

STATE OF UTAH

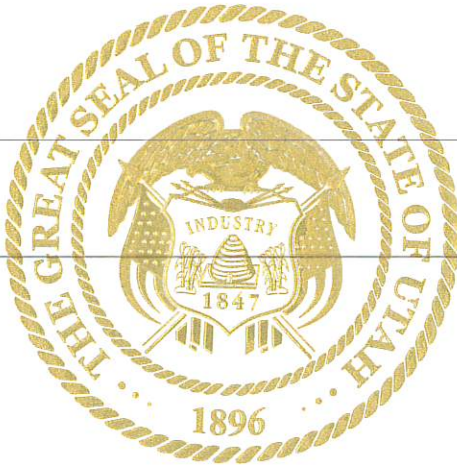


OFFICE OF THE LIEUTENANT GOVERNOR CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify there has been filed in my office a notice of annexation for the GOSSNER ANNEXATION from SMITHFIELD CITY, dated March 1, 2021, 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 the SMITHFIELD CITY, located in Cache County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 4th day of March, 2021 at Salt Lake City, Utah.



A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON
Lieutenant Governor

SMITHFIELD CITY CORPORATION

96 South Main Street - P.O. Box 96
Smithfield, Utah 84335
Phone (435) 563-6226
FAX (435) 563-6228

OFFICIALS

JEFFREY H. BARNES
MAYOR
CRAIG GILES
CITY MANAGER
JUSTIN B. LEWIS
CITY RECORDER
JANE PRICE
CITY TREASURER
TERRY K. MOORE
JUSTICE COURT JUDGE

COUNCIL MEMBERS

JAMIE ANDERSON
WADE C. CAMPBELL
DEON HUNSAKER
CURTIS WALL
JON WELLS

March 1, 2021

Utah Lieutenant Governor's Office
Utah State Capital Complex, Suite 220
PO Box 142325
Salt Lake City, UT 84114-2325

To Whom It May Concern:

Smithfield City has met the statutes and requirements in regards to the annexation of Cache County Parcel Numbers 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013 into the city limits of Smithfield City.

Included are the signed Resolution, Ordinance and Survey.

If you have any questions; I can be reached via email at jlewis@smithfieldcity.org or by phone at (435) 792-7990.

Sincerely,



Justin B. Lewis
City Recorder



RESOLUTION 20-20

GOSSNER ANNEXATION

Cache County Parcel Numbers: 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, AS AMENDED.

WHEREAS, on December 1, 2020 owners of certain real property (petitioners) filed a petition with the City Recorder of Smithfield City, Cache County, State of Utah requesting that such property be annexed to the corporate boundaries of Smithfield City; and

WHEREAS, said petition contains the signatures of the owners of private real property that is: 1) located within the area proposed for annexation; 2) covers a majority of the private land area within the area proposed for annexation; and 3) is equal to at least one-third of the value of all the private property within the area proposed for annexation; and

WHEREAS, the petitioners certify that said property proposed for annexation lies contiguous to the present boundaries of Smithfield City and the petitioners have caused an accurate plat or map of the real property proposed for annexation to be prepared by a licensed surveyor and have filed said plat or map with the City Recorder; and

WHEREAS, said petition appears to comply with all the requirements of Section 10-2-402 and 403, Utah Code Annotated, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Smithfield City, Cache County, State of Utah, that the Annexation Petition attached hereto as Exhibit "A", is hereby accepted for further consideration under the provisions of Utah State Annexation Law and is hereby referred to the City Recorder for review pursuant to Section 10-2-405(2), Utah State Code Annotated, as amended.

BE IT FURTHER RESOLVED that this resolution shall become effective upon adoption.

ADOPTED AND PASSED by the City Council on December 9, 2020.

SMITHFIELD CITY CORPORATION



Jeffrey H. Barnes, Mayor

ATTEST:



Justin B. Lewis, City Recorder



PETITION FOR ANNEXATION

Gosner

TO THE MAYOR AND CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, STATE OF UTAH:

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Smithfield City hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated, as amended (U.C.A.);

2. That the property is a contiguous, unincorporated area contiguous to the boundaries of Smithfield City and the annexation thereof will not leave nor create an unincorporated island or peninsula;

3. That the signatures affixed hereto are those of the owners of private real property that:

- A. Is located within the area proposed for annexation;
- B. Covers a majority of the private land area within the area proposed for annexation;
- C. Is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
- D. Is described as follows:

The property subject of this petition lies contiguous to the present boundary of Smithfield City's corporate limits:

Cache County Parcel Numbers: 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013

Boundary Description:

A PART OF THE NORTHEAST QUARTER OF SECTION 4 AND THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT LOCATED ON THE SOUTH CORPORATE LIMITS LINE OF SMITHFIELD CITY, SAID POINT BEING LOCATED SOUTH 89°52'09" WEST, A DISTANCE OF 1,315.47 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 3; THENCE SOUTH 1°03'15" WEST A DISTANCE OF 43.47 FEET; THENCE SOUTH 89°09'15" EAST, A DISTANCE OF 73.88 FEET; THENCE SOUTH 0°50'46" WEST, A DISTANCE OF 670.22 FEET; THENCE NORTH 89°00'19" WEST, A DISTANCE OF 59.65 FEET; THENCE SOUTH 1°16'54" WEST, A DISTANCE OF 667.50 FEET TO THE NORTH RIGHT OF WAY OF 4400 NORTH STREET; THENCE NORTH 88°59'54" WEST, A DISTANCE OF 1,096.92 FEET ALONG SAID RIGHT OF WAY AND PROJECTING ACROSS HIGHWAY 91 TO THE WEST RIGHT OF WAY LINE OF HIGHWAY 91 AND A POINT ON THE EXISTING SMITHFIELD CITY CORPORATE

LIMITS LINE; THENCE FOLLOWING THE SAID CORPORATE LIMITS LINE THE FOLLOWING SIX (6) COURSES: (1) NORTH 01°20'02" EAST, A DISTANCE OF 481.98 FEET ALONG THE SAID WEST RIGHT OF WAY LINE; (2) NORTH 89°28'47" WEST, A DISTANCE OF 517.65 FEET; (3) NORTH 01°37'21" EAST, A DISTANCE OF 634.76 FEET; (4) SOUTH 88°13'30" EAST, A DISTANCE OF 513.52 FEET; (5) NORTH 01°04'17" EAST, A DISTANCE OF 254.27 FEET; (6) NORTH 89°52'09" EAST, A DISTANCE OF 1,078.30 FEET TO THE POINT OF BEGINNING.

CONTAINING 42.81 ACRES

NOTE: A significant portion of Parcel Numbers 08-117-0036, 08-117-0013 and 08-117-0025 are already located within the city limits.

4. That the signers of this petition have designated a "Contact Sponsor", with the mailing address as indicated;
5. That this petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
6. That this petition does not propose annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 U.C.A. or a petition under Section 10-2-125 U.C.A. if:
 - A. the request or petition was filed before the filing of the annexation petition; and
 - B. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;
7. That the petitioners have caused an accurate plat map of the above-described property to be prepared by a licensed surveyor, which plat or map is filed herewith; and
8. That the petitioners request the property, if annexed, be re-zoned A-10 (Agricultural 10-Acre). *All Property comes into the City with an A-10 zone. (Agricultural 10 minimum per residential unit)*

WHEREFORE, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation petitioned.

DATED this 2nd day of December, 2020

Petitioner & Address:

Smithfield City Corporation
C/O Clay Bodily
96 S Main
Smithfield, UT 84335
(435) 563-6226

(Original Signature on file)

<u>RECORD OWNER</u>	<u>PARCEL#</u>	<u>ACRES</u>	<u>ASSESSED VALUE</u>
Gossner Properties UT LTD	04-006-0003	30.04	
Forest Mountain Properties LLC	04-006-0032	0.47	
Forest Mountain Properties LLC	08-117-0036	0.20	
Rosewood Properties LC	04-006-0001	7.49	
Smithfield City Corporation	04-006-0033	0.97	
Smithfield City Corporation	08-117-0025	0.28	
Tout Properties LLC	08-117-0013	.001	
State of Utah (Highway)		3.36	
Total		42.81 Acres	

Addresses for Mailings

Cache County Corporation
C/O Craig Buttars
179 North Main, Suite 309, Logan, UT 84321

ORDINANCE 21-05

Gossner Annexation

WHEREAS, the owners of certain real property, described below, desire to annex such real property to the corporate limits of Smithfield City, Utah; and

WHEREAS, said real property is located within the area proposed for annexation and covers a majority of the private land area within the area proposed for annexation; and

WHEREAS, said real property is equal in value to at least one-third (1/3) of the value of all private real property within the area proposed for annexation; and

WHEREAS, said real property is a contiguous, unincorporated area contiguous to the boundaries of Smithfield City and the annexation thereof will not leave or create an unincorporated island or peninsula; and

WHEREAS, said property is undeveloped and covers an area that is equivalent to less than five percent (5%) of the total land mass of all private real property within Smithfield City; and

WHEREAS, said owners have caused a Petition for Annexation to be filed with the city, together with an accurate plat of the real property which was made under the supervision of a competent, licensed surveyor; and

WHEREAS, on the 13th day of January 2021, the Smithfield City Council received the required Notice of Certification from the City Recorder certifying that the annexation petition meets the requirements of State law; and

WHEREAS, the City Council published and mailed notice of the Certification, as required by law and no timely protests have been filed in accordance with the provisions of Section 10-2-407, Utah Code Annotated, as amended; and

WHEREAS, the City Council held the required public hearing after giving notice as required by law, and has determined the referenced annexation is desirable;

NOW THEREFORE, pursuant to Section 10-2-407, Utah Code Annotated, as amended, the City Council of Smithfield City, Utah, hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP, ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF SMITHFIELD CITY, UTAH.

BE IT ORDAINED, by the City Council of Smithfield City, Cache County, State of Utah, as follows:

1. The real property, more particularly described in Paragraph 2, below, is hereby annexed to Smithfield City, Utah, and the corporate limits of the City are hereby extended accordingly.
2. The real property which is the subject of this Ordinance is described as follows:

The Property is located at: Approximately 1000 South Main

Cache County Parcel Numbers: 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013

Boundary Description:

A PART OF THE NORTHEAST QUARTER OF SECTION 4 AND THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

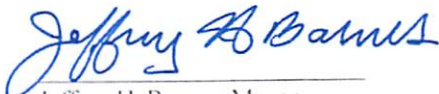
BEGINNING AT A POINT LOCATED ON THE SOUTH CORPORATE LIMITS LINE OF SMITHFIELD CITY, SAID POINT BEING LOCATED SOUTH 89°52'09" WEST, A DISTANCE OF 1,315.47 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 3; THENCE SOUTH 1°03'15" WEST A DISTANCE OF 43.47 FEET; THENCE SOUTH 89°09'15" EAST, A DISTANCE OF 74.14 FEET; THENCE SOUTH 0°50'46" WEST, A DISTANCE OF 670.22 FEET; THENCE NORTH 89°00'19" WEST, A DISTANCE OF 59.65 FEET; THENCE SOUTH 1°16'54" WEST, A DISTANCE OF 667.50 FEET TO THE NORTH RIGHT OF WAY OF 4400 NORTH STREET; THENCE NORTH 88°59'54" WEST, A DISTANCE OF 1,096.92 FEET ALONG SAID RIGHT OF WAY AND PROJECTING ACROSS HIGHWAY 91 TO THE WEST RIGHT OF WAY LINE OF HIGHWAY 91 AND A POINT ON THE EXISTING SMITHFIELD CITY CORPORATE LIMITS LINE; THENCE FOLLOWING THE SAID CORPORATE LIMITS LINE THE FOLLOWING SIX (6) COURSES: (1) NORTH 01°20'02" EAST, A DISTANCE OF 481.98 FEET ALONG THE SAID WEST RIGHT OF WAY LINE; (2) NORTH 89°28'47" WEST, A DISTANCE OF 517.65 FEET; (3) NORTH 01°37'21" EAST, A DISTANCE OF 634.76 FEET; (4) SOUTH 88°13'30" EAST, A DISTANCE OF 513.52 FEET; (5) NORTH 01°04'17" EAST, A DISTANCE OF 254.27 FEET; (6) NORTH 89°52'09" EAST, A DISTANCE OF 1,078.30 FEET TO THE POINT OF BEGINNING. CONTAINING 42.81 ACRES

Contains: 42.81 Acres +/-

3. The real property described in Paragraph 2. above, shall be classified as being in the A-10 (Agricultural 10-Acre) District of the Agricultural zone in accordance with the provision of Section 17.08.050 of the Smithfield Municipal Code, and the Zoning Map of Smithfield City shall be amended to include the real property described above.
4. A copy of this Ordinance and an original plat describing the property so annexed shall be filed with the Cache County Recorder within thirty (30) days after the date this Ordinance is adopted.
5. This ordinance shall be effective upon the posting in each of three (3) public places within the corporate limits of Smithfield City.

ADOPTED AND PASSED by the Smithfield City Council this 10th day of February, 2021.

SMITHFIELD CITY CORPORATION


Jeffrey H. Barnes, Mayor

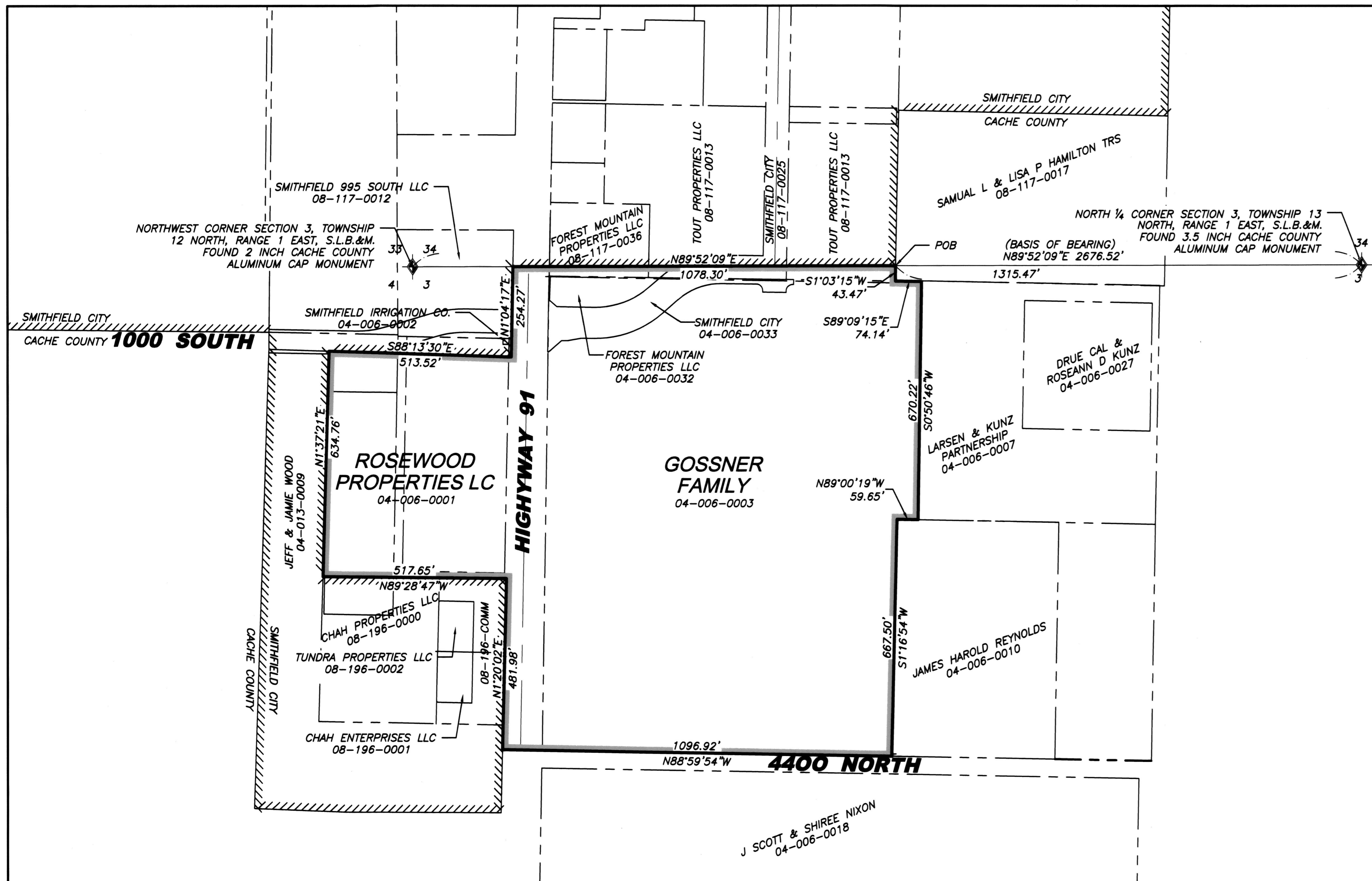
ATTEST:


Justin B. Lewis, City Recorder



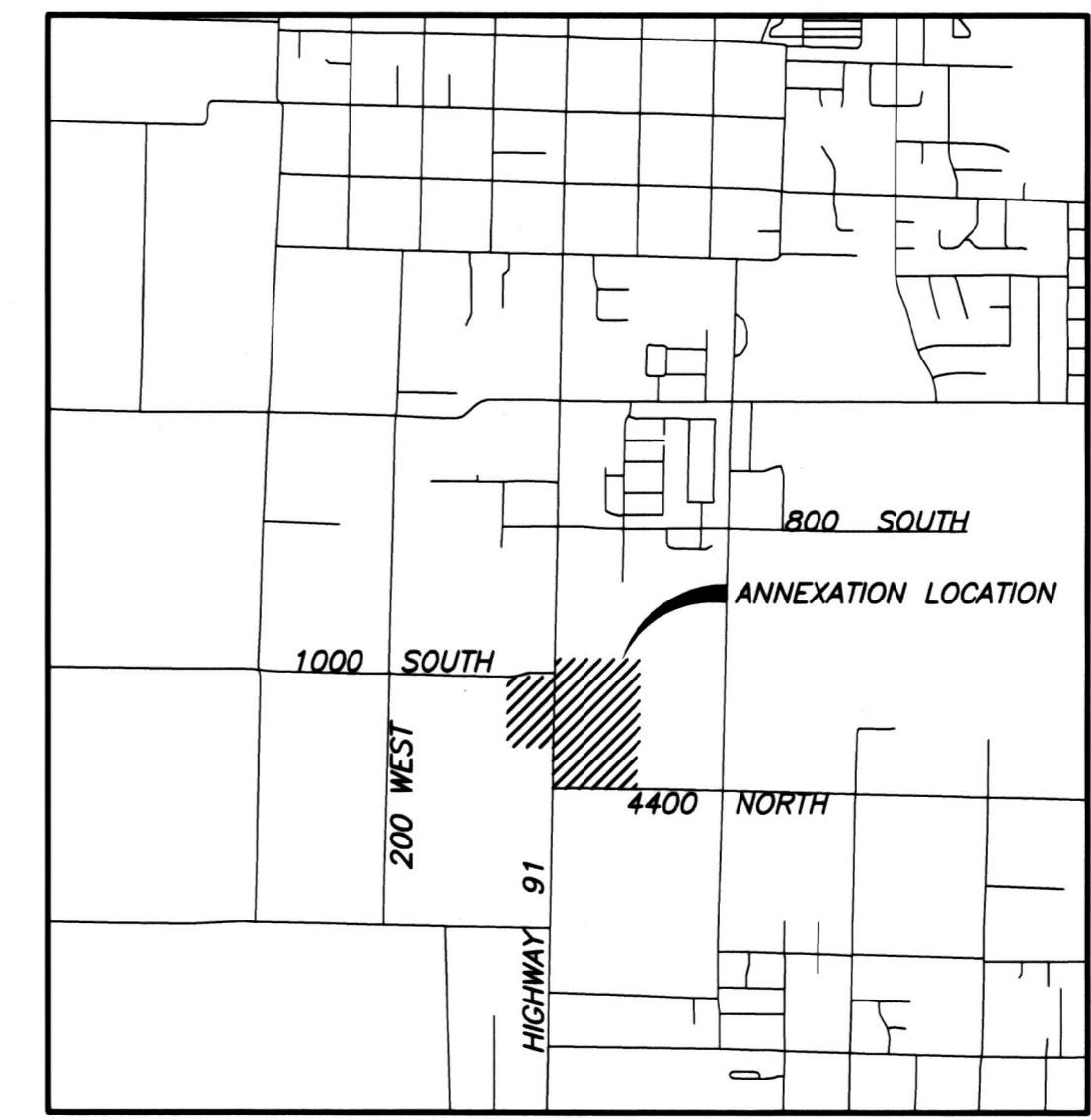
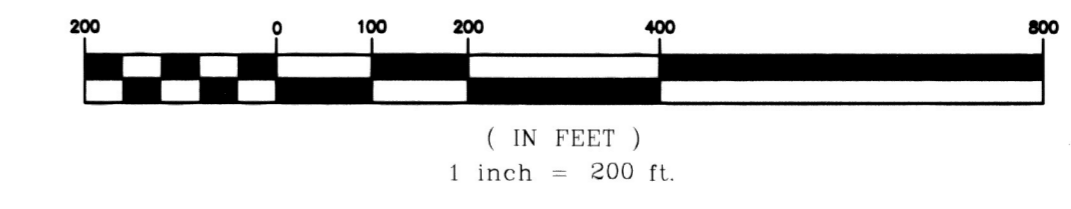
GOSSNER ANNEXATION TO SMITHFIELD CITY

A PART OF THE NORTHWEST QUARTER OF SECTION 3 AND NORTHEAST
QUARTER OF SECTION 4, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE
S.L.B. & M.



November 30, 2020

GRAPHIC SCALE



Smithfield City, Vicinity Map

LEGEND:

- ANNEXATION BOUNDARY
- CORPORATE LIMITS LINE
- ADJACENT PROPERTY
- CENTERLINE
- SECTION MONUMENT

- PARCELS INCLUDED IN ANNEXATION:
- 1) 04-006-0003 GOSSNER FAMILY 30.04 ACRES
 - 2) 04-006-0032 FOREST MOUNTAIN PROPERTIES LLC 0.47 ACRES
 - 3) 08-117-0036 FOREST MOUNTAIN PROPERTIES LLC 0.20 ACRES
 - 4) 04-006-0001 ROSEWOOD PROPERTIES LLC 7.49 ACRES
 - 5) 04-066-0033 SMITHFIELD CITY 0.97 ACRES
 - 6) 08-117-0025 SMITHFIELD CITY 0.28 ACRES
 - 7) 08-117-0013 TOUT PROPERTIES LLC 0.001 ACRES
 - 8) PART OF HIGHWAY 91 3.36 ACRES

ANNEXATION PLAT

SURVEYOR'S CERTIFICATE

I, JEFF C. NIELSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152861 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO THE CITY OF SMITHFIELD, CACHE COUNTY, UTAH.

Annexation Boundary

A PART OF THE NORTHEAST QUARTER OF SECTION 4 AND THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT LOCATED ON THE SOUTH CORPORATE LIMITS LINE OF SMITHFIELD CITY, SAID POINT BEING LOCATED SOUTH 89°52'09" WEST, A DISTANCE OF 1,315.47 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 3; THENCE SOUTH 1°03'15" WEST A DISTANCE OF 43.47 FEET; THENCE SOUTH 89°09'15" EAST, A DISTANCE OF 74.14 FEET; THENCE SOUTH 0°50'46" WEST, A DISTANCE OF 670.22 FEET; THENCE NORTH 89°00'19" WEST, A DISTANCE OF 59.65 FEET; THENCE SOUTH 1°16'54" WEST, A DISTANCE OF 667.50 FEET TO THE NORTH RIGHT OF WAY OF 4400 NORTH STREET; THENCE NORTH 88°59'54" WEST, A DISTANCE OF 1,096.92 FEET ALONG SAID RIGHT OF WAY AND PROJECTING ACROSS HIGHWAY 91 TO THE WEST RIGHT OF WAY LINE OF HIGHWAY 91 AND A POINT ON THE EXISTING SMITHFIELD CITY CORPORATE LIMITS LINE; THENCE FOLLOWING THE SAID CORPORATE LIMITS LINE THE FOLLOWING SIX (6) COURSES: (1) NORTH 01°20'02" EAST, A DISTANCE OF 481.98 FEET ALONG THE SAID WEST RIGHT OF WAY LINE; (2) NORTH 89°28'47" WEST, A DISTANCE OF 517.65 FEET; (3) NORTH 01°37'21" EAST, A DISTANCE OF 634.76 FEET; (4) SOUTH 88°13'30" EAST, A DISTANCE OF 513.52 FEET; (5) NORTH 01°04'17" EAST, A DISTANCE OF 254.27 FEET; (6) NORTH 89°52'09" EAST, A DISTANCE OF 1,078.30 FEET TO THE POINT OF BEGINNING.

CONTAINING 42.81 ACRES

Jeff C. Nielsen
SIGNATURE

5152861
JEFF C. NIELSEN
REGISTERED LAND SURVEYOR
STATE OF UTAH

2/11/21
DATE

**FORESIGHT
LAND SURVEYING**

2005 North 600 West, Logan, Utah
435-753-1910

20-205.dwg Preparation Date: 11/30/20

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE SMITHFIELD CITY COUNCIL, HAVE RECEIVED A PETITION SIGNED BY THE MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF SMITHFIELD, AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED (1953) 10-3-1 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.

APPROVED: *Jeffrey Barnes*
MAYOR

WITNESS MY HAND AND OFFICIAL SEAL THIS 10TH DAY OF FEBRUARY, 2021

Jeffrey Barnes
RECORDER

DEPUTY COUNTY SURVEYOR'S CERTIFICATE OF APPROVAL

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE; AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

2/24/2021
DATE

Deputy Surveyor
DEPUTY CACHE COUNTY SURVEYOR

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED
AT THE REQUEST OF: _____
DATE: _____ TIME: _____ FEE: _____
ABSTRACTED _____
INDEXED _____
FILED IN: FILE OF PLATS COUNTY RECORDER