

STATE OF UTAH



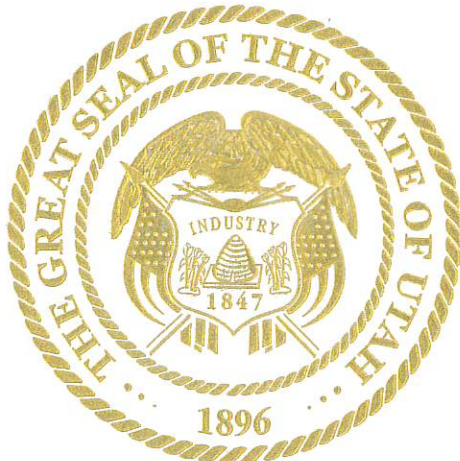
OFFICE OF THE LIEUTENANT GOVERNOR

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 RV LLC ANNEXATION, located in CEDAR CITY, dated FEBRUARY 16, 2023, complying with Section §10-2-425, Utah Code Annotated, 1953, as amended.

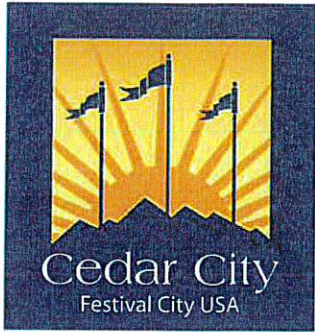
Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the RV LLC ANNEXATION, located in IRON COUNTY, State of Utah.

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 February, 2023 at Salt Lake City, Utah.



A handwritten signature in black ink, reading "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

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 – RV LLC Annexation (500 East Old Highway 91)~~

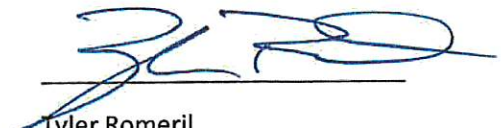
Dear Lt. Governor Henderson:

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 3.58 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**

**AN ORDINANCE OF THE CEDAR CITY COUNCIL ANNEXING APPROXIMATELY  
3.58 ACRES OF PROPERTY LOCATED  
IN THE VICINITY OF 500 EAST OLD HIGHWAY 91  
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 October 10, 2022, Scott Stewart, the legally authorized representative of Cedar City RV LLC, owner of said property, 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 3.58 acres in size and is located in the vicinity of 500 East Old Highway 91. 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, 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

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Exhibit A

Cedar City Ordinance 0208-23

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## 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:

EXHIBIT A

LARGE PARCEL - D-0636-0038-0000

BEGINNING AT A POINT THAT IS SITUATED S.0°06'17"W. ALONG THE SECTION LINE 158.21 FEET AND EAST 117.00 FEET FROM THE NORTHWEST CORNER OF SECTION 25, T.35S.,R.11W.,SLB&M. THENCE S.18°17'55"E. 648.56 TO THE NORTH LINE OF THE CEDAR CITY CORPORATION BOUNDARY, THENCE ALONG SAID BOUNDARY N.90°00'00"W. 930.28 FEET, THENCE DEPARTING SAID BOUNDARY N.57°14'19"E. 105.03 FEET, THENCE N.88°37'00"E. 263.24 FEET, THENCE N.59°36'45"E. 231.17 FEET, THENCE N.45°35'39"E. 185.50 FEET, THENCE N.13°21'32"E. 183.76 FEET, THENCE N.0°20'54"E. 127.05 FEET TO THE POINT OF BEGINNING.

CONTAINS 3.56 ACRES OF LAND (155,108 SF).

SMALL PARCEL - A PORTION OF B-1317-0000-0000

BEGINNING AT A POINT THAT IS SITUATED N.89°44'56"W. ALONG THE SECTION LINE 701.42 FEET AND SOUTH 750.80 FEET FROM NORTHEAST CORNER OF SECTION 26, T.35S.,R.11W.,SLB&M. THENCE S.46°39'23"E. 38.23 FEET TO THE NORTH LINE OF THE CEDAR CITY CORPORATION BOUNDARY, THENCE ALONG SAID BOUNDARY N.90°00'00"W. 55.24 FEET, THENCE DEPARTING SAID BOUNDARY N.46°16'24"E. 37.97 FEET TO THE POINT OF BEGINNING.

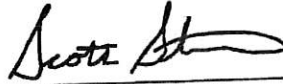
CONTAINS .02 ACRE OF LAND (725 SF).

5. The petitioner designated as the contact sponsor is Cedar City RV LLC, at 2541 E. Gala Street, Suite 310, Meridian ID 83642.

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 10th day of October, 2022.



\_\_\_\_\_  
(Please sign your name)

Scott Stewart, Authorized Member

\_\_\_\_\_  
(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 Cedar City. If you choose to withdraw your signature, you shall do so no later than 30 days after Cedar City receives notice that the petition has been certified."



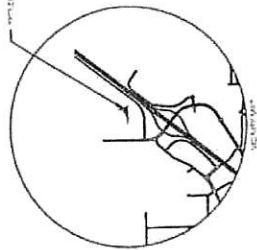
10/10/2022

2nd Review

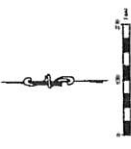
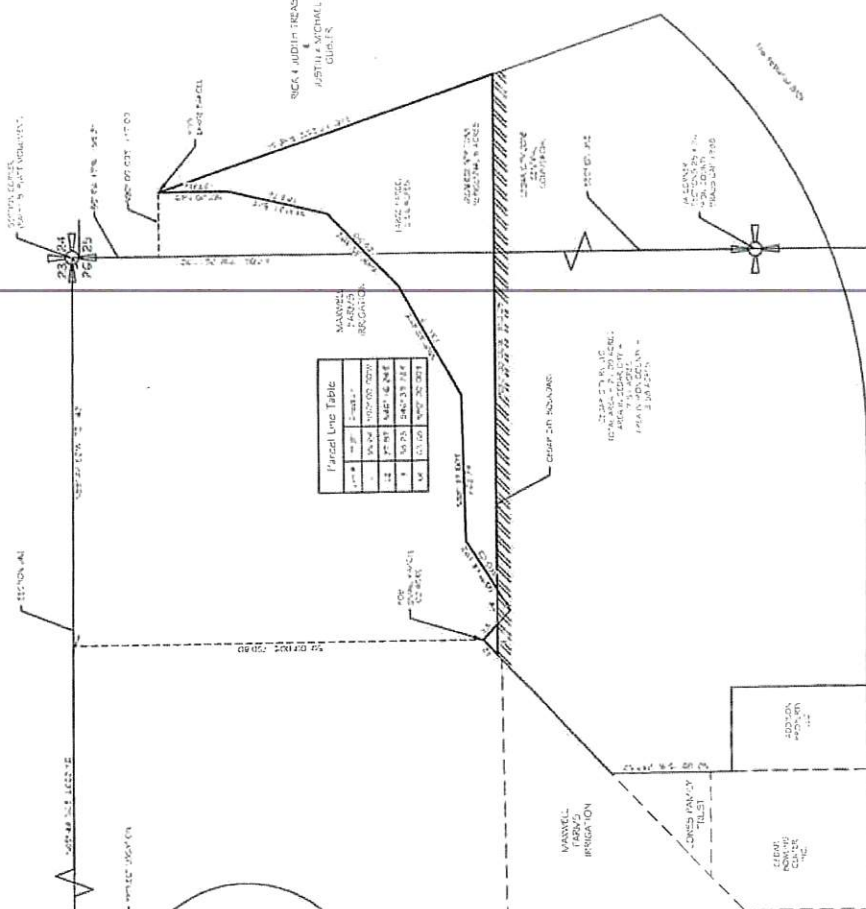
APPROVED

CEDAR CITY RV LLC  
ANNEXATION PLAT  
WITHIN THE NE1/4 OF SECTION 26, T.355, R.11 W., S18M 4  
WITHIN THE NW1/4 OF SECTION 25, T.355, R.11 W., S18M

SECTION 26  
SECTION 25



LINE	BEARING	DISTANCE	REMARKS
1	N 89° 58' 00" E	100.00	SECTION CORNER
2	S 89° 58' 00" W	100.00	SECTION CORNER
3	S 00° 00' 00" W	100.00	SECTION CORNER
4	N 00° 00' 00" E	100.00	SECTION CORNER



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**PLATT**  
CONSULTING  
LAND SURVEYORS  
Cedar City, UT 84702  
Tel: (435) 516-4131  
Fax: (435) 516-4137



LINE	BEARING	DISTANCE	REMARKS
1	N 89° 58' 00" E	100.00	SECTION CORNER
2	S 89° 58' 00" W	100.00	SECTION CORNER
3	S 00° 00' 00" W	100.00	SECTION CORNER
4	N 00° 00' 00" E	100.00	SECTION CORNER

CEDAR CITY RV LLC  
ANNEXATION PLAT FOR  
WITHIN THE NE1/4 OF SECTION 26, T.355, R.11 W., S18M 4  
WITHIN THE NW1/4 OF SECTION 25, T.355, R.11 W., S18M



DATE OF RECORDING: 10/10/2022  
PAGE: 1 OF 1

## Exhibit B

### Cedar City Ordinance 0208-23

#### LARGE PARCEL - D-0636-0038-0000

BEGINNING AT A POINT THAT IS SITUATED S.0°06'17"W. ALONG THE SECTION LINE 158.21 FEET AND EAST 117.00 FEET FROM THE NORTHWEST CORNER OF SECTION 25, T.35S., R.11 W., SLB&M. THENCE S.18°17'55"E. 648.56 TO THE NORTH LINE OF THE CEDAR CITY CORPORATION BOUNDARY, THENCE ALONG SAID BOUNDARY N.90°00'00"W. 930.28 FEET, THENCE DEPARTING SAID BOUNDARY N.57°14'19"E. 105.03 FEET, THENCE N.88°37'00"E. 263.24 FEET, THENCE N.59°36'45"E. 231.17 FEET, THENCE N.45°35'39"E. 185.50 FEET, THENCE N.13°21'32"E. 183.76 FEET, THENCE N.0°20'54"E. 127.05 FEET TO THE POINT OF BEGINNING. CONTAINS 3.56 ACRES OF LAND (155,108 SF).

#### SMALL PARCEL - A PORTION OF B-1317-0000-0000

BEGINNING AT A POINT THAT IS SITUATED N.89°44'56"W. ALONG THE SECTION LINE 701.42 FEET AND SOUTH 750.80 FEET FROM NORTHEAST CORNER OF SECTION 26, T.35S., R.11 W., SLB&M. THENCE S.46°39'23"E. 38.23 FEET TO THE NORTH LINE OF THE CEDAR CITY CORPORATION BOUNDARY, THENCE ALONG SAID BOUNDARY N.90°00'00"W. 55.24 FEET, THENCE DEPARTING SAID BOUNDARY N.46°16'24"E. 37.97 FEET TO THE POINT OF BEGINNING. CONTAINS .02 ACRE OF LAND (725 SF).

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**Exhibit C**  
**Cedar City Ordinance 0208-23**

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

ANNEXATION NAME: Cedar City RV LLC

ANNEXATION AREA: 3.58 Acres

ANNEXATION LOCATION: Within the NW1/4 of Section 25 and the NE1/4 of Section 26, Township 35 South, Range 11 West, SLB&M

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: Water is available at 3000 North near the Southwest Corner of the adjacent Property (same owner) which will be part of the RV park property.
2. SEWER: Sewer is available at 3000 North near the Southwest Corner of the adjacent Property (same owner) which will be part of the RV park property. A lift Station may have to be constructed to serve the north portion of the RV Park.
3. DRAINAGE: The property slopes from south to north and during the design phase of the RV park construction of an on site retention/detention basin will be considered, as well as other possibilities for addressing the site drainage.
4. ACCESS: The adjoining proposed RV park property south of the annexation property adjoins 3000 North (Old Highway 91) just east of Minersville Highway and the existing Bowling Alley.
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

  
PROPERTY OWNER  
Authorized Member for Cedar City RV LLC



NO.	DESCRIPTION	DATE	BY
1	PREPARED	11/17/2022	PLATT
2	REVISION		
3	REVISION		
4	REVISION		

**ANNEXATION PLAT FOR CEDAR CITY RV LLC**  
 WITHIN THE NE 1/4 OF SECTION 26, T. 35 S., R. 11 W., S14M # 1  
 WITHIN THE NW 1/4 OF SECTION 26, T. 35 S., R. 11 W., S14M # 1  
 IOWA COUNTY, IOWA



**SURVEYORS CERTIFICATE**  
 I, ROBERT B. BLATT PROFESSIONAL LAND SURVEYOR NUMBER 144498, DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED UNDER MY DIRECTION AND THAT THIS ANNEXATION PLAT IS THE PROPERTY OF CEDAR CITY RV LLC.  
 DATE: 11/17/2022  
 I AM A MEMBER OF THE IOWA SURVEYORS ASSOCIATION.

**LEGAL DESCRIPTIONS - CEDAR CITY RV LLC PROPERTIES**  
 LARGE PARCEL, DOSEBE 0008-00000000  
 BEGINNING AT A POINT THAT IS SITUATED 8,000.00 FT. ALONG THE SECTION LINE 701.42 FEET AND SOUTH 702.50 FEET FROM THE NORTHWEST CORNER OF SECTION 26, T. 35 S., R. 11 W., S14M # 1, 191.75 FT. THENCE ALONG SAID BOUNDARY N. 50.00000000 W. 330.20 FEET, THENCE DEPARTING SAID BOUNDARY N. 37.14189111 E. 100.00 FEET, THENCE N. 49.98333333 E. 185.50 FEET, THENCE N. 1.93152411 E. 183.74 FEET, THENCE N. 1.00000000 E. 100.00 FEET, THENCE N. 1.00000000 E. 100.00 FEET, CONTAINS 3.55 ACRES OF LAND (1.00 ACRES).  
 SMALL PARCEL, A PORTION OF 16-312-00000000  
 BEGINNING AT A POINT THAT IS SITUATED 19.00 FEET ALONG THE SECTION LINE 701.42 FEET AND SOUTH 702.50 FEET FROM THE NORTHWEST CORNER OF SECTION 26, T. 35 S., R. 11 W., S14M # 1, 191.75 FT. THENCE ALONG SAID BOUNDARY N. 50.00000000 W. 330.20 FEET, THENCE DEPARTING SAID BOUNDARY N. 37.14189111 E. 100.00 FEET, THENCE N. 49.98333333 E. 185.50 FEET, THENCE N. 1.93152411 E. 183.74 FEET, THENCE N. 1.00000000 E. 100.00 FEET, THENCE N. 1.00000000 E. 100.00 FEET, CONTAINS 3.55 ACRES OF LAND (1.00 ACRES).  
 CONTAINS 0.00 ACRES OF LAND (0.00 ACRES).

**CERTIFICATE OF ACCEPTANCE**  
 I, GARTH D. GREEN, MAYOR OF CEDAR CITY CORPORATION, DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN APPROVED BY THE CEDAR CITY COUNCIL AND HEREBY ORDERED TO BE RECORDED BY THE IOWA COUNTY RECORDER ON THIS 17<sup>TH</sup> DAY OF NOVEMBER, 2022.  
 I AM A MEMBER OF THE IOWA SURVEYORS ASSOCIATION.

**PLANNING COMMISSION APPROVAL**  
 I, HENRY CHERRY, CHAIRMAN OF THE CEDAR CITY PLANNING COMMISSION, DO HEREBY CERTIFY THAT I HAVE EXAMINED AND APPROVE THIS ANNEXATION PLAT.  
 DATE: 11/17/2022  
 I AM A MEMBER OF THE IOWA SURVEYORS ASSOCIATION.

**CEDAR CITY COUNCIL APPROVAL**  
 THIS ANNEXATION PLAT HAS BEEN APPROVED BY THE CEDAR CITY COUNCIL AND IS HEREBY ORDERED TO BE RECORDED IN THE OFFICE OF THE IOWA COUNTY RECORDER ON THIS 17<sup>TH</sup> DAY OF NOVEMBER, 2022.  
 I AM A MEMBER OF THE IOWA SURVEYORS ASSOCIATION.

**CERTIFICATE OF RECORDS**  
 I, CARL JEFFERS, COUNTY RECORDER OF IOWA COUNTY, IOWA, DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT, WAS FILED FOR RECORD IN MY OFFICE ON THIS 10<sup>TH</sup> DAY OF MARCH, 2022.  
 BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
 ENTRY NO.: \_\_\_\_\_ FEET: \_\_\_\_\_  
 RECORDED AT THE REQUEST OF \_\_\_\_\_

