

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 know as the VERNAL CITY - LMP HOLDING AREA ANNEXATION located in VERNAL CITY, dated JULY 2, 2024, complying with §67-1a-6.5, 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 VERNAL CITY - LMP HOLDING AREA ANNEXATION located in UINTAH COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 10<sup>th</sup> day of July, 2024 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON  
Lieutenant Governor





July 2, 2024

Deidre Henderson  
Utah Lieutenant Governor  
350 State Street #220  
Salt Lake City, UT 84103

**RE: Boundary Action.**


Dear Lt. Governor Henderson,

I am writing to request a certificate for a boundary action for an annexation of property from Uintah County into Vernal City, Utah. The parcel of property for which this annexation pertains is outlined in the attached documents. We have followed the prescribed annexation procedures outlined in Utah Code to ensure transparency and adherence to due process, and all of the requirements for this action have now been met. The City Council re-adopted Ordinance No. 2024-06 to meet the time frames for this boundary adjustment.

The City respectfully requests that your office review the documentation and issue the necessary certificate for the completion of this annexation.

Thank you for your attention to this matter. Should you require any further information or documentation, please contact me at your convenience.

Sincerely,

  
Roxanne Behunin,  
Vernal City Recorder / HR

# CERTIFICATION OF PETITION FOR ANNEXATION

To:

Vernal City Council  
Uintah County Commission  
Jake Price, Contact Sponsor on behalf of LMP Holdings, LLC (Petitioner)

Re: Certification of a Petition for Annexation under Utah Code Section 10-2-405(2)(c)(i);  
Parcel Number 05:048:0003 in Uintah County, Utah (624 E 500 S)

I, Roxanne Behunin, the Vernal City Recorder, hereby certify that the *Petition for Annexation* filed with Vernal City pursuant to Utah Code Section 10-2-403 regarding the unincorporated area described within the petition, parcel number 05:048:0003 in Uintah County, Utah (624 E 500 S), meets the requirements of Utah Code Subsections 10-2-403(3) and (4).

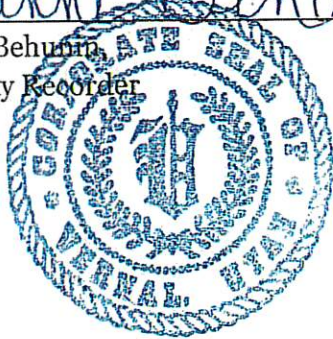
After obtaining the necessary records from the Assessor, Clerk, Surveyor, and/or Recorder of Uintah County, and with the assistance of Michael D. Harrington, City Attorney, I confirm that the petition complies with the aforementioned statutory requirements.

In accordance with Utah Code Section 10-2-405(2)(c)(i), I am delivering this certification to inform the municipal legislative body (Vernal City Council), the contact sponsor (Jake Price), and the county legislative body (Uintah County Commission) of the acceptance of the annexation petition.

Dated this 26th day of September, 2023.



Roxanne Behunin  
Vernal City Recorder





PRICE ANNEXATION: 624 East 500 South, Vernal, Utah Parcel #: 05:048:0003

Property Owner: LMP Holdings, Inc. Lindsey and Jake Price

ANNEXATION GUIDELINES AND TIME FRAMES:

- Notice of Intent to request annexation (Has petitioner spoken with City Planner to review basic proposal?) Confirm annexation proposal is within City declaration area.  
  
Notes: Half of acreage is in County and half is in City. Built a building in the middle and found out could not get Certificate of Occupancy from either entity as half was in others jurisdiction.
- Send notice of intent to affected entities with a map of the area to be annexed. (City Recorder may do this to ensure all agencies are notified)  
Notes: CR sent notice to affected entities. Mailed July 26, 2023.
- Notify County with notice of intent also and pay fee. (Property owner)
- County sent notice to property owners involved and within 300 feet of annexation.  
Wait for notice from County that this has been done. (within 20 days it is required to be sent.)  
Notes: Received notice from Uintah County Planning that notice was sent
- Send Annexation Petition. August 21, 2023
- Petition for Annexation is presented to City Recorder: Received August 22, 2023  
Must be accompanied by accurate and recordable map prepared by a licensed surveyor;  
Note: Plat received from Surveyor Harold Marshall.
- Verify signatures with the County. August 24, 2023 County Recorder's Office  
Is property within an agricultural protection area? If so, must have 100% of signatures of private property. If not, must be equal to 1/3 of the value of all private real property.  
Is property public? If so, must have signatures of person with ability to sign for public entity.  
Notes: Only one property owner – LMP Holdings, both Jake and Linsey Price signed petition.
- Schedule petition to be heard by City Council at the next scheduled public meeting at least 14 days after receipt of petition. Date: September 20, 2023  
If petition is denied – within five days of denial, sent written notice of denial to contact sponsor and County Clerk.

If petition is accepted – within 30 days meet with City Attorney, see if petition meets requirements.

Note: annexation accepted by Council. Met with City Attorney, went over requirements.

- Certify the petition and mail or deliver written notification to the City Council, sponsor and County Clerk / County Commission.

Note: prepared Notice of acceptance and sent to Council, County and petitioner October 3, 2023.

- N/A* If does not meet requirements – reject petition and mail notification to City Council, sponsor and County Clerk / County Commission.

- N/A* If rejected – sponsor can modify petition to correct deficiencies. If modified, treat as a new petition.

- If certified – City Recorder shall provide the notice within 10 days:

On Public Notice website – leave on website for 3 weeks;  
Post notice, one for each 2000 population within combined area, in places within combined area with maximum of 10 notices or mail notice to each residence;  
Within 20 days to affected entities with language on 30 day protest period and protest deadline;  
Post on city website for 3 weeks;  
Provide written notice to all property owners within ½ mile radius of proposed annexation with language on 30 day protest period and protest deadline;

Note: Sent notice to property owners within ½ mile, Affected entities, posted on PNW, posted in 5 locations: City building, County building, library, GA center, Rec center. Set protest date November 6, 2023.

- If no protest:

- If receive a protest

Note: One protest received. Notified County need Boundary Commission. Do not have one set up. Protest from Ashley Valley Water Improvement District.

Protest was recinded.

Notify the County Clerk / Commission;  
Deliver protest to Boundary Commission within 5 days;  
if Boundary Commission is not already appointed – help set one up; or  
May Council may deny petition at next regularly scheduled meeting.  
If deny – notify sponsor, County and entity that protested within 5 days.  
If do not deny; cannot do anything further until get report from Boundary Commission

Boundary Commission may require feasibility study

- If Boundary Commission deny's petition N/A  
At next meeting Council deny petition; N/A  
If deny – notify sponsor, County and entity that protested within 5 days.
- If Boundary Commission accepts petition N/A
- Notice of public hearing (7 day notice as a Class B Notice) Date: February 13, 2024 date of public hearing.

Council can approve an ordinance approving annexation

Note: Approved annexation on February 21, 2024.

Sent to Lt. Governors office, affected entities, March 1, 2024

If approved, within 60 days must;

- Publish ordinance on PNW: Published on PNW 2/22/2024

Note: published on

- File notice of boundary action with Lt. Governor to receive certificate; March 1, 2024  
They did not receive it. Follow up with postal carrier – they did not deliver, willing to deliver for free now. Not in time for code. Have to re- approve ordinance.  
Reapproved ordinance June 19, 2024.  
Sent to Lt. Governor through link on July 2, 2024

- Send certified copy of ordinance to Department of Health and Human Services

- Record plat, ordinance and certificate from Lt. Governor with the County

- Notify affected entities and utility companies per franchise agreements.

**NOTICE OF ACCEPTANCE OF ANNEXATION PETITION  
IN VERNAL, UTAH**

NOTICE IS HEREBY GIVEN that a petition to annex property located at 624 East 500 South, Uintah County, Utah (parcel #05:048:0003) has been filed with Vernal City. The Vernal City Council has accepted the annexation petition for further consideration and received a notice of certification as required by Utah Code 10-2-405 (1)(a)(i)(B) on October 3, 2023.

All persons or affected entities providing services to this property who are not in favor of this annexation petition may file a written protest. Protests must be sent by November 6, 2023 to:

Uintah County Commission  
152 East 100 North  
Vernal, Utah 84078

and

Vernal City Recorder  
374 East Main  
Vernal, Utah 84078

The Vernal City Council may grant the request for annexation for the property located at 624 East 500 South, Uintah County, Utah, (parcel # 05:048:0003) if no protests are received within the specified time frame. All persons having interest in the annexation petition may contact the Vernal City Recorder, Roxanne Behunin, at (435) 789-2255 or 374 East Main, Vernal, Utah 84078 to view or copy the petition.

Posted on the Utah Public Notice Website; and

Posted on the Vernal City Website; and


Posted in conspicuous places within Vernal City; and

Sent to property owners within a ½ mile resident of the property; and

Sent to affected entities on October 3, 2023.



# PETITION FOR ANNEXATION

 **E-MAILED**  
8/22/23  
 1745 Hes

**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 VERNAL CITY RECORDER. IF YOU CHOOSE TO WITHDRAW YOUR SIGNATURE, YOU SHALL DO SO NO LATER THAN 30 DAYS AFTER VERNAL CITY RECEIVES NOTICE THAT THE PETITION HAS BEEN CERTIFIED.

WE THE UNDERSIGNED owners of certain real property lying contiguous to the present municipal limits of the City of Vernal, Utah, hereby submit this PETITION FOR ANNEXATION and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated (UCA).
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of the City of Vernal and the annexation there of will not leave or create an unincorporated island or peninsula.
3. This PETITION FOR ANNEXATION does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted.

WHEREFORE, the petitioners hereby request that this petition be considered by the Vernal City Council at its next regular meeting, or as soon thereafter as possible, and that the City take such steps as required by law to complete the annexation herein petitioned.

Dated this 1<sup>st</sup> day of August, 2023.

The petitioner(s) hereby sign(s) this PETITION FOR ANNEXATION and designate no more than five of the signers as "Sponsor," one of whom has been designated "Contact Sponsor/Petitioner," and has provided the mailing address and phone number of each sponsor.

	PETITIONER(S)	ADDRESS	PHONE
CONTACT SPONSOR/PETITIONER PRINT NAME:	Jake Price	624 E. 500 S. Vernal, UT 84078	(435) 828-0236
SIGNATURE	Jake Price		
SPONSOR/PETITIONER PRINT NAME:	Derk Price	624 E 500 S. Vernal, UT 84078	(435) 790-7948
SIGNATURE	Derk Price		
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			

**RESOLUTION BY UNANIMOUS CONSENT IN LIEU OF A SPECIAL  
MEETING OF THE MEMBER OF  
LMP HOLDINGS, LLC  
a Utah Limited Liability Company**

The undersigned member, Lindsey Price being the only Member of LMP HOLDINGS, LLC (the "Company"), acting pursuant to applicable sections of the Utah Revised Uniform Limited Liability Company Act of the State of Utah, does hereby unanimously adopt the following resolution in lieu of a special meeting of the Member (the "Member") of the Company:

WHEREAS, the Member determined that it was in the best interest of the company to approve the petition for annexation of the property owned by LMP HOLDINGS, LLC, located at 624 East 500 South, Vernal, Uintah County, Utah, more particularly described as Parcel No. 05:048:0003; and

WHEREAS, Jake Price has been working on this issue and coordinating with an adjacent landowner, it is determined that he is best suited to be appointed Agent and attorney-in-fact for the Company regarding this issue.

**NOW THEREFORE, BE IT RESOLVED:**

1. That Jake Price is appointed Agent and attorney-in-fact for the purpose of handling matters associated with the annexation petition and is authorized and directed to sign any documents on behalf of the company to facilitate the annexation of 624 East 500 South, Vernal, Uintah County, Utah, more particularly described as Parcel No. 05:048:0003.

Dated and effective this 29<sup>th</sup> day of August, 2023.

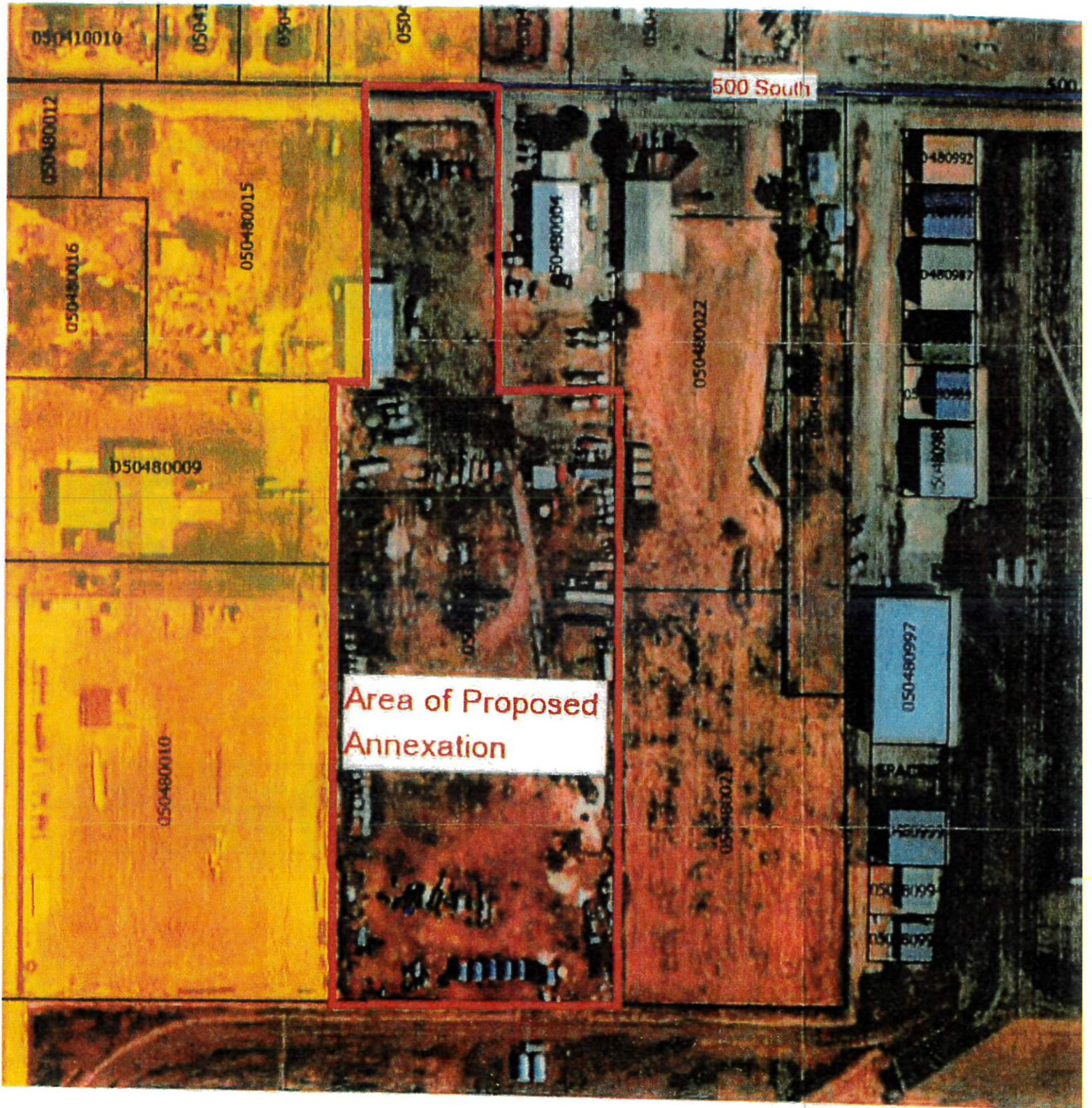
  
Lindsey Price, Member

The Agent named below agrees to serve as the LMP HOLDINGS, LLC's agent and attorney-in-fact pursuant to the terms set forth above in this resolution.

DATED this 29<sup>th</sup> day of August, 2023.

  
Jake Price, Agent





050410010

05041

05041

05041

050490012

050490016

050480015

050480009

050480010

050480004

050480027

500 South

0480992

0480987

050480997

050480998

050480997

Area of Proposed Annexation

050480027

SPACED

THURSDAY

050480999

050480999



CERTIFICATION OF RECORDS

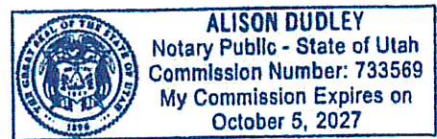
I, Roxanne Behunin, Vernal City Recorder, as custodian of records for the Vernal City, do hereby certify that the attached copies, Ordinance No. 2024-06, Petition for Annexation, Certification of Petition for Annexation and Notice of Acceptance of Annexation Petition for property located at 624 East 500 South, Vernal, Utah parcel #05:048:0003 are true and correct copies of the originals and are official records of Vernal City received and compiled for the annexation of this property into Vernal City

Roxanne Behunin (signature of person signing certification)  
March 1, 2024 (date)  
City Recorder (title)

Subscribed to before me by Roxanne Behunin, this the 1st day of March, 2024.

Alison Dudley  
NOTARY PUBLIC

My Commission Expires: 10/05/2027





ALISON BUDLEY  
Notary Public - State of Utah  
Commission Number: 73569  
My Commission Expires on  
October 8, 2027



Support

PUBLIC NOTICE WEBSITE  
DIVISION OF ARCHIVES AND RECORDS SERVICE

# Public Hearing -Request for Annexation 624 East 500 South

## General Information

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Government Type:

Municipality

Entity:

Vernal

Public Body:

City Council

Give Feedback

## Notice Information

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[Add Notice to Calendar](#)

Notice Title:

Public Hearing -Request for Annexation 624 East 500 South

Notice Subject(s):

Hearings , Annexation

Notice Type(s):

Notice, Hearing

Event Start Date & Time:

February 21, 2024 06:15 PM

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Event End Date & Time:

February 21, 2024 08:00 PM

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Description/Agenda:

**NOTICE OF PUBLIC HEARING TO CONSIDER FINAL APPROVAL OF REQUEST FOR ANNEXATION IN VERNAL, UTAH**

NOTICE IS HEREBY GIVEN that the Vernal City Council shall hold a public hearing on Wednesday, February 21, 2024 at 6:15 pm in the Vernal City Council chambers, 374 East Main, Vernal, Utah to consider final approval or denial of the request for annexation for the property located at 624 East 500 South, Uintah County, Utah (parcel #05:048:0003). The petition was accepted by Vernal City as required by Utah Code 10-2-405 (1)(a)(i)(B) on October 3, 2023 and the time to protest the annexation has expired.

All persons and public entities having interest in the request for annexation are invited to attend the public hearing. For questions concerning the annexation petition, contact the Vernal City Recorder, Roxanne Behunin, at (435) 789-2255 or 374 East Main, Vernal, Utah 84078.

Posted on the Utah Public Notice Website; and  
 Posted on the Vernal City Website; and  
 Posted in conspicuous places within Vernal City; and  
 Sent to property owners of the area proposed for annexation; and  
 Sent to affected entities on February 13, 2024.  
 Notice must remain in place through February 22, 2024

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Notice of Special Accommodations (ADA):

NOTE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Quinn Bennion at 374 East Main, Vernal, Utah 84078, telephone: 789-2255.

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Notice of Electronic or Telephone Participation:

NA

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Give Feedback

## Meeting Information

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Meeting Location:

374 E Main Street  
Vernal, UT 84078

Show in Apple Maps

Show in Google Maps

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Contact Name:

Quinn Bennion

---

Contact Email:

[qbennion@vernalcity.org](mailto:qbennion@vernalcity.org)

---

Contact Phone:

(435)789-2255

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## Notice Posting Details

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Notice Posted On:

February 12, 2024 04:54 PM

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Notice Last Edited On:

February 12, 2024 04:54 PM

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**ORDINANCE NO. 2024-06**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL ANNEXING AND EXTENDING THE CORPORATE LIMITS OF VERNAL CITY, UTAH TO INCLUDE THE AREA DESCRIBED IN EXHIBIT “A”, AND AMENDING THE VERNAL CITY ZONING MAP TO DESIGNATE AND ZONE THE ANNEXED AREA AS “I-1”, INDUSTRIAL, UPON ITS ANNEXATION IN THE THE CITY OF VERNAL.**

**WHEREAS**, Utah Code Ann. § 10-2-403 authorizes the City to annex contiguous unincorporated property upon receiving a petition from the property owners; and

**WHEREAS**, on August 1, 2023, LMP Holdings, LLC, a duly registered limited liability company, petitioned for the annexation of its real property located at 624 E 500 S, Vernal, UT 84078 into the municipal boundaries of Vernal City; and

**WHEREAS**, Vernal City Council has thoroughly reviewed the petition, the resolution of LMP Holdings, LLC, and all relevant documents concerning the annexation; and

**WHEREAS**, the Vernal City Council finds that the Petition satisfies all the requirements of Utah Law.

**WHEREAS**, proper notices were sent and all responsive protests were withdrawn concerning the Petition; and

**WHEREAS**, the Vernal City Council held a public hearing concerning the Petition on February 21, 2024; and

**WHEREAS**, all legal requirements for annexation as per Utah Code Ann. §§ 10-2-401 et seq., including proper filing, notice, and public hearings, have been duly met.

**NOW, THEREFORE, BE IT ORDAINED** by the Vernal City Council as follows:

1. **Acknowledgment of Petition:** The City Council hereby acknowledges the receipt and sufficiency of the annexation petition filed by LMP Holdings, LLC.
2. **Agent:** The City Council recognizes Jake Price as the appointed agent and attorney-in-fact for LMP Holdings, LLC in matters related to this annexation.
3. **Compliance with Legal Requirements:** The City Council confirms that the annexation process has complied with all legal requirements as described under Utah Code Ann. §§ 10-2-401 et seq.
4. **Finding of Best Interests.** The Vernal City Council hereby finds and determines that the annexation of the Annexed Property as proposed in the Petition is in the best interests of the City and its residents.
5. **Description of the Annexed Property:** The property subject to annexation is as described in Exhibit A attached hereto.
6. **Approval of Annexation:** The City Council hereby approves the annexation of the property owned by LMP Holdings, LLC, located at 624 E 500 S and as described in Exhibit A, into Vernal City, and does hereby annex the Annexed Property into the City of Vernal.
7. **Final Plat:** The Vernal City Council approves the Final Plat as attached in Exhibit A and directs that it be filed as required by law.
8. **Zoning:** The Annexed Property is zoned "I-1" (Industrial), and the Vernal City zoning map is hereby amended to reflect such annexation and zoning.
9. **Annexation Date:** The City confirms that, pursuant to Utah Code Ann. § 10-2-425, this Annexation is completed and takes effect upon the date of the Lieutenant Governor's issuance of a Certification of Annexation.
10. **Authorization to Execute:** The Mayor and City Recorder are authorized to execute this Ordinance.
11. **Effective Date:** This Ordinance shall become effective immediately upon publication and/or posting as required by law.
12. **Instructions for City Recorder after Execution of Ordinance:**



- a) Following the annexation, the City Recorder is hereby directed to notify the office of the Lieutenant Governor of the State about the annexation of the property owned by LMP Holdings, LLC into Vernal City.
- b) The City Recorder shall submit all necessary documents as required by the office of the Lieutenant Governor. This includes a certified copy of the ordinance, maps of the annexed area, and any other relevant documentation.
- c) The City Recorder shall work with the City Attorney to ensure that all procedures are in compliance with state laws and regulations regarding the annexation process.
- d) The City Recorder shall maintain a record of all communications and submissions made to the Lieutenant Governor's office in relation to this annexation.
- e) The City Recorder shall finally provide a report to the City Council upon completion of all actions related to the office of the Lieutenant Governor, confirming the fulfillment of these duties.

**PASSED, AND ADOPTED** this 19th day of June, 2024.

*Doug B Hammond*

Mayor Doug Hammond

ATTEST:

*Roxanne Behunin*

Roxanne Behunin, City Recorder









