



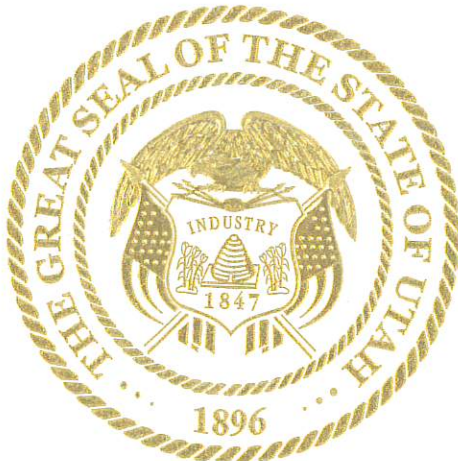
OFFICE OF THE LIEUTENANT GOVERNOR

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 KEVIN BOGUE ANNEXATION located in DELTA CITY, dated MARCH 13, 2025, complying with §67-1a-6.5, Utah Code Annotated, 1953, as amended.

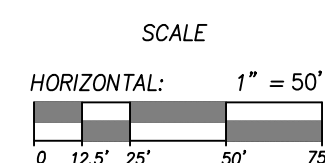
Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the KEVIN BOGUE ANNEXATION located in MILLARD COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 23<sup>rd</sup> day of April, 2025 at Salt Lake City, Utah.



A handwritten signature in black ink, reading "Deidre M. Henderson".

DEIDRE M. HENDERSON  
Lieutenant Governor



EXISTING TOWN LIMIT

SET WITH 5/8" REBAR AND CAP  
STAMPED VARA 3D  
UNLESS OTHERWISE NOTED  
FOUND SECTION CORNERS AS NOTED

COUNTY RECORDER

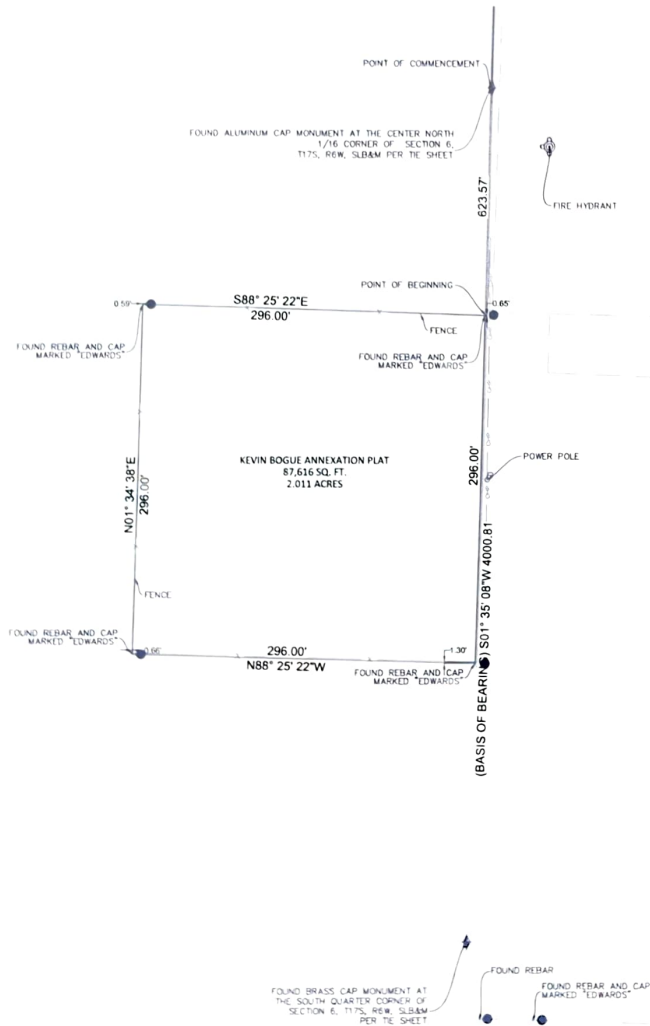
A PORTION OF NW 1/4 OF SECTION 6, T17S, R6W, SLB&M  
MILLARD COUNTY, UTAH

A horizontal number line with tick marks at 0, 0.5, and 1. The segment between 0.5 and 1 is shaded black.

SCALE MEASURES 1-INCH ON FULL SIZE(36x24) SHEETS  
ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS



SCALE  
HORIZONTAL 1" = 50'  
VERTICAL 1" = 20'



#### LEGEND:

- ANNEX BOUNDARY
- PARCELS
- FENCE
- EXISTING TOWN LIMIT

- SET WITH 5/8" REBAR AND CAP STAMPED VARA 3D UNLESS OTHERWISE NOTED
- FOUND SECTION CORNERS AS NOTED

#### ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT THE DELTA CITY COUNCIL, HAVING RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT OF LAND SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO DELTA CITY, MILLARD COUNTY, STATE OF UTAH, AND A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HEREWITH ALL IN ACCORDANCE WITH UTAH CODE ANNOTATED (1953) 10-2-415 REVISED AND THAT WE HAVE EXAMINED AND (X) HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT OF LAND AS SHOWN TO BE PART OF SAID CITY AND SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS KEVIN BOGUE ANNEXATION.

ON THIS 5<sup>th</sup> DAY OF MARCH, 2025.

MAYOR

ATTEST: *James V. Henritz*

CITY CLERK

PLANNING COMMISSION APPROVAL

APPROVED THIS 5<sup>th</sup> DAY OF MARCH, 2025.

CHAIRMAN

SECRETARY

COUNTY SURVEYOR APPROVAL

APPROVED THIS 5<sup>th</sup> DAY OF MARCH, 2025. IS TECHNICALLY CORRECT AND MEETS THE REQUIREMENTS OF UTAH STATUTE 17-23-20.

COUNTY SURVEYOR

COUNTY TREASURER APPROVAL

APPROVED THIS 5<sup>th</sup> DAY OF MARCH, 2025.

COUNTY TREASURER

#### OWNERS ANNEXATION PETITION:

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE PETITIONED FOR ANNEXATION INTO DELTA CITY, UTAH.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS 5<sup>th</sup> DAY OF MARCH, 2025.

#### ACKNOWLEDGMENT:

STATE OF UTAH,

COUNTY OF

ON THIS 5<sup>th</sup> DAY OF MARCH, 2025, PERSONAL APPEARED BEFORE ME, THE SIGNED OF THE FOREGOING PETITION, WHO DULY ACKNOWLEDGE TO ME THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 5/15/27.

#### ANNEXATION DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER SECTION 6, TOWNSHIP 17 SOUTH, RANGE 6 WEST OF THE SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT A FOUND ALUMINUM CAP MONUMENT AT THE CENTER NORTH 1/4 CORNER OF SAID SECTION 6, WHENCE A FOUND BRASS CAP MONUMENT AT SOUTH QUARTER CORNER OF SAID SECTION 6 BEARS SOUTH 01°05'08" WEST A DISTANCE OF 4000.81 FEET, SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION;  
THENCE SOUTH 01°05'08" WEST ALONG SAID LINE A DISTANCE OF 623.57 FEET TO THE EXISTING DELTA CITY LIMIT AND THE POINT OF BEGINNING.

THENCE SOUTH 01°05'08" WEST ALONG SAID EXISTING DELTA CITY LIMIT A DISTANCE OF 296.00 FEET;  
THENCE NORTH 88°25'22" WEST ALONG NORTH BOUNDARY OF PARCEL DG-3846-11-B FROM BROW 725 PM-123 A DISTANCE OF 296.00 FEET;  
THENCE NORTH 01°44'58" EAST A DISTANCE OF 300.45 FEET;  
THENCE SOUTH 88°24'52" EAST A DISTANCE OF 296.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 87.616 SQ. FT. OR 2.011 ACRES.

#### SURVEYOR'S CERTIFICATE:

I, JAMES V. HENRITZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING LICENSE NUMBER 11072412-2201, AS PRESCRIBED BY THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I OR UNDER MY DIRECTION FOR AND IN BEHALF OF VARA 3D, HAVE MADE A SURVEY OF THE KEVIN BOGUE ANNEXATION. THIS MAP DEPICTS THE SURVEYED ANNEXATION BOUNDARY IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 17 SOUTH, RANGE 6 WEST OF THE SALT LAKE BASE AND MERIDIAN.

JAMES V. HENRITZ, REG. 11072412-2201

FOR AND ON BEHALF OF VARA 3D, INC.

COUNTY RECORDER APPROVAL

APPROVED THIS 5<sup>th</sup> DAY OF MARCH, 2025.

COUNTY RECORDER

#### PROJECT INFORMATION

FINAL LOCAL ENTITY PLAT  
KEVIN BOGUE ANNEXATION PLAT  
A PORTION OF NW 1/4 OF SECTION 6, T17S, R6W, SLB&M  
MILLARD COUNTY, UTAH

REV #	REVISION NOTES	DATE



PROJECT NO.	24-RE-114	DATE	1
DATE	NOVEMBER 2024	DATE	1
SCALE	1" = 50'	SCALE	1

VARA 3D, INC. 11072412-2201  
11072412-2201  
11072412-2201  
11072412-2201



NOTICE OF IMPENDING BOUNDARY ACTION

BY DELTA CITY, IN MILLARD COUNTY

Deidre M. Henderson, Utah Lieutenant Governor  
Utah State Capitol Complex, Suite 220  
PO Box 14235  
Salt Lake City, Utah 84114-2325

Lieutenant Governor Henderson,

1. This Notice is directed to you to meet the requirements of Utah Code Annotated 67-1a-6.5.
2. Delta City is the local entity whose boundary is affected by this boundary action.
3. The type of boundary action for which Delta City is seeking the applicable certificate from your office is Annexation.
4. Delta City certifies that all requirements applicable to the Annexation have been met.

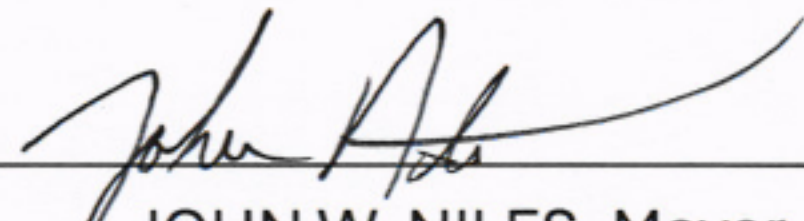
SIGNATURES AND VERIFICATION

State of Utah )

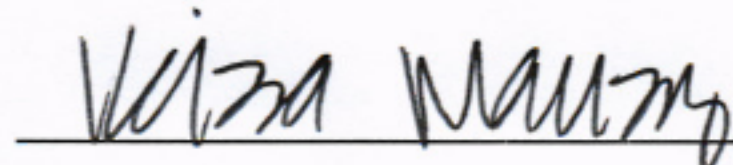
:SS

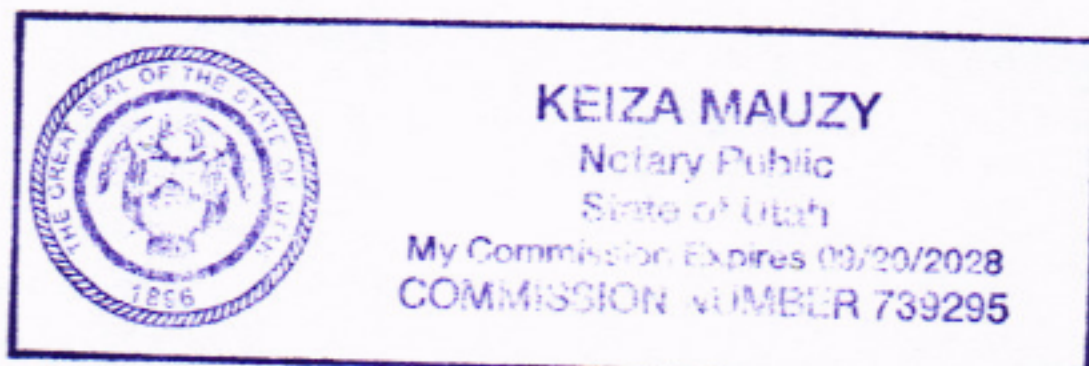
County of MILLARD )

Delta City Mayor JOHN W. NILES, being sworn, says that the facts set forth in the above Notice of Impending Boundary Action are true, accurate, and complete to the best of my knowledge and belief.

  
JOHN W. NILES, Mayor

SUBSCRIBED AND SWORN to before me by JOHN W. NILES, this 13 day of March 2025.

  
NOTARY PUBLIC





Notice of Impending Boundary Action  
By Delta City, In Millard County  
Page 2 of 2

State of Utah )

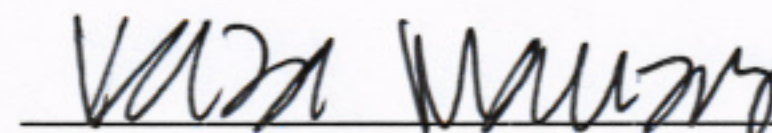
:SS

County of MILLARD )

Delta City Recorder, SHERRI WESTBROOK, being sworn, says that the facts set forth in the above Notice of Impending Boundary Action are true, accurate, and complete to the best of my knowledge and belief.

  
SHERRI WESTBROOK, Recorder

SUBSCRIBED AND SWORN to before me by SHERRI WESTBROOK, this \_\_\_\_\_ day of March, 2025.

  
NOTARY PUBLIC







# **ORDINANCE**

## **NUMBER 25-314**

### **AN ORDINANCE ANNEXING A SINGLE PARCEL OF REAL PROPERTY LOCATED AT APPROXIMATELY 977 N 350 E, DELTA, UTAH 84624.**

The City Council of the City of Delta, Utah (referred to herein as the "City Council"), recites the following as the basis for enacting this Ordinance:

- A. The owner of property north of existing Delta City limits caused a petition for annexation (the "Petition") to be filed with the City, together with an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation;
- B. The Council adopted the Petition for further consideration;
- C. The proposed annexation will not leave or create an unincorporated island or peninsula;
- D. On or about September 17, 2024, the City Council received notice of certification (the "Certification") from the City Recorder certifying that the Petition meets the requirements of state law;
- E. The City Council caused Notice of Certification of Annexation Petition to be noticed and timely posted on the Utah Public Notice Website as required by Utah Code Ann. § 10-2-406 and other applicable law;
- F. No timely protests were filed in accordance with Utah Code Ann. § 10-2-407;
- G. Pursuant to Utah Code Ann. § 10-2-407, the City Council caused a notice of a public hearing to be noticed, and to be timely posted on the Utah Public Notice Website;
- H. Pursuant to Utah Code Ann. § 10-2-407, the City Council held the required public hearing regarding the proposed annexation;
- I. After receiving public comment and careful consideration, the Council adopted Ordinance 24-311 on October 16, 2024, approving the annexation;
- J. The map originally provided by the Applicant was ultimately rejected by the



Millard County Recorder and a revised final local entity plat was provided by the applicant. See *Utah Code Ann.* § 17-23-20.

- K. From the time the Notice of Impending Boundary Action and revised final local entity plat was provided, signed and delivered to the Office of the Utah Lieutenant Governor, the 60 days described in Utah Code Ann. § 10-2-425(2) had lapsed, and thus it necessary for a new ordinance approving the annexation contained in Ordinance 24-311;
- L. This City Council intends this ordinance to restate, ratify and otherwise reapprove or approve the annexation that it intended to occur when it passed and adopted Ordinance 24-311;
- M. The City Council reasserts its previously made findings and determination that it is in the best interest for the health, safety and welfare of the City and its residents to annex the Property and to grant the Petition.
- N. The City Council finds this ordinance to be in the best interest of the public health, safety and welfare of Delta City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Delta, Utah:

Section 1. Annexation of the Property. Pursuant to Utah Code Ann. § 10-2-407(3)(b) and § 10-2-408, the real property described as follows is hereby annexed to Delta City and the corporate limits of the City are hereby extended accordingly:

BEG S 2241.3 FT M/L FR NE COR NW1/4 SEC 6, T17S, R6W, SLB&M, (SD PT BEING ON E BDRY LN SD NW1/4 & BEING SE COR OF PARCEL DO-3869), W 296 FT M/L ALG S BDRY SD PARCEL DO-3869, N 296 FT, E 296 FT M/L TO E BDRY LN SD NW1/4, S ALG SD E BDRY LN 296 FT TO BEG.

Section 2. Notices and Filing. The City shall provide all required notices and make all required filings concerning this annexation, including, without limitation, those required by Utah Code Ann. § 10-2-425.

Section 3. Zoning. All of the area being annexed shall be and is hereby classified and zoned as RR (Rural Residential).

Section 4. Effective Date. This ordinance shall become effective upon publication.



Section 5. Action of Officers. All actions of the officers, agents and employees of the City are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 6. Publication. This ordinance, or a summary thereof, is ordered published in the Millard County Chronicle Progress, a newspaper having general circulation within the city of Delta, Utah.

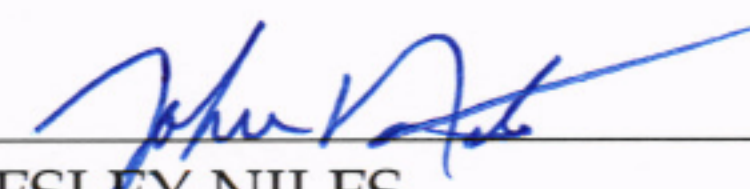
Section 7. Severability. In the event that any provision of this ordinance less than the entire ordinance is held invalid by a court of competent jurisdiction, this ordinance shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this ordinance.


Section 8. Repeal of Conflicting Ordinances. To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this ordinance, it is hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 2nd day of April, 2025, by the following Vote:

	Aye	Nay	Abstain	Absent
Kelly Carter	<u>X</u>	_____	_____	_____
KC Bogue	_____	_____	<u>X</u>	_____
Kiley J. Chase	<u>X</u>	_____	_____	_____
Nicholas W. Killpack	<u>X</u>	_____	_____	_____
Betty Jo Western	<u>X</u>	_____	_____	_____



  
JOHN WESLEY NILES  
MAYOR

  
SHERRI WESTBROOK  
CITY RECORDER