

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 MOUNTAIN STATES CONTRACTORS, LLC, located in SEVIER COUNTY, dated MAY 10, 2023, complying with Section §10-2-407, 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 MOUNTAIN STATES CONTRACTORS, LLC, located in SEVIER COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 10th day of May, 2023 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON
Lieutenant Governor

NOTICE OF IMPENDING BOUNDARY ACTION

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the City Council of Richfield City, Utah (the "Council"), at a regular meeting of the Council duly convened pursuant to notice on April 25, 2023, adopted an ordinance to annex 10 acres of land owned by Mountain States Contractors, LLC. into the corporate limits of Richfield City.

Pursuant to Utah Code Ann. Section 10-2-407, and Ordinance 2023-3, the corporate limits of Richfield City are extended to include the property identified in Ordinance 2023-3 and the approved final plat.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Annexation.

DATED this 25th day of April 2023.

CITY COUNCIL, RICHFIELD UTAH

By: _____, Mayor

VERIFICATION

STATE OF UTAH)
 : ss.
COUNTY OF SEVIER)

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 by Bryan L. Burrows, Mayor, City Council, Richfield City Utah.

SUBSCRIBED AND SWORN to before me this 25th day of April 2023.

NOTARY PUBLIC

ORDINANCE NO. 2023-3
ORDINANCE ANNEXING SPECIFIC
PROPERTY TO RICHFIELD, UTAH

WHEREAS, a majority of the owners of certain real property described below desire to annex such real property to Richfield, Utah, said owner, Mountain States Contractors, LLC.; and

WHEREAS, said real property consists of approximately 10 acres and lies contiguous to the corporate boundaries of Richfield, Utah; and

WHEREAS, said owners have caused a petition to be filed with the City Recorder together with an accurate plat of the real property, which was made under the supervision of a licensed surveyor; and

WHEREAS, Richfield City Council accepted the petition for annexation; and within 30 days, the City Recorder reviewed the petition and certified that the petition meets the requirements for annexation as provided by Utah State Law (Subsections 10-2-408(2), (3), and (4)); and

WHEREAS, a notice was published once a week for three successive weeks, beginning no later than ten days after receipt of the notice of certification, in a newspaper of general circulation for the area proposed for annexation and the unincorporated area within a half-mile of the area proposed for annexation as provided by Utah State Law (Subsection 10-2-406); and

WHEREAS, within 20 days of receipt of the notice of certification, written notices were mailed to the affected entities as provided by Utah State Law (Subsections 10-2-406(1) (b)); and

WHEREAS, no protests to the annexation petition were filed during the period specified;

NOW, THEREFORE, pursuant to Section 10-2-407, Utah Code, the City Council of Richfield, Utah, hereby adopts and passes the following:

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

ORDINANCE 2023-2 ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF RICHFIELD, UTAH.

The real property, more particularly described in Paragraph 1 below, is hereby annexed to Richfield, Utah, and the corporate limits of Richfield, Utah, are hereby extended accordingly.

1. The real property which is the subject of this Ordinance is described as follows:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, T.23 S., R.3 W., S.L.B. & M., SAID POINT OF BEGINNING ALSO BEING LOCATED AT THE NORTHWEST CORNER OF PARCEL 4-236-38 AND THE SOUTHWEST CORNER OF PARCEL 4-234-2; THENCE ALONG THE WEST LINE OF PARCEL 4-234-2, N00°09'19"W 330.00 FEET TO THE NORTHWEST CORNER OF PARCEL 4-234-

2; THENCE ALONG THE NORTH LINE OF PARCEL 4-234-2, N89°50'41"E 660.00 FEET TO THE NORTHEAST CORNER OF PARCEL 4-234-2; THENCE ALONG THE EAST LINE OF PARCEL 4-234-2, S00°09'19"E 330.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 4-234-2 AND THE NORTHEAST CORNER OF PARCEL 4-236-38; THENCE ALONG THE EAST LINE OF PARCEL 4-236-38, S00°09'19"E 330.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 4-236-38 AND EXISTING RICHFIELD CITY BOUNDARY; THENCE ALONG THE SOUTH LINE OF PARCEL 4-236-38 AND THE EXISTING RICHFIELD CITY BOUNDARY, S89°50'41"W 660.00 FEET TO THE SOUTHWEST CORNER OF PARCEL 4-236-38; THENCE ALONG THE WEST LINE OF PARCEL 4-236-38, N00°09'19"W 330.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 10.00 ACRES MORE OR LESS.

2. The zoning map of Richfield City shall be amended to include the real property described in Paragraph 1. The real property described in Paragraph 1, above, shall be classified as being **general commercial (CG)**, in accordance with the General Plan for Richfield, Utah, and provisions of Chapter 16 of the City's Land Use Management and Development Code and Section 10-9-406(1) of the Utah Code Annotated, 1953, as amended.

3. A certified copy of this Ordinance and an original plat setting forth the property so annexed shall be filed with the County Recorder of Sevier County, Utah, by the City Recorder.

4. This Ordinance shall become effective upon adoption and passage by the City Council. A copy of the Ordinance and plat shall be deposited in the Office of the City Recorder.

ADOPTED AND PASSED by the City Council of Richfield, Utah, this 25th day of April 2023.

RICHFIELD CITY
A Utah Municipal Corporation
By Bryan L. Burrows
Bryan L. Burrows, Mayor

ATTEST:
Michele H. Jolley
Michele H. Jolley, Recorder

(S E A L)

	<u>AYE:</u>	<u>NAY:</u>
Councilmember Brayden Gardner	<u>✓</u>	_____
Councilmember Kip Hansen	<u>✓</u>	_____
Councilmember Elaine Street	<u>✓</u>	_____
Councilmember Tanner Thompson	<u>✓</u>	_____



Annexation Plat

Richfield City M.S.C. Addition

Located in the S.W. 1/4 of Section 13 and the N.W. 1/4 of Section 24, T.23 S., R.3 W., S.L.B. & M.
Sevier County, Utah
2023



- LEGEND**
- ANNEXATION BOUNDARY LINE
 - - - - - EXISTING RICHFIELD CITY BOUNDARY LINE
 - - - - - QUARTER SECTION LINE
 - - - - - 60' ZONE LINE
 - - - - - DEED LINE
- QUARTER SECTION CORNER NOT LOCATED
○ QUARTER SECTION CORNER NOT LOCATED
○ QUARTER SECTION CORNER NOT LOCATED
○ QUARTER SECTION CORNER NOT LOCATED

UNCLIVITY MAP AND SECTION INFORMATION

SECTION 13, T.23 S., R.3 W., S.L.B. & M.
SECTION 24, T.23 S., R.3 W., S.L.B. & M.

NOTES

1. THE BOUNDARY OF THIS PLAT IS AS SHOWN BY THE INSTRUMENT IDENTIFIED AS T.M. 2023-001 AND 2023-002 AND THE CORPORATE BOUNDARY OF RICHFIELD CITY, UTAH.
2. THE PLAT IS SUBJECT TO THE 60' ZONE LINE BETWEEN THE QUARTER SECTION CORNER AND THE RICHFIELD CITY BOUNDARY.
3. REFER TO DOCUMENTS:
 - a. T.M. 2023-001 AND 2023-002 FOR THE BOUNDARY OF THIS PLAT.
 - b. T.M. 2023-003 AND 2023-004 FOR THE BOUNDARY OF THIS PLAT.

ANNEXATION DESCRIPTION

THE ANNEXATION DESCRIBED IN THIS PLAT IS THE UNINCORPORATED AREA OF SECTION 13, T.23 S., R.3 W., S.L.B. & M. AND SECTION 24, T.23 S., R.3 W., S.L.B. & M. WHICH ARE CURRENTLY UNINCORPORATED INTO THE CITY OF RICHFIELD CITY, UTAH. THE ANNEXATION IS SUBJECT TO THE 60' ZONE LINE BETWEEN THE QUARTER SECTION CORNER AND THE RICHFIELD CITY BOUNDARY.

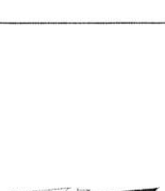
PREPARED BY:
Jones & DeMille Engineering, Inc.
CIVIL ENGINEERING - SURVEYING - TESTING - GIS - ENVIRONMENTAL
1800 748 5279 www.jonesanddemaille.com

Annexation Plat
M.S.C. Addition to
Richfield City
Sevier County, Utah
Scale: 1" = 100'

SURVEYOR'S CERTIFICATE

I, **David A. Hill**, Professional Land Surveyor, No. 13369, State of Utah, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional land surveyor under the laws of the State of Utah.

DATE: **May 3, 2023**



COUNTY SURVEYOR APPROVAL

I, **Carl B. Smith**, Professional Land Surveyor, No. 13369, State of Utah, do hereby approve the foregoing plat as being in accordance with the laws of the State of Utah and the rules and regulations of the Board of Professional Land Surveyors.

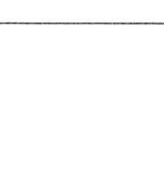
DATE: **May 3, 2023**



ACCEPTANCE BY LEGISLATIVE BODY

I, **John A. Berman**, Mayor of Richfield City, Utah, do hereby accept the foregoing plat as being in accordance with the laws of the State of Utah and the rules and regulations of the Board of Professional Land Surveyors.

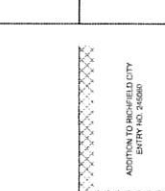
DATE: **April 29, 2023**



ACCEPTANCE BY LEGISLATIVE BODY

I, **Richard Liebenga**, Mayor of Richfield City, Utah, do hereby accept the foregoing plat as being in accordance with the laws of the State of Utah and the rules and regulations of the Board of Professional Land Surveyors.

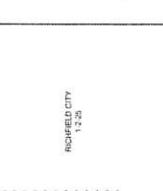
DATE: **April 29, 2023**



ACCEPTANCE BY LEGISLATIVE BODY

I, **Richard Liebenga**, Mayor of Richfield City, Utah, do hereby accept the foregoing plat as being in accordance with the laws of the State of Utah and the rules and regulations of the Board of Professional Land Surveyors.

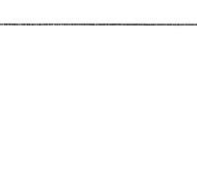
DATE: **April 29, 2023**



ACCEPTANCE BY LEGISLATIVE BODY

I, **Richard Liebenga**, Mayor of Richfield City, Utah, do hereby accept the foregoing plat as being in accordance with the laws of the State of Utah and the rules and regulations of the Board of Professional Land Surveyors.

DATE: **April 29, 2023**



ACCEPTANCE BY LEGISLATIVE BODY

I, **Richard Liebenga**, Mayor of Richfield City, Utah, do hereby accept the foregoing plat as being in accordance with the laws of the State of Utah and the rules and regulations of the Board of Professional Land Surveyors.

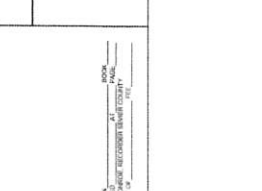
DATE: **April 29, 2023**



ACCEPTANCE BY LEGISLATIVE BODY

I, **Richard Liebenga**, Mayor of Richfield City, Utah, do hereby accept the foregoing plat as being in accordance with the laws of the State of Utah and the rules and regulations of the Board of Professional Land Surveyors.

DATE: **April 29, 2023**



RESOLUTION NO. 2023-2

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED.

WHEREAS, on the 23rd day of January 2023, the owners of certain real property, Mountain States Contractors, Inc.; petitioner, filed a petition with the city recorder of Richfield City, Sevier County, the State of Utah requesting that property identified as parcel numbers 4-234-2, and 4-236-38 be annexed to the corporate boundaries of Richfield City; and

WHEREAS, said petition contains the signatures of the owner of private real property that is: 1) located within the area proposed for annexation; 2) covers a majority of the private land area within the area proposed for annexation, and 3) is equal in value to at least one-third of the value of all the private real property within the area proposed for annexation; and

WHEREAS, the petitioners certify that said property proposed for annexation lies contiguous to the present boundaries of Richfield City and the petitioners have caused an accurate plat or map of the real property proposed for annexation to be prepared by a licensed surveyor and have filed said plat or map with the city recorder; and

WHEREAS, said petition appears to comply with all of the requirements of Section 10-2-402 and 403, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Richfield City, Sevier County, State of Utah, that the Annexation Petition is hereby accepted for further consideration under the provisions of Utah State Annexation Law and is hereby referred to the city recorder for review pursuant to Section 10-2-405(2), Utah State Code Annotated, 1953, as amended.

BE IT FURTHER RESOLVED that this resolution shall become effective upon adoption.

ADOPTED AND PASSED by the City Council this 14th day of February 2023.

RICHFIELD CITY
A Utah Municipal Corporation

By Bryan L. Burrows
Bryan L. Burrows, Mayor

ATTEST:

Michele Jolley
Michele Jolley, Recorder

(S E A L)

	<u>AYE:</u>	<u>NAY:</u>
Councilmember Brayden Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Todd Gleave	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Kip Hansen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Elaine Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Tanner Thompson	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PETITION FOR ANNEXATION

Petition date: 1-23-23

Petition Description (Approximate Address): 1805 North Main Street

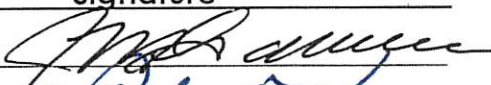

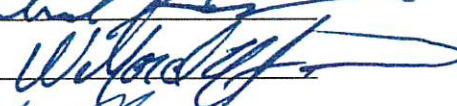

Contact Sponsor Name: Richard Hammon – Mountain States Contractors, Inc.

Contact Sponsor Mailing Address: P.O. Box 178, Hurricane, Utah 84737

Contact Sponsor Phone Number: 435-691-4063

We, the undersigned, being a majority of the owners of property in territory lying contiguous to corporate limits of Richfield City, a municipal corporation in Sevier County, State of Utah, and being also the owners of more than one-third (1/3) in value of the property in the said territory as shown by the last assessment rolls in Sevier County, hereby respectfully petition in the said territory as Mayor and City Council of Richfield City that such territory be annexed to and become part of said Richfield City and that the corporate city limits of Richfield City be extended to include the territory herein below listed.

My signature on this petition may be considered as a separate petition or as part of a multiple-petitioner petition.

Printed Name	Mailing Address	Signature
1. Joseph Hammon	P.O. Box 1026 Colorado City, AZ 86021	
2. Richard Hammon	Box 991 Colorado City, AZ 86021	
3. Wilford Hammon	Box 1617 Colorado City, AZ 86021	
4. Anthony Hammon	P.O. Box 1907 Colorado City, AZ 86021	
5.		
6.		
7.		
8.		
9.		
10.		

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Third paragraph of faint, illegible text.

Fourth paragraph of faint, illegible text.

Fifth paragraph of faint, illegible text.

Sixth paragraph of faint, illegible text.

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Seventh paragraph of faint, illegible text.

Eighth paragraph of faint, illegible text.

Ninth paragraph of faint, illegible text at the bottom of the page.

Richfield City
75 East Center Street
Richfield, Utah 84701
Main Number (435) 896-6439
Fax Number (435) 896-6512



9. _____

10. _____

The territory referred to herein is comprised of the following described real property in Sevier County, State of Utah, to wit)

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, T.23 S., R.3 W., S.L.B. & M., SAID POINT OF BEGINNING ALSO BEING LOCATED AT THE NORTHWEST CORNER OF PARCEL 4-236-38 AND THE SOUTHWEST CORNER OF PARCEL 4-234-2; THENCE ALONG THE WEST LINE OF PARCEL 4-234-2, N00°09'19"W 330.00 FEET TO THE NORTHWEST CORNER OF PARCEL 4-234-2; THENCE ALONG THE NORTH LINE OF PARCEL 4-234-2, N89°50'41"E 660.00 FEET TO THE NORTHEAST CORNER OF PARCEL 4-234-2; THENCE ALONG THE EAST LINE OF PARCEL 4-234-2, S00°09'19"E 330.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 4-234-2 AND THE NORTHEAST CORNER OF PARCEL 4-236-38; THENCE ALONG THE EAST LINE OF PARCEL 4-236-38, S00°09'19"E 330.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 4-236-38 AND EXISTING RICHFIELD CITY BOUNDARY; THENCE ALONG THE SOUTH LINE OF PARCEL 4-236-38 AND THE EXISTING RICHFIELD CITY BOUNDARY, S89°50'41"W 660.00 FEET TO THE SOUTHWEST CORNER OF PARCEL 4-236-38; THENCE ALONG THE WEST LINE OF PARCEL 4-236-38, N00°09'19"W 330.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 10.00 ACRES MORE OR LESS.

Those properties described and set forth upon the attached pages 1 through 4, which pages are incorporated by reference and expressly made a part of this petition.

List of Annexation Petition Attachments:

- Individual Legal descriptions for each property proposed for annexation; or a legal description that is inclusive of all properties proposed for annexation;
- An accurate, recordable map prepared by a licensed surveyor of the area(s) proposed for annexation;
- Copies of notices sent to affected entities; (we send these with the fee)
- A list of affected entities to which notices were sent;

Please return this form with attachments to the Richfield City Offices with an annexation Petition fee of \$1,500.

Please contact the City Recorder's Office at (435) 896-6439 if you have any questions regarding this form or this process.

