

# STATE OF UTAH



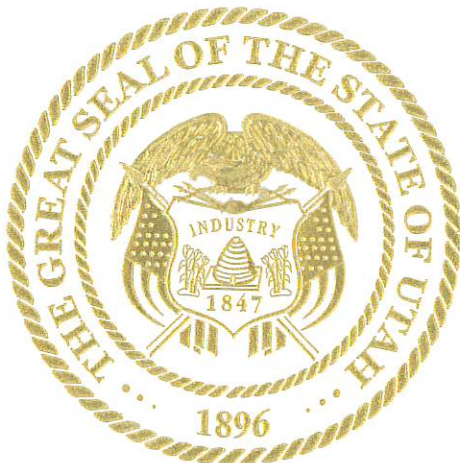
OFFICE OF THE LIEUTENANT GOVERNOR

## 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 RUSHTON-SQUIRES ANNEXATION, located in NEW HARMONY TOWN, dated SEPTEMBER 28, 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 RUSHTON-SQUIRES ANNEXATION, located in WASHINGTON COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 28<sup>th</sup> day of September, 2022 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON  
Lieutenant Governor

**THE LAW OFFICE  
OF  
FAY E. REBER**

249 EAST TABERNACLE #103  
ST. GEORGE, UTAH 84770

(435) 628-7600  
FAX # (435) 628-7680  
[fayreber@infowest.com](mailto:fayreber@infowest.com)

August 24, 2022

Deidre Henderson  
Lieutenant Governor State of Utah  
350 North State Street, Suite 220  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

Re: Town of New Harmony Annexation

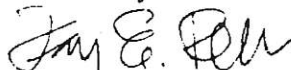
Dear Lt. Governor Henderson:

As legal counsel for the Town of New Harmony, Utah, I have assisted the Town of New Harmony in the process of annexing certain property into the town's boundaries. As part of the final steps for completing the annexation, I am now enclosing along with this letter the following documents required by Utah Code Ann. §10-2-425(1)(a) and §67-1a-6.5(3): (1) Notice of Impending Boundary Action, signed by the Mayor and Town Clerk, verifying that all requirements pertaining to the annexation process have been met, (2) a copy of the annexation ordinance adopted by the New Harmony Town Council, and (3) a copy of the approved final local entity plat.

It's my understanding, from a review of the applicable code sections, that your office will now issue a Certificate of Annexation which will be sent to the Town of New Harmony. Upon receipt of that Certificate, I will then cause the Certificate, together with the original Notice of Impending Boundary Action, original ordinance and original plat, to be recorded at the office of the Washington County Recorder in St. George, Utah.

If you or your staff members have any questions, please feel free to contact me at any time. Thanks for your assistance in this matter.

Sincerely,



Fay E. Reber

cc: Town of New Harmony  
enclosures

**Town of New Harmony**

P.O. Box 620  
New Harmony, Utah 84757  
435-865-7522

June 24, 2022

Deidre Henderson  
Lieutenant Governor State of Utah  
350 North State Street, Suite 220  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

Re: Town of New Harmony  
Notice of Impending Boundary Action

Dear Lt. Governor Henderson:

In accordance with Utah Code Ann. §10-2-425(1)(a) and §67-1a-6.5(3), this letter shall serve as notice given by the Town of New Harmony, Utah of an impending boundary action for which the Town of New Harmony seeks the issuance of a Certificate of Annexation from the office of the Lieutenant Governor.

As required by statute, this letter shall also serve as verification that all requirements pertaining to the annexation of the territory described in the annexation plat attached hereto and designated as "Rushton-Squires Annexation to New Harmony Town" have been met.

Thanks for your review and assistance of this matter.

Town of New Harmony

Lowell Prince  
Lowell Prince, Mayor

Attest:

Doneva Hecker  
Doneva Hecker, Town Clerk

# TOWN OF NEW HARMONY

PO BOX 620 • 133 E. CENTER ST.

NEW HARMONY, UTAH 84757

PHONE: 435.865.7522 • FAX: 435.586.2378



Ordinance No. 6-22-22

AN ORDINANCE OF THE TOWN COUNCIL OF NEW HARMONY, UTAH, APPROVING THE ANNEXATION OF 11.65 ACRES OF PROPERTY INCLUDED IN THE RUSHTON-SQUIRES PETITION FOR ANNEXATION, AND AMENDING THE TOWN OF NEW HARMONY ZONING MAP TO REFLECT THE ZONING OF SAID PROPERTY AS RR-5 UPON ANNEXATION.

WHEREAS the Town Clerk of New Harmony, Utah has received the Rushton-Squires Petition for Annexation to New Harmony Town , together with a plat map showing territory proposed to be annexed into the Town of New Harmony, and requesting that the property described in said petition be annexed into the corporate limits of the Town of New Harmony; and

WHEREAS said petition has been signed by all owners of said real property who own 100% in value of all real property proposed for annexation as shown in the last assessment roll; and

WHEREAS said petition and plat were duly accepted for further consideration by the New Harmony Town Council on April 6, 2022; and

WHEREAS the Notice of Intent to File Petition For Annexation and the Notice of Filing of Petition for Annexation, as required by law, has been given to the public and to all affected entities regarding the proposed annexation; and

WHEREAS said Petition for Annexation was certified by the Town Clerk as having met all requirements of Utah law on April 28, 2022; and

WHEREAS no protest to the proposed annexation has been received by the Washington County Boundary Commission after publication of notice in the manner prescribed by Utah law; and

WHEREAS notice of public hearing for consideration and approval of this annexation ordinance has been given in the manner prescribed by Utah law; and

WHEREAS said Town Council, after having examined said petition and after

having the petition reviewed by the Town staff, and after having considered the circumstances thereof at a properly advertised and noticed public hearing, and after finding that said proposed annexation is consistent and in keeping with the Town's Annexation Policy Declaration and General Plan,

BE IT HEREBY ORDAINED by the Town Council of the Town of New Harmony, Utah as follows:

Section 1. Annexation of Territory. The Rushton-Squires Petition for Annexation into the Town of New Harmony is hereby approved, and the Town of New Harmony corporate boundaries are hereby enlarged and extended to include the following described real property:

Commencing at the South ¼ Corner of Section 22, Township 38 South, Range 13 West, Salt Lake Base and Meridian, Thence North 00°21'12" West, along the Center Section line a distance of 1884.10 feet to the Point of Beginning, said point being on the Easterly line of the Frehner Addition Annexation to New Harmony Town as shown by Document #20070058606; Official Washington County Records; Thence North 00°21'12" West, along said line, a distance of 771.19 feet to the Center 1/4 Corner of said Section 22; Thence South 89°51'16" East, along the East -West Center Section line, a distance of 661.67 feet, to a point on the Westerly line of that parcel shown by Tax ID #3070-A-1-B-1-NS, Washington County Records; Thence South 00°02'08" West, along said line, a distance of 769.47 feet; Thence South 89°59'51" West along the South line of that Parcel shown by Tax ID #3070-J-NS Washington County Records, a distance of 656.43 feet, to the Point of Beginning.

Rushton-Squires Annexation Addition Contains: 11.65 acres

Section 2. Zoning. The territory described herein is hereby zoned and shall be designated on the Town of New Harmony Zoning map as RR-5.

Section 3. General Jurisdiction. The annexed territory described herein shall henceforth be within the Town of New Harmony corporate limits and shall be zoned as provided in section 2 hereof. All ordinances, resolutions, rules, regulations and procedures of or pertaining to the Town of New Harmony are extended over and made applicable and pertinent to the above annexed territory, and all public streets, blocks, alleys and rights of way within said tract shall be controlled and governed by the ordinances, rules and regulations of the Town of New Harmony.

Section 4. Filings and Notice. The Town Clerk of the Town of New Harmony is hereby directed to file with the Lieutenant Governor of the State of Utah within 60 days of the date of adoption of this ordinance a Notice of Impending Boundary Action accompanied

by a copy of the signed and accepted annexation plat designated as the Rushton-Squire Annexation to New Harmony Town, and, after receipt of a Certificate of Annexation, to file said Certificate, together with this ordinance and said plat, at the office of the Washington County Recorder, and to send notice thereof to each affected entity and the Department of Health, and to take any and all other steps required by law.

Section 5. Effective Date of Annexation. The above annexation shall not become effective until a Certificate of Annexation has been issued by the Lieutenant Governor of the State of Utah.

Section 6. Effective Date of Ordinance. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED by the New Harmony Town Council on this 22<sup>nd</sup> day of June, 2022.

Town of New Harmony

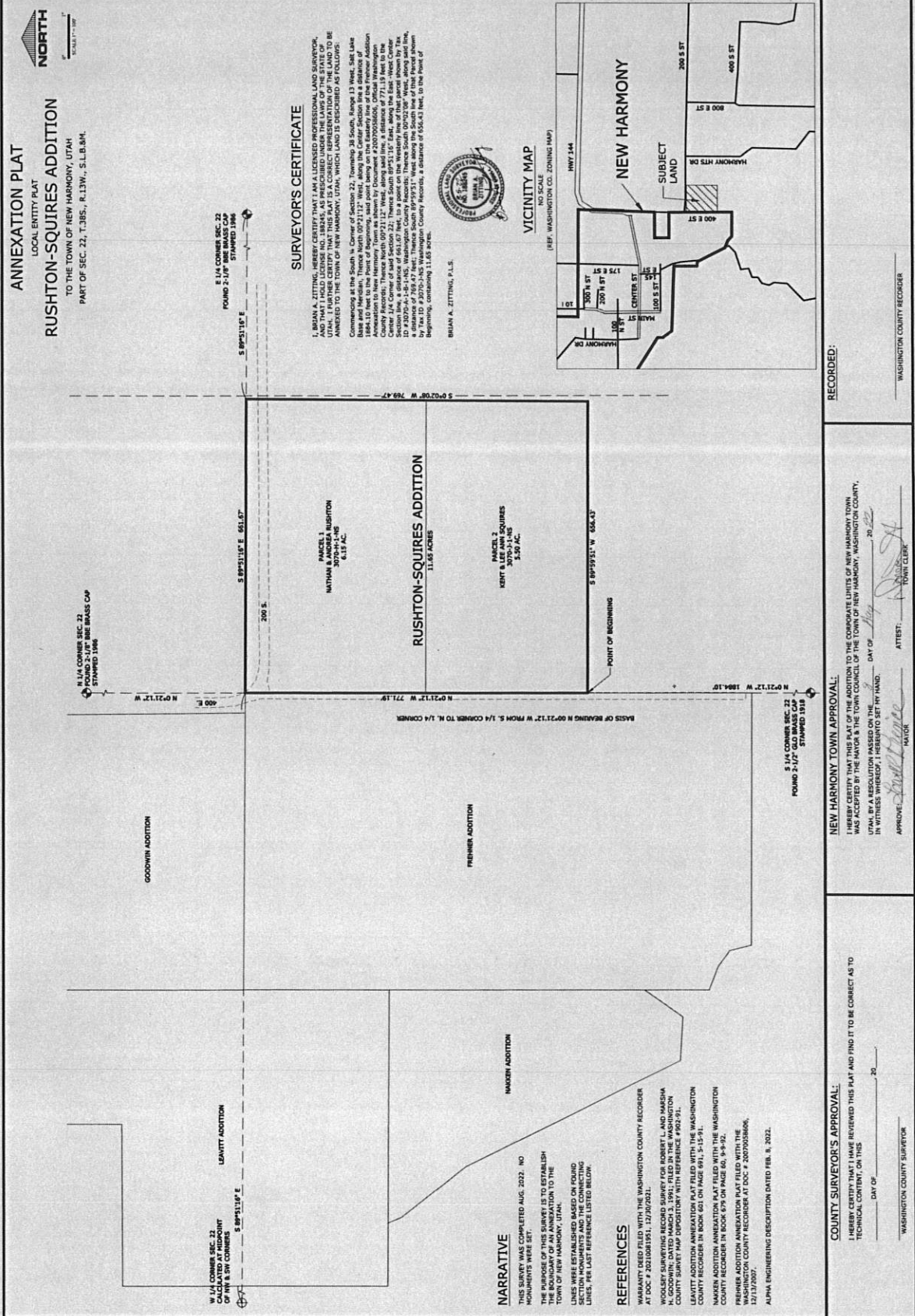


Lowell Prince, Mayor

Attest:



Doneva Hecker, Town Clerk



**ANNEXATION PLAT**  
**RUSHTON-SQUIRES ADDITION**  
 TO THE TOWN OF NEW HARMONY, UTAH  
 PART OF SEC. 22, T.13S., R.13W., S.L.B.#4.

**SURVEYOR'S CERTIFICATE**  
 I, BRIAN A. TITTING, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 18184S, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. THE SURVEY AND PLAT HEREON SUBMITTED TO BE ADDED TO THE COUNTY OF NEW HARMONY, UTAH, WHICH LANDS IS DESCRIBED AS FOLLOWS:  
 Commencing at the South 1/4 Corner of Section 22, Township 35 South, Range 13 West, Salt Lake Base and Meridian, Thence North 00°21'21" West, along the Center Section line a distance of 1884.10 feet to the front of beginning, said point being an iron 1 1/2" diameter rod, 18" long, set in concrete; thence North 09°21'12" West, along said line, a distance of 771.19 feet to the County Records; Thence North 09°21'12" West, along said line, a distance of 771.19 feet to the County Records; Thence North 09°21'12" West, along said line, a distance of 771.19 feet to the Section line, a distance of 661.67 feet, to a point on the westerly line of that parcel shown by the ID #3070-A-1-8-1-4-5, Washington County Records; Thence South 00°02'00" West, along said line, by 7/8" x 1/2" # 2070-A-5 Washington County Records, a distance of 656.43 feet, to the front of beginning, containing 11.66 acres.  
 BRIAN A. TITTING, P.L.S.

**NARRATIVE**  
 THIS SURVEY WAS COMPLETED AUG. 2022. NO MONUMENTS WERE SET.  
 THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE BOUNDARIES OF THE ADDITION TO THE TOWN OF NEW HARMONY, UTAH.  
 LINES WERE ESTABLISHED BASED ON FOUND SECTION MONUMENTS AND THE CONNECTING LINES, PER LAST REFERENCE LISTED BELOW.

**REFERENCES**  
 LEAVITT ADDEDITION FILED WITH THE WASHINGTON COUNTY RECORDER AT DOC # 2020081951, 12/29/2021.  
 WOOLSEY SURVEYING RECORDED SURVEY FOR ROBERT L. AND MERESA H. GOODWIN, DATED MARCH 3, 1991; FILED IN THE WASHINGTON COUNTY SURVEY MAP DEPOSITORY WITH REFERENCE #952-91.  
 LEAVITT ADDITION ANNEXATION PLAT FILED WITH THE WASHINGTON COUNTY RECORDER IN BOOK 651 ON PAGE 9911, 5-15-91.  
 LEAVITT ADDITION ANNEXATION PLAT FILED WITH THE WASHINGTON COUNTY RECORDER IN BOOK 678 ON PAGE 64, 8-4-92.  
 PREMIER ADDITION ANNEXATION PLAT FILED WITH THE WASHINGTON COUNTY RECORDER AT DOC # 2007055806, 12/13/2007.  
 ALPHA ENGINEERING DESCRIPTION DATED FEB. 8, 2022.

**NEW HARMONY TOWN APPROVAL:**  
 I HEREBY CERTIFY THAT THIS PLAT OF THE ADDITION TO THE CORPORATE LIMITS OF NEW HARMONY TOWN WAS ACCEPTED BY THE MAYOR & THE TOWN COUNCIL OF THE TOWN OF NEW HARMONY, WASHINGTON COUNTY, UTAH, BY A RESOLUTION PASSED ON THE 20<sup>th</sup> DAY OF August, 2022, IN WITNESS WHEREOF, I HEREBY SET MY HAND AND SEAL OF OFFICE.  
 APPROVED: *[Signature]* MAYOR  
 ATTEST: *[Signature]* TOWN CLERK

**COUNTY SURVEYOR'S APPROVAL:**  
 I HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT AND FIND IT TO BE CORRECT AS TO TECHNICAL CONTENT, ON THIS 20<sup>th</sup> DAY OF August, 2022.  
 WASHINGTON COUNTY SURVEYOR

**RECORDED:**  
 WASHINGTON COUNTY RECORDER