

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

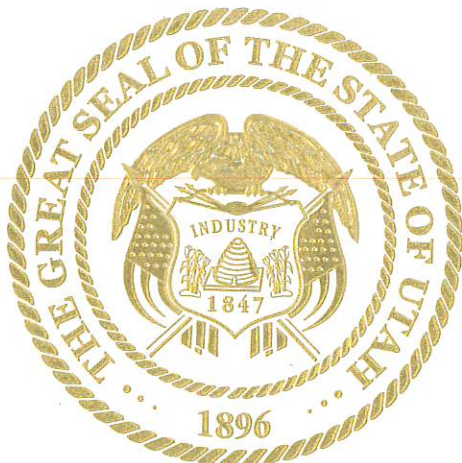
I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation for CEDAR CITY, April 1, 2021, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

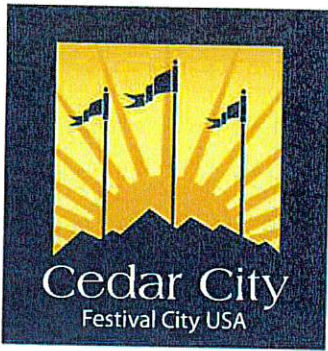
Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to CEDAR CITY, located in Iron County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 1st day of April, 2021 at Salt Lake City, Utah.

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

DEIDRE M. HENDERSON
Lieutenant Governor





Cedar City

10 North Main Street • Cedar City, UT 84720
435-586-2950 • FAX 435-586-4362
www.cedarcity.org

Mayor
Maile Wilson-Edwards

Council Members
Ronald R. Adams
Terri W. Hartley
Craig E. Isom
W. Tyler Melling
R. Scott Phillips

City Manager
Paul Bittmenn

March 25, 2021

The Honorable Spencer J. Cox
Utah Lieutenant Governor
Utah State Capital Complex
Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action

Dear Lt. Governor Cox:

In accordance with the terms of UCA §10-2-425 and UCA §67-1a-6.5 please accept this notice that Cedar City has passed an ordinance annexing approximately 60 acres of land into its municipal boundaries. Included herewith are duly executed copies of Cedar City's annexation ordinance and a copy of the final plat map.

Please accept this signed and verified statement certifying that all requirements applicable to this annexation have been completed. Please issue to Cedar City the appropriate certificate regarding this annexation.

If you have any questions or need anything, please contact me.

Sincerely,

Tyler Romeril
Cedar City Attorney

CEDAR CITY ORDINANCE NO. 0324-21

AN ORDINANCE OF THE CEDAR CITY COUNCIL ANNEXING APPROXIMATELY 60 ACRES OF PROPERTY LOCATED IN THE VICINITY OF 3900 WEST CENTER STREET INTO THE CORPORATE LIMITS OF CEDAR CITY, UTAH, AND AMENDING THE OFFICIAL ZONING MAP OF CEDAR CITY TO ZONE THE PROPERTY ANNEX TRANSITION (AT)

WHEREAS, on November 25, 2020, Alex Meisner, the property owner of the Annexation, petitioned the City Council for approval of an annexation into the Cedar City limits. The petition and plat map are attached as Exhibit A; and

WHEREAS, the Property is approximately 60 acres in size and is located in the vicinity of 3900 West Center Street. The legal description of the property is attached as Exhibit B; and

WHEREAS, the Property is included within the Cedar City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, the Planning Commission, after proper notice, conducted a public hearing, and voted to forward a positive recommendation for this proposed annexation to the City Council; and

WHEREAS, the annexation application and submit documents are deemed complete; and

WHEREAS, the Cedar City Council accepted the petition for annexation on February 10, 2021; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403(2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, on February 15, 2021, the City Recorder had public notice posted in a newspaper of general circulation, giving notice that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests were filed by an "affected entities" or other jurisdictions within the 30-day protest period and the petition was considered accepted on March 17, 2021; and

WHEREAS, an Annexation Memorandum of Understanding for the Availability and Providing of City Services, sets forth further terms and conditions of the Annexation, is herein included as Exhibit C; and

WHEREAS, the Council finds that the Property is zoned Annex Transition (AT); and

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, State of Utah, that the Property is hereby annexed into the corporate limits of Cedar City, Utah. The Property so annexed shall enjoy the privileges of Cedar City and shall be subject to all City levies and assessments. The Property shall be subject to all City laws, rules and regulations upon the effective date of this ordinance. The City staff is hereby directed to make the necessary changes to the City's zoning map, zoning the property Annex Transition (AT).

This ordinance, Cedar City Ordinance No. 0324-21, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

RENON SAVAGE, RECORDER

Renon Savage
ATTEST:

[SEAL]



Dated this 25 day of March, 2021

MAYLE L. WILSON-EDWARDS, MAYOR

Mayle L. Wilson-Edwards

Exhibit A

Cedar City Ordinance 0324-21.

PETITION FOR ANNEXATION

TO THE CITY RECORDER OF CEDAR CITY, MUNICIPAL CORPORATION OF THE

STATE OF UTAH:

The Petition of the undersigned owners of real property hereinafter more particularly described, do hereby present this Petition for Annexation of the said real property into the

corporate limits of the City of Cedar City, Utah, and respectfully represent as follows:

1. That they are the owners of the real property in the territory lying contiguous to the

present corporate limits of the city of Cedar City, in Iron County, State of Utah.

2. That the undersigned Petitioners constitute a majority of the owners of the said real

property, and at least 1/3 of the value of all private real property within the area

proposed for annexation, and that they desire to have such property annexed to the

City of Cedar City, Utah and become a part thereof.

3. That attached hereto is an accurate plat or map of such territory to be so annexed,

showing that such territory to be so annexed does actually lie contiguous to such

existing boundaries of the city of Cedar City, Utah, and which plat or map has been

prepared by Go Civil Engineering & Iron Ridge Land Surveying, competent and

duly licensed engineers and surveyors.

4. That the territory to be so annexed is shown on the annexation plat attached hereto

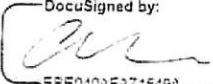
and is more particularly described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 8, T36S, R11W, SLB&M; THENCE
ALONG THE SECTION LINE N89°39'37"E, 658.66 FEET; THENCE N0°33'30"W, 1325.81
FEET; THENCE N89°50'54"W, 658.30 FEET TO THE SECTION LINE; THENCE N89°48'45"E,
1323.46; THENCE N0°32'04"W 1321.42 FEET; THENCE N89°42'58"E 1322.54 FEET TO THE
POINT OF BEGINNING.

5. The petitioner designated as the contact sponsor is Go Civil Engineering, at
590 North 800 West, Cedar City, Utah.

WHEREFORE, your Petitioners pray that the members of the City Council of the city of Cedar City, Utah accept the petition for further consideration and take appropriate action thereby declaring the annexation of such territory and real property and the extension of the corporate limits of the city of Cedar City, Utah, accordingly.

DATED this 25 day of November, 2020.

DocuSigned by:

E2E0402E271E48A

(Please sign your name)

Owner X

(Please print your name and the capacity in which you sign)

(Please sign your name)

(Please print your name and the capacity in which you sign)

(Please sign your name)

(Please print your name and the capacity in which you sign)

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 8, T36S, R11W,
SLB&M; THENCE ALONG THE SECTION LINE N89°39'37"E, 658.66 FEET;
THENCE N0°33'30"W, 1325.81 FEET; THENCE N89°50'54"W, 658.30
FEET TO THE SECTION LINE; THENCE N89°48'45"E, 1323.46; THENCE
N0°32'04"W 1321.42 FEET; THENCE N89°42'58"E 1322.54 FEET TO THE
POINT OF BEGINNING.

Cedar City Ordinance 0324-21.

Exhibit B

Exhibit C

Cedar City Ordinance 0324-21.

ANNEXATION
MEMORANDUM OF UNDERSTANDING
FOR
THE AVAILABILITY AND PROVIDING OF CITY SERVICES

ANNEXATION NAME: Mountain Shadows 60 Acres, Alex Meisner Construction

ANNEXATION AREA: 60 Acres

ANNEXATION LOCATION: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 8, T36S, R11W, SLB&M; THENCE ALONG THE SECTION LINE N89°39'37"E, 658.66 FEET; THENCE N0°33'30"W, 1325.81 FEET; THENCE N89°50'54"W, 658.30 FEET TO THE SECTION LINE; THENCE N89°48'45"E, 1323.46; THENCE N0°32'04"W 1321.42 FEET; THENCE N89°42'58"E 1322.54 FEET TO THE POINT OF BEGINNING.

This memorandum of understanding describes the availability and requirements to provide the basic City services to the Annexation Area. It is clearly understood that this is a general statement of the availability and requirements to provide services relative to this annexation area. Cedar City Corporation may require additional improvements in the process of the development and reserves the right to do so.

DESCRIPTION OF SERVICES

1. WATER: There is an 8-inch city water line stub along the westerly property line from Mountain Shadows Phase 3. Center Street is shown on the City Water Master Plan as having a 12" master planned water main

2. SEWER: There are numerous City sewers mains running through this project, a 21" gravity sewer main and 10" pressure sewer main are both shown on the City GIS.

3. DRAINAGE: The existing terrain sheet flows in the southwesterly direction with the existing Quichapa drainage channel located along the south boundary line. Any future development will likely discharge into the Quichapa channel as one of the major storm water conveyances to Quichapa Lake. At this location, the Quichapa Channel is a flood control channel with determined base flood elevations. Additional drainage to this channel must comply with a no-rise certificate.

4. ACCESS: The parcel is bordered on the west by Mountain Shadows Phase 3 which will be an access point, Westview Drive via Cedar City Corp. property is a likely access as well. Center Street is master planned for 66' wide. Please restrict backing onto, loading, and parking along this street. Driveways are discouraged. Going north, 3900 West is master planned 75' street. I recommend street access on the north be spaced more than 500' from this planned intersection. There is also a master planned walking trail along the south boundary on the north side of the flood channel.

5. FIRE: All development shall conform to the currently adopted International Fire Code. If the development included gated entrances they shall be approved by the fire code official. A water supply with at least 1500 gpm for a 2-hour duration at not less than 20 psi shall be provided and hydrants shall be spaced at a not to exceed 500 feet of vehicle travel distance according to the International Fire Code. Roadways grade maximum road grade of 10 % and in addition to the 12 feet of each lane of travel include a minimum unobstructed width of 20 feet. Roadways shall be constructed of a hard, all weather surface designed to support the heaviest piece of fire apparatus likely to operate on the roadway. Those areas that border on a wild land interface shall conform to the urban Wild Land Interface Code.

If a development falls outside of the five-mile radius imposed by ISO it will be classified as class 10 unprotected. While the fire department will still provide fire protection, the insurance rates for these areas will be greater than the ISO class 4 the areas within the 5-mile radius.

5. POLICE: The annexed property is within the area presently served by the Cedar City Police Department.

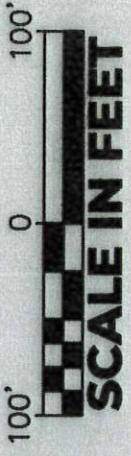
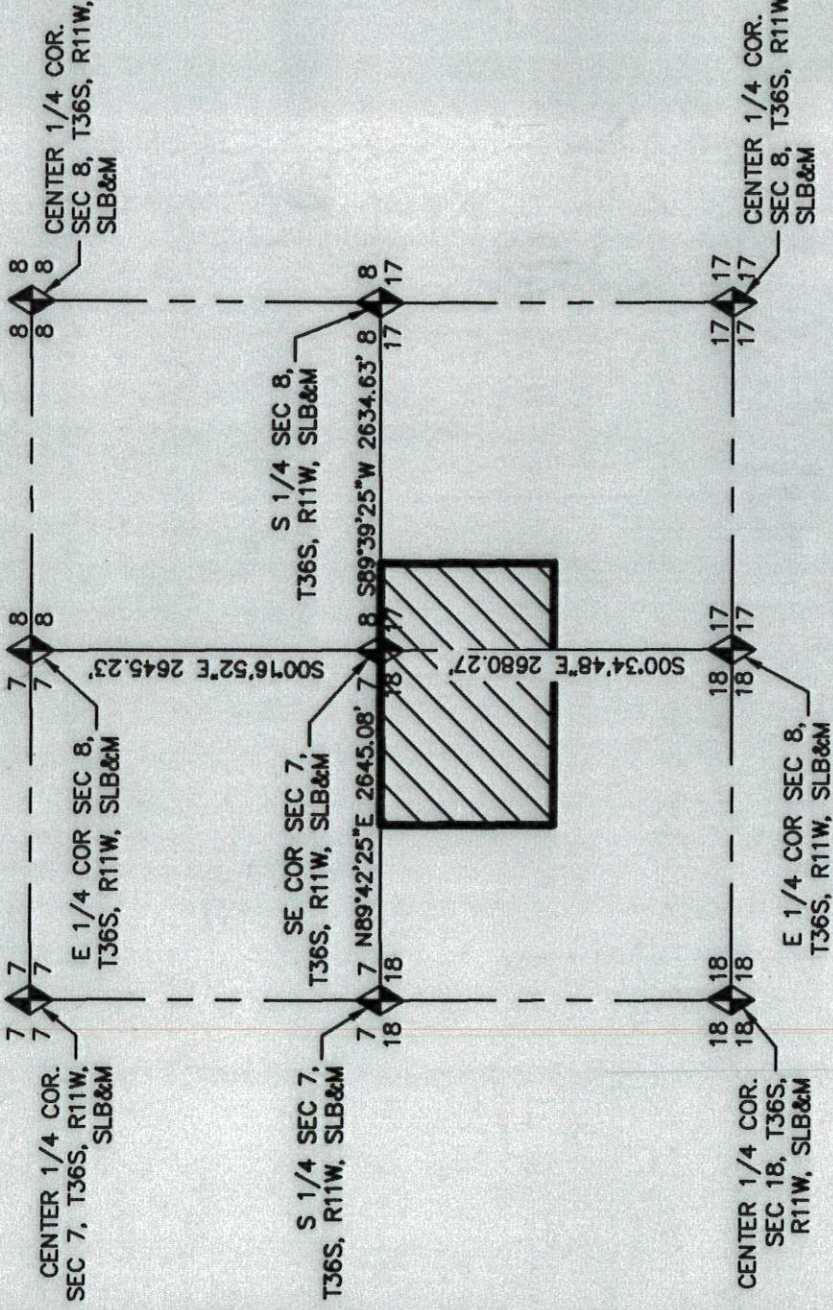
APPROVALS:

DocuSigned by:
Mike Sturte
CEDAR CITY FIRE DEPARTMENT

DocuSigned by:
Darin Adams
CEDAR CITY POLICE DEPARTMENT

DocuSigned by:
Trevor McDonald
CEDAR CITY ENGINEERING DEPARTMENT

DocuSigned by:
Alex Meisner
PROPERTY OWNER



SECTION BREAKDOWN

N.T.S.

N89°42'58"E 2645.08'
(BASIS OF BEARING)

