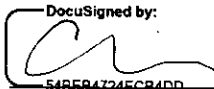
Accompanying this Notice is a certified copy of the Ordinance that effectuated this annexation and boundary change, together with a plat prepared by a licensed surveyor which has been approved by the Moab City Council, together with evidence showing that this annexation plat has been recorded with the Grand County Recorder and filed with the Grand County Surveyor.

Pursuant to Utah Code Ann. §26-8a-414, the Moab City Council certifies that the City of Moab does not provide fire, ambulance or paramedic services within its corporate limits and therefore does not desire to provide such services to the property annexed into the City of Moab.

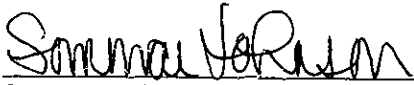
I hereby certify that the Moab City Council has completed all of the legal requirements necessary to effectuate this annexation and boundary change.

Dated this 23<sup>rd</sup> day of June, 2020.

MOAB CITY COUNCIL

DocuSigned by:  
  
54B5B4724ECB4DD...  
By Mayor Emily S. Niehaus

ATTEST

  
Sommar Johnson  
Moab City Recorder

( S E A L )



# MOAB LBH ANNEXATION MAP MOAB CITY, GRAND COUNTY, UTAH

**Surveyor's Certificate**  
I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that a land survey was made of the property described below, and the findings of that survey are as shown hereon.

## ANNEXATION DESCRIPTION

A parcel of land located within the Northeast Quarter of Section 12, Township 26 South, Range 21 East, Salt Lake Base and Meridian, being more particularly described as:  
Beginning at a point on the Westerly boundary of the Holyoak Family Trust parcel, said point being North 38°00'49" West 3057.33 feet from the Southeast corner of Section 12, Township 26 South, Range 21 East, Salt Lake Base and Meridian, and proceeding with said parcel thence South 45°45'00" East 24.30 feet; thence South 44°31'00" West 367.00 feet; thence North 65°49'00" West 31.00 feet; thence North 45°14'00" East 11.80 feet; thence North 73°05'00" West 116.20 feet to a point on the east line of the SW1/4NE1/4 of said Section 12, said point also being the current Moab City boundary line; thence with said boundary lines North 00°05'00" East 294.50 feet; thence North 48°33'00" East 216.60 feet; thence South 44°14'00" East 198.90 feet; thence North 47°45'00" East 205.40 feet to a point on the southerly right-of-way of Highway 191; thence with said right-of-way with a curve having a radius of 4971.20 feet, to the left with an arc length of 100.17 feet; (a chord bearing of South 46°08'14" East 100.17 feet); thence South 47°45'00" West 208.73 feet to the point of beginning, having an area of 3.13 acres, more or less.

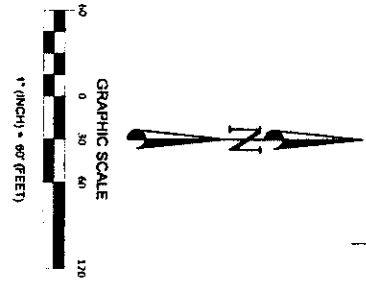


Lucas Blake  
License No. 7540504

COUNTY SURVEYOR APPROVAL:

APPROVED THIS 1 DAY OF July 2020 A.D. BY

COUNTY SURVEYOR  
COUNTY RECORDER NO.  
STATE OF UTAH, GRAND COUNTY, RECORDED AT THE REQUEST OF  
DATE \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
COUNTY RECORDER



APPROVED BY MOAB CITY  
MAJOR  
APPROVED  
7-6-20  
APPROVED  
SARAH WILSON  
CITY RECORDER  
7-6-20  
APPROVED

EAST QUARTER  
CORNER  
SECTION 12  
TOWNSHIP 26 S  
RANGE 21 E  
S.L.B.M.  
SOUTHEAST  
CORNER  
SECTION 12  
TOWNSHIP 26 S  
RANGE 21 E  
S.L.B.M.

LOCATED IN THE NORTHEAST QUARTER OF  
SECTION 12  
TOWNSHIP 26 SOUTH, RANGE 21 EAST  
SALT LAKE BASE AND MERIDIAN  
ANNEXATION MAP  
936 & 940 S MAIN ST.  
MOAB, UT 84532

**RED DIRT**  
Land Surveying  
Product: 05-1-20  
Date: 4/2/20  
Sheet: 1 of 1