

STATE OF UTAH



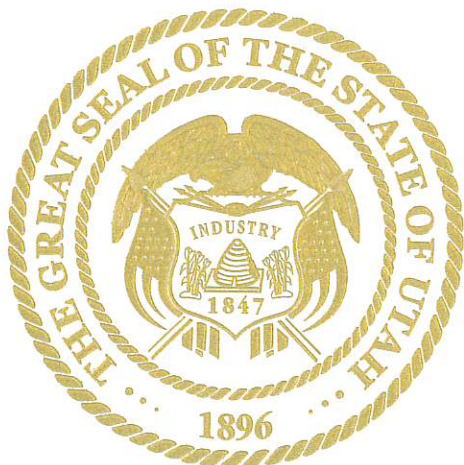
OFFICE OF THE LIEUTENANT GOVERNOR

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 for the ROGER & JENNIFER SMITH ANNEXATION, located in CEDAR CITY, dated April 1, 2022, complying with Section §10-2-425 and §67-1a-6.5, Utah Code Annotated, 1953, as amended.

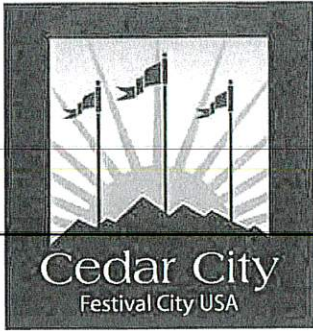
Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the ROGER & JENNIFER SMITH ANNEXATION, located in IRON COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 1st day of April, 2022 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
Garth O. Green

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

City Manager
Paul Bittmenn

March 16, 2022

The Honorable Deidre M. Henderson
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 – Roger & Jennifer Smith Annexation (3000 N. 175 W.)

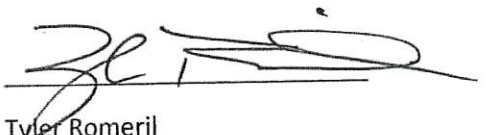
Dear Lt. Governor Henderson:

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 1.75 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. 0309-22-3

AN ORDINANCE OF THE CEDAR CITY COUNCIL ANNEXING APPROXIMATELY 1.75 ACRES OF PROPERTY LOCATED IN THE VICINITY OF 3000 NORTH 175 WEST 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 December 20, 2021, Roger and Jennifer Smith, the owner of said property and legal signees, 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 1.75 acres in size and is located in the vicinity of 3000 North 175 West. 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 January 12, 2022; 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, the City Recorder had public notice posted pursuant to Utah State law, giving notice that the petition had been certified and the required 30-day protest period had begun; and

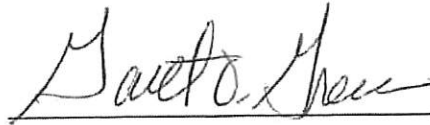
WHEREAS, no protests were received as defined by Utah Code Annotated 10-2-407(1) within the 30-day protest period; and

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. 0309-22-3, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Dated this 11th day of March, 2022.



GARTH O. GREEN, MAYOR



[SEAL]

ATTEST:



RENON SAVAGE, RECORDER

Exhibit A

Cedar City Ordinance 0309-22-3.

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 Platt & Platt, Inc., 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:

See **EXHIBIT "A"** attached herewith.
5. The petitioner designated as the contact sponsor is Roger Smith, at 2681 N 100 E, Cedar City, Utah.

WHEREFORE, your Petitioners request 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 20 day of December, 2021.


(Please sign your name)

Roger H Smith, Owner J/T
(Please print your name and the capacity in which you sign)


(Please sign your name)

Jennifer L Smith, Owner J/T
(Please print your name and the capacity in which you sign)

"Notice"

• There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

• If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified."

EXHIBIT "A"

ANNEXATION BOUNDARY:

BEGINNING AT A POINT N. 0°00'07" W. ALONG THE SECTION LINE 1124.31 FEET AND N. 90°00'00" E. 1343.52 FEET FROM THE W1/4 CORNER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 89°24'16" E. ALONG THE EXISTING NORTH RIGHT-OF-WAY LINE OF 3000 NORTH STREET (A COUNTY ROAD) 186.92 FEET, THENCE S. 0°01'31" W. ALONG THE EAST RIGHT-OF-WAY LINE OF 175 WEST STREET AND PROJECTION THEREOF 405.54 FEET TO THE NW CORNER OF LOT 46, OLD FARM SUBDIVISION - PHASE 1, THENCE N. 89°36'33" W ALONG THE NORTH LINE OF SAID SUBDIVISION 190.99 FEET, THENCE N. 0°36'20"E 402.32 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.75 ACRES OF LAND.

LIST OF PROPERTY OWNERS AND ACREAGES:

ROGER H. & JENNIFER L. SMITH (APN D-0683-0004-0000)	1.15 ACRES
CEDAR CITY CORPORATION (175 WEST STREET)	0.41 ACRE
COUNTY ROAD (3000 NORTH STREET)	0.19 ACRE
TOTAL	1.75 ACRES

Exhibit B

Cedar City Ordinance 0309-22-3.

ROGER & JENNIFER SMITH – GENERAL PLAN & ZONE CHANGE DESCRIPTION
GENERAL PLAN - FROM MEDIUM DENSITY RESIDENTIAL TO RESIDENTIAL ESTATE
ZONE CHANGE - FROM AT TO RE

BEGINNING AT A POINT N. 0°00'07" W. 1080.68 FEET AND N. 90°00'00" E. 1342.96 FEET FROM W1/4 CORNER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 89°48'15" E. 137.35 FEET, THENCE S. 0°01'31" W. 360.10 FEET TO THE NE CORNER OF LOT 47, OLD FARM SUBDIVISION - PHASE 1, THENCE N. 89°36'33" W ALONG THE NORTH LINE OF SAID LOT 47 140.98 FEET, THENCE N. 0°36'20"E 358.69 FEET TO THE POINT OF BEGINNING.
CONTAINS 1.15 ACRES OF LAND.

ROGER & JENNIFER SMITH PROPOSED ANNEXATION TO CEDAR CITY CORPORATION WITHIN NW1/4 SECTION 26, T. 35 S., R. 11 W., SLB&M CEDAR CITY, IRON COUNTY, UTAH

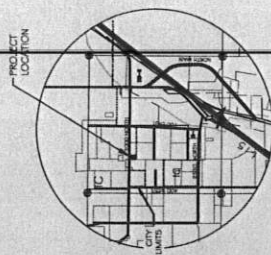
PLATT & PLATT, INC.
CONSULTING CIVIL ENGINEERS
LAND SURVEYORS
175 N. 100 E.
CEDAR CITY, UT 84720
TEL: (435) 566-4151
FAX: (435) 566-4567
EMAIL: PLATT@IOWEST.COM



DATE	DESCRIPTION
12/22/2021	PREPARED FOR
12/22/2021	APPROVED BY
12/22/2021	CHECKED BY
12/22/2021	DRAWN BY
12/22/2021	SCALE
12/22/2021	PROJECT
12/22/2021	SHEET NO.
12/22/2021	TOTAL SHEETS

PROPOSED ANNEXATION FOR
ROGER & JENNIFER SMITH
WITHIN THE NW1/4 SECTION 26, T. 35 S., R. 11 W., SLB&M
CEDAR CITY, IRON COUNTY, UTAH

DRAWN BY	JENNIFER SMITH
CHECKED BY	ROGER SMITH
DATE	Dec 21, 2021
SCALE	1" = 40'
TITLE	ANNEXATION TO CEDAR CITY CORPORATION
PROJECT NO.	2021-001
CAD FILE NO.	2021-001.dwg
DATE PLOTTED	12/22/2021 10:00 AM



IRON COUNTY DEPUTY SURVEYOR'S APPROVAL
THIS ANNEXATION HAS BEEN EXAMINED BY ME AND I HEREBY ACCEPTED THIS ANNEXATION PLAN ON 12th DAY OF MARCH, 2022.
Debra Johnson
IRON COUNTY DEPUTY SURVEYOR

SEAR CITY ENGINEER'S APPROVAL
THIS ANNEXATION PLAN HAS BEEN EXAMINED BY ME AND I HEREBY ACCEPTED THIS ANNEXATION PLAN ON 19th DAY OF FEBRUARY, 2022.
Jonathan Heith
SEAR CITY ENGINEER

PLANNING COMMISSION APPROVAL
THIS ANNEXATION PLAN HAS BEEN APPROVED BY THE CEDAR CITY PLANNING COMMISSION ON 15th DAY OF APRIL, 2022.
Jeffrey
PLANNING COMMISSION MEMBER

SEAR CITY APPROVAL
THIS ANNEXATION PLAN HAS BEEN REVIEWED BY THE CEDAR CITY COUNCIL AND IS HEREBY APPROVED ON 15th DAY OF APRIL, 2022.
Alan Sanger
CITY RECORDER

SURVEYOR'S CERTIFICATE
I, DAVID M. CLARKE, PROFESSIONAL LAND SURVEYOR LICENSE NO. 38841, HOOK A LAND SURVEYOR LICENSE NO. 38841, HAVE CONDUCTED A SURVEY OF THE PROPERTY DESCRIBED IN THIS ANNEXATION PLAN IN ACCORDANCE WITH THE UTAH SURVEYING ACT AND ALL APPLICABLE REGULATIONS. ALL MEASUREMENTS AND CALCULATIONS ARE CORRECT. CORNER MARKERS ARE AS REPRESENTED ON THIS PLAN.
DATE: 12/22/2021
DAVID M. CLARKE
UTAH LIC. #38841

ANNEXATION DESCRIPTION
BEGINNING AT A POINT N. 07°00'17" E. ALONG THE SECTION LINE 11.5437 FEET TO THE POINT OF BEGINNING AND THENCE S. 89°51'58" E. 46.54 FEET TO THE INTERSECTION CORNER OF THE WEST LINE OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SLM&M BETWEEN WEST STREET AND PROJECTION TOWERS 408.54 FEET TO THE NW CORNER OF LOT 175 OF SAID SUBDIVISION, 180.89 FEET, THENCE N. 07°02'02" E. 432.32 FEET TO THE POINT OF BEGINNING, 177.9 ACRES OF LAND.
LIST OF PROPERTY OWNERS AND ACRES
1. ROGER & JENNIFER SMITH (APN 00083-0008-0000) 1.15 ACRES
2. CEDAR CITY CORPORATION (175 WEST STREET) 0.41 ACRES
3. COUNTY ROAD (3000 NORTH STREET) 0.18 ACRES

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS ANNEXATION IS AS FOLLOWS:
1. THE WEST LINE OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SLM&M BETWEEN WEST STREET AND PROJECTION TOWERS 408.54 FEET TO THE NW CORNER OF LOT 175 OF SAID SUBDIVISION, 180.89 FEET, AS DETERMINED FROM GPS OBSERVATION ON THE CEDAR CITY ENGINEERS COORDINATE SYSTEM AND GPS COLLACTION.
FLOOD PLAIN
PROPERTY IS LOCATED IN FLOOD ZONE 2, AREA OF ANIMAL FLOODING, SOURCE OF INFORMATION FLOOD INSURANCE RATE MAP, CEDAR CITY, UT, DATED 11/08/2018, NUMBER 08829.
SERVICES AVAILABILITY
1. WATER: THERE IS AN EXISTING WATER MAIN IN 175 WEST STREET WITH A PIPE COVER DEPTH OF 48 INCHES AT THE POINT OF ANNEXATION TO CEDAR CITY CORPORATION. THERE IS AN EXISTING WATER MAIN IN 175 WEST STREET AND 3000 NORTH STREET.
2. SANITARY: THERE IS AN EXISTING SANITARY MAIN IN 175 WEST STREET AND 3000 NORTH STREET.
3. DRAINAGE: DRAINAGE IS AS SHOWN ON THE PLAT AND WILL BE IMPROVED BY THE ANNEXATION ALONG THE WEST BOUNDARY OF THE PROPERTY.
4. FLOODPROOFING IMPROVEMENTS: THESE WILL COME WITH THE PROPERTY DEVELOPMENT AND WILL BE AT THE DISCRETION OF CEDAR CITY GOVT.

CEDAR CITY APPROVAL
THIS ANNEXATION PLAN HAS BEEN REVIEWED BY THE CEDAR CITY COUNCIL AND IS HEREBY APPROVED ON 15th DAY OF APRIL, 2022.
Alan Sanger
CITY RECORDER

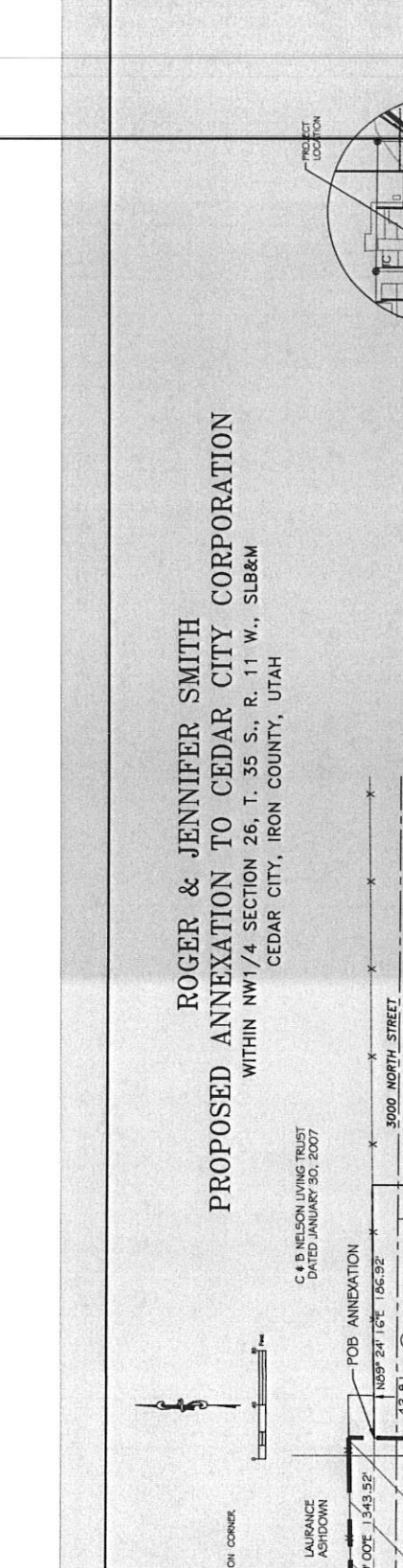
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LEGEND

- PROPOSED ANNEXATION BOUNDARY
- EXISTING CITY BOUNDARY

22 23
27 26
27 26
27 26

14 CORNER ICSM
3/4 CORNER ICSM

LAURANCE ASHDOWN

SECTION CORNER ICSM

POB ANNEXATION
3000 NORTH STREET
175 WEST STREET

EXISTING CITY BOUNDARY

SECTION CORNER ICSM
LAURANCE ASHDOWN
SECTION CORNER ICSM

22 23
27 26
27 26

14 CORNER ICSM
3/4 CORNER ICSM

EXISTING CITY BOUNDARY

