

# 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 SMITHFIELD CITY NATE WHITTAKER ANNEXATION #2 , May 19, 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 SMITHFIELD CITY NATE WHITTAKER ANNEXATION #2, 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 19<sup>th</sup> day of May, 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

April 27, 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 08-121-0007, 08-121-0006, 08-121-0008 and 08-124-0011 into the city limits of Smithfield City.

Included are the signed Ordinance and Survey.

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

Sincerely,



Justin B. Lewis  
City Recorder

**ORDINANCE 21-12**

**Whittaker Annexation #2**

**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 10th day of March 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: 450 South 1400 East

**Cache County Parcel Numbers: 08-121-0007, 08-121-0006, 08-121-0008 and 08-124-0011.**

Boundary Description:

PART OF THE NORTHEAST QUARTER OF SECTION 35 AND PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE MERIDIAN, LOCATED IN CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 36; THENCE S2°48'15"E 660.00 FEET ALONG THE WEST LINE OF SAID SECTION TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EXISTING SMITHFIELD CITY CORPORATE LIMIT LINE; THENCE LEAVING SAID CORPORATE LIMIT LINE S89°49'29"E 50.07 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF PARCEL 08-124-0011; THENCE S2°48'15"E 1984.66 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PARCEL 08-124-0011; THENCE N89°53'24"W 50.06 FEET, MORE OR LESS, TO THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE N89°59'35"E 495.00 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 35 TO A POINT ON THE EXISTING SMITHFIELD CITY CORPORATE LIMIT LINE;

THENCE ALONG SAID CORPORATE LIMIT LINE THE FOLLOWING THREE COURSES:

1. N2°48'15"W 1320.05 FEET, MORE OR LESS; N2°48'15"W 1320.05 FEET, MORE OR LESS;

2. S89°59'35"E 495.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION

S89°59'35"E 495.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 35;

3. N2°48'15"W 664.66 FEET TO THE POINT OF BEGINNING, N2°48'15"W 664.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 17.27 ACRES, MORE OR LESS.

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 Code 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 14th day of April, 2021.

SMITHFIELD CITY CORPORATION

*Jeffrey H. Barnes*  
Jeffrey H. Barnes, Mayor

ATTEST:

*Justin B. Lewis*  
Justin B. Lewis, City Recorder



**C**

Cacher • Landmark  
 Inspections  
 Planning  
 95 Golf Course Rd.  
 Salt Lake City, UT 84121  
 801.487.1000  
 435.713.0099

DATE: APRIL 2017  
 SCALE: 1" = 100'  
 TOLLGATE S. CASE  
 UNDEVELOPED  
 WITHIN CITY  
 PRELIMINARY  
 200900070

111

**SURVEYOR'S CERTIFICATE**

I, STANLEY C. CARL, HOLDING LICENSE NUMBER 318579-2201 UTAH CODE TITLE 64, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, BEING DULY QUALIFIED AND LICENSED TO PRACTICE AS A SURVEYOR IN THE STATE OF UTAH, IN ACCORDANCE WITH UTAH CODE TITLE 17, CHAPTER 21, SECTION 20, SUBSECTION (4), AND HAVE ACCURATELY REPRESENTED THE TRACT OF LAND SHOWN ON THIS PLAN AS BEING THE PROPERTY OF THE COUNTY OF CACHE COUNTY, CACHE COUNTY RECORDER'S OFFICE.



**LEGAL DESCRIPTION**

PART OF THE NORTHEAST QUARTER OF SECTION 35 AND PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE MERIDIAN, LOCATED IN CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE LEAVING SAID POINT BEING ON THE EXISTING SMITHFIELD CITY TRANCE LEAVING SAID CORPORATE LIMIT LINE 509'49"29"E, 50.07 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF PARCEL 08-124-0011; SAID PARCEL 08-124-0011, FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID SECTION 36; 50.06 FEET, MORE OR LESS, TO THE WEST QUARTER CORNER OF PARCEL 08-124-0008; 495.00 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 35 TO A POINT ON THE EXISTING SMITHFIELD CITY CORPORATE LIMIT LINE; THENCE ALONG SAID CORPORATE LIMIT LINE THE FOLLOWING THREE COURSES:

1. N2°40'15"W 664.66 FEET TO THE POINT OF BEGINNING.
2. S89°59'32"E 495.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 35.
3. N2°40'15"W 664.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 17.28 ACRES, MORE OR LESS.

**SMITHFIELD CITY APPROVAL AND ACCEPTANCE**

THIS IS TO CERTIFY THAT THE SMITHFIELD CITY COUNCIL HAS RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON AND HAS REVIEWED THE SAME AND HAS DETERMINED THAT THE PETITION OF THE OWNERS HAS BEEN PREPARED FOR THEM HEREBY AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY.

DATE: APRIL 21, 2017

SMITHFIELD CITY MAYOR

SMITHFIELD CITY RECORDER

**APPROVAL BY DEPUTY COUNTY SURVEYOR**

THIS PLAN HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY APPROVED FOR RECORD AND FOR THE LOCAL ENTITY TO BE ANNEXATED TO THE COUNTY OF CACHE COUNTY.

DATE: \_\_\_\_\_

DEPUTY COUNTY SURVEYOR

**COUNTY RECORDER**

COUNTY RECORDER'S NO. \_\_\_\_\_  
 STATE OF UTAH, COUNTY OF CACHE,  
 RECORDED AND FILED AT THE REQUEST  
 OF \_\_\_\_\_  
 BY \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.  
 PUBLIC RECORDS SECTION  
 200900070

**LEGEND**

███ AREA HEREBY ANNEXED TO SMITHFIELD CITY

▨▨▨ EXISTING CORPORATE LIMIT LINE

— ANNEXATION BOUNDARY

▬ PARCEL LINE

▬ RIGHT-OF-WAY LINE

--- SECTION LINE

COUNTY RECORDER

**NATE WHITTAKER ANNEXATION #2  
 TO SMITHFIELD CITY, CACHE COUNTY, UTAH  
 PART OF SECTION 35 & SECTION 36, TOWNSHIP 13 NORTH, RANGE 1 EAST  
 SALT LAKE MERIDIAN**

