

STATE OF UTAH



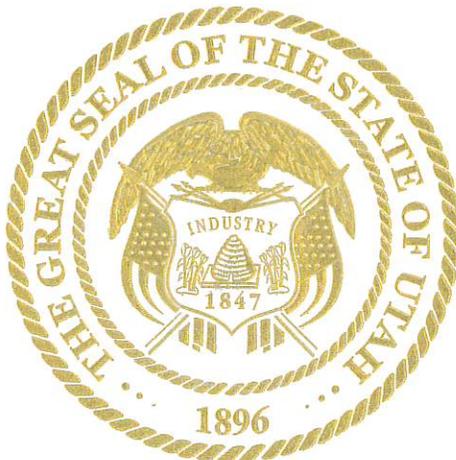
OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

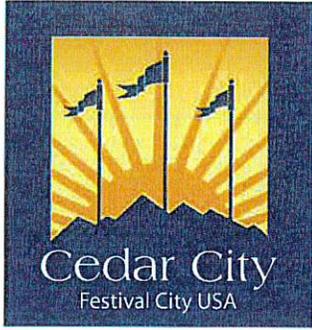
I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation known as the CASCADE SPRINGS ANNEXATION, located in CEDAR CITY, dated FEBRUARY 16, 2023, complying with Section §10-2-425, Utah Code Annotated, 1953, as amended.

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 CASCADE SPRINGS 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 16th day of February, 2023 at Salt Lake City, Utah.



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

February 14, 2023

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 – Cascade Springs Annexation (2620 North Commerce Center Drive)

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 8.20 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. 0208-23-1

**AN ORDINANCE OF THE CEDAR CITY COUNCIL ANNEXING APPROXIMATELY
8.20 ACRES OF PROPERTY LOCATED
IN THE VICINITY OF 2620 NORTH COMMERCE CENTER DRIVE
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 November 4, 2022, John Knudson, for Cyrus Investments, the owner of said property and legal signee, 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 8.20 acres in size and is located in the vicinity of 2620 North Commerce Center Drive. 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 December 14, 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, an Annexation Memorandum of Understanding for the Availability and Providing of City Services, sets forth further terms and conditions of the Annexation, is herein included as Exhibit C; 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. 0208-23-1, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Hartley - Aye
Isom - Aye
Phillips - Absent
Melling - Aye
Riddle - Aye

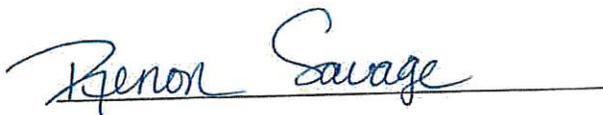
Dated this 14 day of February 2023.



GARTH O. GREEN, MAYOR

[SEAL]

ATTEST:



RENON SAVAGE, RECORDER

Exhibit A

Cedar City Ordinance 0208-23-1

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE N00°00'04"W, ALONG THE SECTION LINE 1,895.78 FEET; THENCE N89°51'20"E, 899.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°51'20"E, 430.03 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE, AND A POINT LOCATED ON THE EXISTING CEDAR CITY ANNEXATION BOUNDARY LINE; THENCE S00°01'32"W, ALONG SAID SECTION AND BOUNDARY LINE, 900.42 FEET; THENCE DEPARTING SAID SECTION LINE AND CONTINUING ALONG THE EXISTING CEDAR CITY ANNEXATION BOUNDARY LINE, N90°00'00"W, 289.54 FEET; THENCE DEPARTING SAID LINE AND RUNNING N00°10'17"E, 205.09 FEET; THENCE S89°53'02"W, 136.11 FEET; THENCE N00°36'16"W, 446.05 FEET; THENCE N00°01'33"E, 248.50 FEET TO THE POINT OF BEGINNING. CONTAINING 8.20 ACRES.

Exhibit B

Cedar City Ordinance 0208-23-1

RECEIVED
NOV 29 2022

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 Woodsey Land Surveying, 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:

(MUST ATTACH LEGAL DESCRIPTION AS EXHIBIT "A")

5. The petitioner designated as the contact sponsor is John Knudson
, at 2620 North 175 West, 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 4th day of November,
2022.



(Please sign your name)

John Knudson for Cyrus Tru - manager

(Please print your name and the capacity in which you sign)

(Please sign your name)

(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 C

Cedar City Ordinance 0208-23-1

ANNEXATION
MEMORANDUM OF UNDERSTANDING
FOR
THE AVAILABILITY AND PROVIDING OF CITY SERVICES

ANNEXATION NAME: Cascade Springs Annexation

ANNEXATION AREA: Northfield Area

ANNEXATION LOCATION: Located in the SW ¼, Section 26, Township 35 South, Range 11 West, Salt Lake Base & Meridian.

This memorandum of understanding describes the availability and requirements to provide the basic City services to the Annexation Area. It is clearly understood that this is a general statement of the availability and requirements to provide services relative to this annexation area. Cedar City Corporation may require additional improvements in the process of the development and reserves the right to do so.

DESCRIPTION OF SERVICES

1. WATER: There is an existing 6 inch city water main in Commerce Center Drive and 2530 North Street. The water line in 2530 North Street is directly adjacent to the proposed annexation area.
2. SEWER: There is a 10 inch sewer line in Commerce Center Drive and an 8 inch sewer line in 2530 North Street. There is also an 8' sewer line in 400 West Street which is west across neighboring properties to the west. Future development will likely need to connect to the sewer in 400 West Street.
3. DRAINAGE: The annexed area drains to the northwest, across neighboring property, and into 400 West Street. Once storm water reaches 400 West Street it flows north to 3000 North Street and then to the west.
4. ACCESS: The annexed property has direct access to 2530 North Street, a dedicated City street.
5. FIRE: All development shall conform to the currently adopted International Fire Code and International Building Code. Fire apparatus access roads shall be provided and maintained. Required access roads shall extend to within 150 feet of all portions of buildings and all exterior walls as measured by an approved route around the exterior of buildings hereafter constructed. Security gates across fire department access roads shall be approved by the fire code official and shall have an approved means of emergency operation. The grade of fire department access roads shall not exceed 10 percent. An approved water supply capable of supplying the required fire flow shall be provided.

Developments within Cedar City's designated Wildland Urban Interface areas shall conform to the Utah Wildland Urban Interface Code as adopted by Cedar

City Corporation.

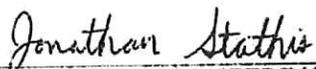
Developments located outside of a 5-mile radius from a city fire station may be classified as class 10 -unprotected, by the Insurance Services Office (ISO). While the fire department will provide fire protection in such areas, insurance rates are likely to be greater than those located within the city's ISO class 4 protection classification.

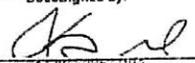
6. POLICE: The annexed property in within the area presently served by the Cedar City Police Department.

APPROVALS:


CEDAR CITY FIRE DEPARTMENT


CEDAR CITY POLICE DEPARTMENT


CEDAR CITY ENGINEERING DEPARTMENT

DocuSigned by:

PROPERTY OWNER

