

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 EVIL WATER LAND LLC ANNEXATION, located in PAROWAN CITY, dated May 16, 2022, 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 EVIL WATER LAND LLC 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 16<sup>th</sup> day of May, 2022 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON  
Lieutenant Governor



Lt. Governor's Office, State of Utah  
350 State Street #220  
Salt Lake City, UT 84103

Dear Lt. Governor Henderson,

Notice is hereby given that the City Council of Parowan City, UT (the "Council"), acting in its capacity as the governing body of Parowan City, UT, at a regular meeting of the council, duly convened pursuant to notice, on January 27<sup>th</sup>, 2022, adopted Ordinance 2022-01-01, *"An Ordinance Concerning the Evil Water Land, LLC, Annexation."* This was submitted to the Lt. Governor's office as a true and correct (to the best of our knowledge at the time) copy of which was attached to the annexation packet as "EXHIBIT A" and was incorporated by this reference herein (the "Annexation Ordinance"). Unfortunately, when the Certificate of Annexation was received from the Lt. Governor's office and the Annexation Ordinance was taken to the Iron County Recorder to be recorded, a clerical error was discovered in the property description. A portion of the description had been inadvertently left off, leaving a sliver of the property unannexed. The plat map is and always has been correct, as well as the determined acreage amount described in the original ordinance.

Due to this description error and at the advice of the Parowan City's legal counsel, the Council, again acting in its capacity as the governing body of Parowan City, UT, at a regular meeting of the council, duly convened pursuant to notice, on April 28<sup>th</sup>, 2022, repealed the above Ordinance 2022-01-01, and adopted Ordinance 2022-04-01, *"An Ordinance Repealing and Amending Ordinance 2022-01-01, The Evil Water Land, LLC Annexation Dated January 27<sup>th</sup>, 2022,"* which sole purpose was to correct the legal description of the annexation property. Ordinance 2022-04-01 now serves as the "Annexation Ordinance" and is now attached as "Exhibit A". All other previously adopted items in the ordinance remain the same as the original ordinance.

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. § 67-1a-6.5, approved as a final local entity plat by the surveyor Dallas R. Buckner, P.L.S. No. 1062248-2201, with Go Civil Engineering, is attached as "EXHIBIT B" hereto and incorporated in this reference. The Council hereby certifies that all requirements applicable to the annexation of the property into the legal boundaries of the city, as more particularly described in the Annexation Ordinance, have been met.

The Council hereby respectfully requests that the honorable Lt. Governor forgive the error in the previous annexation packet and humbly requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. § 10-2-425, so the entire property may be annexed into the Parowan City boundaries.

Dated this 4<sup>th</sup> day of May, 2022.

(Signatures on next page.)

CITY COUNCIL, PAROWAN CITY, UTAH  
acting in its capacity as the governing authority  
Parowan City, Utah,

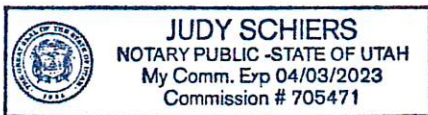
By:   
Mayor

STATE OF UTAH )  
  :SS.  
County of Iron )

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.

  
Mayor, City Council, Parowan City, Utah

SUBSCRIBED AND SWORN to before me this 4<sup>th</sup> day of May, 2022



  
NOTARY PUBLIC

When Recorded Return to:  
Parowan City  
PO Box 576  
Parowan, UT 84761

"EXHIBIT A"

**ORDINANCE NO. 2022-04-01**

**AN ORDINANCE REPEALING AND AMENDING ORDINANCE 2022-01-01,  
THE EVIL WATER LAND, LLC, ANNEXATION DATED JANUARY 27<sup>TH</sup>, 2022**

**WHEREAS** Ordinance No. 2022-01-01 annexing certain real property was adopted on January 27, 2022 by the Parowan City Council for the annexation of real property into Parowan City; and

**WHEREAS**, due to a clerical error in the legal description, ordinance 2022-01-01 needs to be repealed and amended to correct the legal description; and

**WHEREAS**, a majority of the owners of certain real property described below, desire to annex such real property to Parowan City, Utah, said owners being the owners of at least one-third (1/3) in value of said real property as shown by the last assessment roll; and

**WHEREAS**, said real property consists of approximately 35.21 acres and lies contiguous to the corporate boundaries of Parowan City, Utah and covers a majority of the private land area with the area proposed for annexation; and

**WHEREAS**, said Petitioners and owners have caused to be filed an executed petition with the City Recorder together with an accurate legal description and plat of the real property which was made under the supervision of a licensed surveyor and which is located within the area proposed for annexation; and

**WHEREAS**, Parowan City Council accepted the petition for annexation; and within 30 days the City Recorder, with the assistance of the City Attorney, reviewed the petition and certified that the petition meets the requirements for annexation as provided by Utah State Law (Subsections §10-2-403(2), (3), and (4)); and

**WHEREAS**, a copy of the Petition was provided to Iron County Clerk;

**WHEREAS**, the annexation does not create an island or larger peninsula than what was previously created and, as such, was approved by Iron County;

**WHEREAS**, notice was posted within the area proposed for annexation and the unincorporated area within ½ mile of the area proposed for annexation, beginning no later than 10 days after receipt of the notice of certification, where it was most likely to give notice to the residents within, and on the Utah Public Notice Website, as provided by Utah State Law (Subsection § 10-2-406(1)(a) and (b)); and

**WHEREAS**, within 20 days of receipt of the notice of certification, written notices were mailed to the affected entities, and posted on the Parowan City Website, as proved by Utah State Law (Subsection §10-2-406(c) and (d)); and

**WHEREAS**, no qualified protests to the annexation petition were initially filed during the period specified, but on protest was later filed by one of the property owners who original executed the

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Parowan, UT 84761

Petition, which protest has be resolved and will be grandfathered in and vested for sole purpose of construction of a residence under Iron County's R ½ zoning; and

**WHEREAS**, the Petitioners have agreed to be bound to the terms of the annexation agreement dated, January 27<sup>th</sup>, 2022, as a condition of passing this annexation ordinance.

**NOW, THEREFORE**, pursuant to Subsection §10-2-4, Utah Code Annotated, the City Council of Parowan City, Utah, Ordinance No. 2022-01-01 is hereby repealed and rescinded in its entirety and Ordinance 2022-04-01 is hereby adopted:

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

**ORDINANCE ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF PAROWAN, UTAH.**

1. The real property more particularly described in Paragraph 2 below, is hereby annexed to Parowan City, Utah, and the corporate limits of Parowan, Utah, are hereby extended accordingly.
2. The real property which is the subject of this Ordinance is described as follows:  
COMMENCING AT A POINT BEING THE S¼ COR. SEC. 15, T34S, R9W, SLBM; THENCE N00°27'54"E, 233.47 FEET ON SAID QUARTER SECTION LINE TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG SAID LINE, N00°27'54"E 1,104.63 FEET; THENCE N89°47'14"E, 1,333.94 FEET; THENCE ALONG THE 1/16 LINE S00°19'28"W, 92.42 FEET; THENCE N89°46'32"E, 60.00 FEET; THENCE S00°19'28"W, 1,009.39 FEET; THENCE S89°40'20"W, 1,396.69 FEET TO THE POINT OF BEGINNING.
3. The zoning map of Parowan City shall be amended to include the real property described above in Paragraph 2.
4. The real property, described in Paragraph 2 above, shall be classified as being in the Highway Services zone in accordance with the provision of PCMC 15.24 "Zoning Districts" and Section 10-9a-505, Utah Code Annotated, 1953, as amended.
5. A certified copy of the Ordinance and an original plat setting forth the property so annexed shall be filed with the County Recorder of Iron County, Utah, by the City Recorder.

**PASSED AND ADOPTED** by the City Council and Mayor of the city of Parowan, Iron County, State of Utah, the 28<sup>th</sup> day of April 2022.

PAROWAN CITY

  
Mollie Halterman, Mayor

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PO Box 576  
Parowan, UT 84761

***Voting on Next Page***

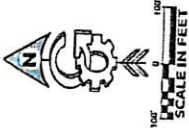
<b>VOTING:</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
David Burton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rochell Topham	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Downey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Gale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Shurtleff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested by:

  
\_\_\_\_\_  
Callie Bassett, City Recorder







# ANNEXATION & ZONE CHANGE FOR EVIL WATER LAND, LLC

LOCATED IN SEC 15, T34S, R9W, SLB&M

**NOTES**

1. THIS ZONING IS CONTINGENT UPON THE CITY OF FARMINGTON, MINNESOTA, APPROVING THIS ANNEXATION & ZONE CHANGE.

2. THIS ANNEXATION IS SUBJECT TO THE CITY OF FARMINGTON, MINNESOTA, APPROVING THIS ANNEXATION & ZONE CHANGE.

3. THE ANNEXATION IS SUBJECT TO THE CITY OF FARMINGTON, MINNESOTA, APPROVING THIS ANNEXATION & ZONE CHANGE.

**LEGEND**

- 1" = 100' (1" = 100')
- 1" = 500' (1" = 500')
- 1" = 1000' (1" = 1000')
- 1" = 2000' (1" = 2000')
- 1" = 5000' (1" = 5000')
- 1" = 10000' (1" = 10000')

**ANNEXATION NARRATIVE**

THE SUBJECT PROPERTY IS CURRENTLY ZONED UNDESIGNED RESIDENTIAL (UR) AND IS BEING ANNEXED TO THE CITY OF FARMINGTON, MINNESOTA, FOR THE PURPOSES OF DEVELOPING A COMMUNITY CENTER. THE CITY OF FARMINGTON, MINNESOTA, IS CURRENTLY ZONED UNDESIGNED RESIDENTIAL (UR) AND IS BEING ANNEXED TO THE CITY OF FARMINGTON, MINNESOTA, FOR THE PURPOSES OF DEVELOPING A COMMUNITY CENTER. THE CITY OF FARMINGTON, MINNESOTA, IS CURRENTLY ZONED UNDESIGNED RESIDENTIAL (UR) AND IS BEING ANNEXED TO THE CITY OF FARMINGTON, MINNESOTA, FOR THE PURPOSES OF DEVELOPING A COMMUNITY CENTER.

**PROPOSED ANNEXATION DESCRIPTION [35.21 AC]**

THE SUBJECT PROPERTY IS CURRENTLY ZONED UNDESIGNED RESIDENTIAL (UR) AND IS BEING ANNEXED TO THE CITY OF FARMINGTON, MINNESOTA, FOR THE PURPOSES OF DEVELOPING A COMMUNITY CENTER. THE CITY OF FARMINGTON, MINNESOTA, IS CURRENTLY ZONED UNDESIGNED RESIDENTIAL (UR) AND IS BEING ANNEXED TO THE CITY OF FARMINGTON, MINNESOTA, FOR THE PURPOSES OF DEVELOPING A COMMUNITY CENTER. THE CITY OF FARMINGTON, MINNESOTA, IS CURRENTLY ZONED UNDESIGNED RESIDENTIAL (UR) AND IS BEING ANNEXED TO THE CITY OF FARMINGTON, MINNESOTA, FOR THE PURPOSES OF DEVELOPING A COMMUNITY CENTER.

**COUNTY ENGINEER'S APPROVAL**

THE COUNTY ENGINEER HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS. THE COUNTY ENGINEER HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS.

**IRON COUNTY COMMISSION APPROVAL**

THE IRON COUNTY COMMISSION HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS. THE IRON COUNTY COMMISSION HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS.

**CERTIFICATE OF ACCEPTANCE**

THE CITY OF FARMINGTON, MINNESOTA, HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS. THE CITY OF FARMINGTON, MINNESOTA, HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS.

**CERTIFICATE OF RECORDING**

THE CITY OF FARMINGTON, MINNESOTA, HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS. THE CITY OF FARMINGTON, MINNESOTA, HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS.

**SURVEYOR'S CERTIFICATE**

THE SURVEYOR HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS. THE SURVEYOR HAS REVIEWED THE PLANS AND FINDS THEM TO BE IN ACCORDANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA PROFESSIONAL ENGINEERING REGULATIONS.

**VICINITY MAP**

A VICINITY MAP SHOWING THE LOCATION OF THE SUBJECT PROPERTY WITHIN THE CITY OF FARMINGTON, MINNESOTA. THE VICINITY MAP SHOWS THE LOCATION OF THE SUBJECT PROPERTY WITHIN THE CITY OF FARMINGTON, MINNESOTA.

**ANNEXATION LOCATION**

A LOCATION MAP SHOWING THE SUBJECT PROPERTY WITHIN THE CITY OF FARMINGTON, MINNESOTA. THE LOCATION MAP SHOWS THE SUBJECT PROPERTY WITHIN THE CITY OF FARMINGTON, MINNESOTA.

**ANNEXATION & ZONE CHANGE FOR EVIL WATER LAND, LLC**

LOCATED IN SEC 15, T34S, R9W, SLB&M

590 N. 800 W. CLEAR CITY, UT 84721

ANNEXATION & ZONE CHANGE FOR EVIL WATER LAND, LLC

EXHIBIT B

CHECKED	DATE
DRAWN	DATE