

# STATE OF UTAH



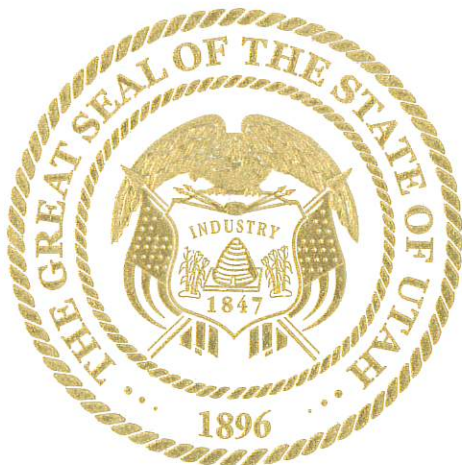
OFFICE OF THE LIEUTENANT GOVERNOR

## 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 the RICHFIELD CITY GURNEY ANNEXATION, June 17, 2021, complying with Section 10-2-406, 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 RICHFIELD CITY GURNEY ANNEXATION, located in Sevier County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 17<sup>th</sup> day of June, 2021 at Salt Lake City, Utah.



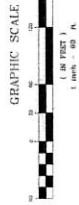
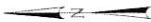
A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON  
Lieutenant Governor

# Richfield City Annexation - Gurney Investments, LLC & Motzkus Properties, LLC

Located in Section 2, T.24 S., R.3 W., S.L.B. & M.  
Sevier County, Utah

2021



- LEGEND**
- INCORPORATED ANNEXATION BOUNDARY LINE
  - EXISTING INCORPORATED CITY BOUNDARY
  - EXISTING FENCE LINE
  - DEED LINE
  - EXISTING RIGHT OF WAY LINE
  - FOUND QUARTER SECTION CORNER

**NOTES**

- THE PURPOSE OF THIS SURVEY IS TO MAKE THE PARCELS SHOWN AS THE ANNEXATION BOUNDARY AS SHOWN ON THIS MAP.
- THE BOUNDARY OF THE ANNEXATION IS BASED ON THE SURVEY DATA AND THE DEED RECORDS ON FILE IN THE COUNTY CLERK'S OFFICE.
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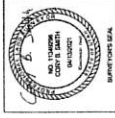
**ANNEXATION BOUNDARY DESCRIPTION**

A PORTION OF LAND LOCATED IN THE UNINCORPORATED QUARTER CORNER OF SECTION 2, T.24 S., R.3 W., S.L.B. & M. IS BEING ANNEXED TO THE CITY OF RICHFIELD, UTAH. THE ANNEXATION IS BEING MADE IN ACCORDANCE WITH THE ANNEXATION ACT, CHAPTER 2, SECTION 2-1-1, UTAH CODE ANNOTATED. THE ANNEXATION IS BEING MADE IN ACCORDANCE WITH THE ANNEXATION ACT, CHAPTER 2, SECTION 2-1-1, UTAH CODE ANNOTATED. THE ANNEXATION IS BEING MADE IN ACCORDANCE WITH THE ANNEXATION ACT, CHAPTER 2, SECTION 2-1-1, UTAH CODE ANNOTATED.



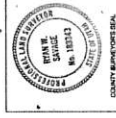
VICINITY MAP  
NOT TO SCALE

**SURVEYOR'S CERTIFICATE**  
I, THE UNDERSIGNED, A LICENSED SURVEYOR IN THE STATE OF UTAH, HAVE CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE UTAH SURVEYING ACT, CHAPTER 2, SECTION 2-1-1, UTAH CODE ANNOTATED.



**COUNTY SURVEYOR APPROVAL**

THIS SURVEY HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND APPROVED FOR RECORDATION IN THE PUBLIC RECORDS OF SEVIER COUNTY, UTAH.



APPROVED BY: [Signature]  
DATE: 4/21/21

**ACCEPTANCE BY LEGISLATIVE BODY**

THIS IS TO CERTIFY THAT THE ANNEXATION CITY OF RICHFIELD, UTAH, HAS ACCEPTED THIS ANNEXATION AND THE ANNEXATION IS BEING MADE IN ACCORDANCE WITH THE ANNEXATION ACT, CHAPTER 2, SECTION 2-1-1, UTAH CODE ANNOTATED.

ACCEPTED BY: [Signatures]  
DATE: 4/21/21



**PREPARED BY:**

**Jones & DeMille Engineering, Inc.**  
CIVIL ENGINEERING - SURVEYING, TESTING - GIS - ENVIRONMENTAL  
1.800.748.5275 www.jonesandmille.com

PROJECT NUMBER: 201-000 DRAWN BY: JES  
DATE: 04/21/21

**Gurney Investments, LLC & Motzkus Properties, LLC**  
Addition to Richfield City

**ORDINANCE NO. 2021-8**  
ORDINANCE ANNEXING SPECIFIC  
PROPERTY TO RICHFIELD, UTAH

WHEREAS, a majority of the owners of certain real property described below, desire to annex such real property to Richfield, Utah, said owner, Gurney Investments, LLC and Motskus Properties, LLC; and

WHEREAS, said real property consists of approximately 10.253 acres and lies contiguous to the corporate boundaries of Richfield, Utah; and

WHEREAS, said owners have caused a petition to be filed with the City Recorder together with an accurate plat of the real property which was made under the supervision of a licensed surveyor; and

WHEREAS, Richfield City Council accepted the petition for annexation; and within 30 days the City Recorder reviewed the petition and certified that the petition meets the requirements for annexation as provided by Utah State Law (Subsections 10-2-408(2), (3), and (4)); and

WHEREAS, a notice was published once a week for three successive weeks, beginning no later than ten days after receipt of the notice of certification, in a newspaper of general circulation for the area proposed for annexation and the unincorporated area within a half mile of the area proposed for annexation as provided by Utah State Law (Subsection 10-2-406); and

WHEREAS, within 20 days of receipt of the notice of certification, written notices were mailed to the affected entities as provided by Utah State Law (Subsections 10-2-406(1) (b)); and

WHEREAS, no protests to the annexation petition were filed during the period specified;

NOW, THEREFORE, pursuant to Section 10-2-407, Utah Code, the City Council of Richfield, Utah, hereby adopts and passes the following:

BE IT ORDAINED BY THE CITY COUNCIL OF RICHFIELD, UTAH, AS FOLLOWS:

ORDINANCE 2020-4 ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF RICHFIELD, UTAH.

The real property more particularly described in Paragraph 1, below, is hereby annexed to Richfield, Utah and the corporate limits of Richfield, Utah, are hereby extended accordingly.

1. The real property which is the subject of this Ordinance is described as follows:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, T.24 S., R.3 W., S.L.B. & M., LOCATED IN SEVIER COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF 1300 SOUTH STREET AND THE WEST RIGHT OF WAY LINE OF 350 WEST STREET; SAID POINT BEING THE NORTHEAST CORNER OF PARCEL 4-293-44 RECORDED AS ENTRY NO.00419499 IN THE SEVIER COUNTY RECORDERS OFFICE;

SAID POINT BEING LOCATED S01°04'11"E 58.28 FEET ALONG THE SECTION LINE AND WEST 279.01 FEET MORE OR LESS FROM THE NORTHEAST CORNER OF SECTION 2, T.24 S., R.3 W., S.L.B. & M.; THENCE ALONG RICHFIELD CITY BOUNDARY, SAID WEST RIGHT OF WAY LINE OF 350 WEST STREET AND THE EAST LINE OF PARCEL 4-293-44 ENTRY NO.00419499 S01°17'28"W 664.91 FEET TO THE NORTH RIGHT OF WAY LINE OF 1500 SOUTH STREET AN EXISTING FENCE LINE AND THE SOUTHEAST CORNER OF SAID PARCEL 4-293-44; THENCE ALONG SAID FENCE LINE AND NORTH RIGHT OF WAY LINE OF 1500 SOUTH STREET AND THE SOUTH LINE OF SAID PARCEL 4-293-44 THE FOLLOWING COURSES: N89°37'17"W 68.11 FEET, AROUND A 2467.00 RADIUS CURVE TO THE RIGHT 82.70 FEET, (CHORD BEARS N88°39'40"W 82.70 FEET), N87°42'03"W 519.58 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4-293-44, RICHFIELD CITY BOUNDARY AND THE EAST LINE OF PARCEL 1-10-54; THENCE ALONG THE EAST LINE OF PARCEL 1-10-54 AND RICHFIELD CITY BOUNDARY N01°37'17"E 668.50 FEET TO THE SOUTH RIGHT OF WAY LINE OF 1300 SOUTH STREET, RICHFIELD CITY BOUNDARY AND THE NORTH LINE OF PARCEL 4-293-44; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF 1300 SOUTH STREET, RICHFIELD CITY BOUNDARY AND NORTH LINE OF PARCEL 4-293-44 S87°42'11"E 666.54 FEET MORE OR LESS TO THE POINT OF BEGINNING; CONTAINING 10.253 ACRES MORE OR LESS

2. The zoning map of Richfield City shall be amended to include the real property described in Paragraph 2. The real property described in Paragraph 2, above, shall be classified as being **general commercial (CG)** based on approval of the suitable plan presented at the time of this annexation, in accordance with the General Plan for Richfield, Utah and provisions of Chapter 16 of the City's Land Use Management and Development Code and Section 10-9-406(1) of the Utah Code Annotated, 1953, as amended.

3. A certified copy of this Ordinance and an original plat setting forth the property so annexed shall be filed with the County Recorder of Sevier County, Utah by the City Recorder.

4. This Ordinance shall become effective upon adoption and passage by the City Council. A copy of the Ordinance and plat shall be deposited in the Office of the City Recorder.

ADOPTED AND PASSED by the City Council of Richfield, Utah, this 12<sup>th</sup> day of January 2021 and ratified approval on the 13<sup>th</sup> day of April 2021.

RICHFIELD CITY  
 A Utah Municipal Corporation

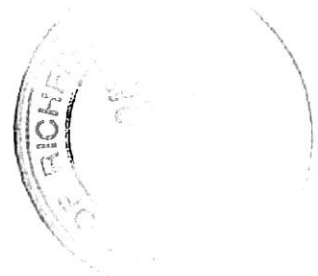
By *David Ogden*  
 David Ogden, Mayor

ATTEST:  
*Michele H. Jolley*  
 Michele H. Jolley, Recorder

(S E A L)

- Councilmember Bryan Burrows
- Councilmember Kathy Christensen
- Councilmember Todd Gleave
- Councilmember Kip Hansen
- Councilmember Connie Nielson

AYE:	NAY:
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____
<u><i>Absent</i></u>	_____



**RESOLUTION NO. 2021-1**

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, 1953, AS AMENDED.

WHEREAS, on the 24th day of December 2020, the owner of certain real property, Gurney Investments, LLC and Motkus Properties, LLC; petitioners, filed a petition with the city recorder of Richfield City, Sevier County, the State of Utah requesting that such property be annexed to the corporate boundaries of Richfield 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 in value to at least one-third of the value of all the private real 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 Richfield 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 of the requirements of Section 10-2-402 and 403, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Richfield City, Sevier County, State of Utah, that the Annexation Petition is hereby accepted for further consideration under the provisions of Utah State Annexation Law and is hereby referred to the city recorder for a review pursuant to Section 10-2-405(2), Utah State Code Annotated, 1953, as amended.

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

ADOPTED AND PASSED by the City Council this 13th day of October 2020.

RICHFIELD CITY  
A Utah Municipal Corporation

By   
David C. Ogden, Mayor

ATTEST:

  
Michele Jolley, Recorder



( S E A L )

	<u>AYE:</u>	<u>NAY:</u>
Councilmember Bryan Burrows	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Kathy Christensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Todd Gleave	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Kip Hansen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Connie Nielson	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Petition for Annexation #2020-5  
of Territory  
To Richfield City, Utah

TO THE COUNCIL OF RICHFIELD CITY:

We the undersigned owners of certain real property lying contiguous to the present municipal limits of Richfield 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, 1953, as amended (U.C.A.);
2. That the property subject to this petition is a contiguous, unincorporated area contiguous to the boundaries of Richfield City and the annexation thereof will not leave or 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 Richfield City's corporate limits (describe approximate location) \_\_\_\_\_

1300 S 350 W - North side of the airport.

\_\_\_\_\_ and more particularly described as follows

(see legal description attached):

4. That up to five (5) of the signers of this petition have been designated as sponsors, one of whom is designated as the AContact Sponsor@, with the mailing address of each sponsor being 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 or 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, to be zoned CG.
- 9. That the petitioners agree to deposit with the City, underground water equal to one (1) acre-foot per acre of underground water as defined in the annexation policy of Richfield City.

WHEREFORE, the petitioners(s) hereby request that this petition be considered by the governing body at its 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 herein petitioned.

DATED this 24<sup>th</sup> day of December, 2020.

PETITIONER(S): (name(s) as it/they appear(s) on county tax roles):

ADDRESS / TELEPHONE NO (contact sponsor only):

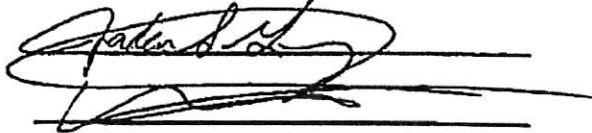
CS: Gurney Investments LLC  
Motzkus Properties, LLC

435-979-5299  
695 W 350 N Salina, UT 84654

Printed name of Owner(s)

Signature of Owner(s)

S: Gurney Investments LLC



S: Motzkus Properties, LLC

S: \_\_\_\_\_

S: \_\_\_\_\_

CS - Contact Sponsor

S - Sponsor

(Attach additional sheets if necessary)

<u>RECORD OWNER</u>	<u>NO. OF ACRES</u>	<u>ASSESSED VALUE</u>	<u>SEVIER CO. TAX NUMBER</u>
	<u>10.25 ACRES</u>	<u>\$52,900</u>	<u>4-293-44</u>

## NOTICE OF IMPENDING BOUNDARY ACTION

TO: The Lieutenant Governor, State of Utah

**NOTICE IS HEREBY GIVEN** that the City Council of Richfield City, Utah (the "Council"), at a meeting of the Council, duly convened pursuant to notice, on April 13, 2021, adopted an ordinance to annex 10.253 acres of land into the corporate limits of Richfield City.

Pursuant to Utah Code Ann. Section 10-2-407, and Ordinance 2021-8, the corporate limits of Richfield City are extended to include the property identified in the Ordinance 2021-8 and the approved final plat.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Annexation.

DATED this 23 day of April, 2021.

CITY COUNCIL, RICHFIELD UTAH

By:  , Mayor

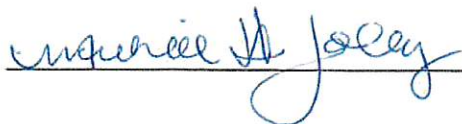
### VERIFICATION

STATE OF UTAH                    )  
  :SS.  
COUNTY OF SEVIER            )

The undersigned, being duly sworn upon oath, says that the facts set forth in the foregoing Notice of Impending Boundary Action are true, accurate, and complete to the best of the undersigned's knowledge and belief.

David Ogden, Mayor, City Council, Richfield City Utah.

SUBSCRIBED AND SWORN to before me this 23 day of April, 2021.

 NOTARY PUBLIC

