

STATE OF UTAH

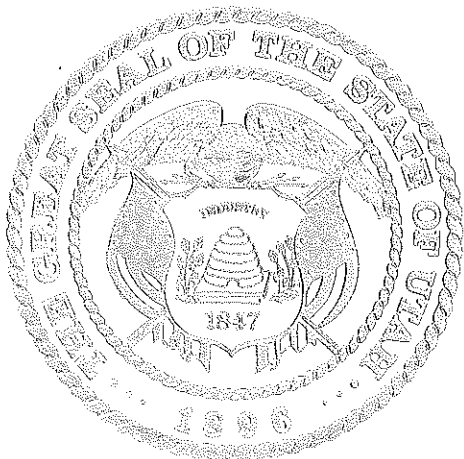


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from CEDAR CITY, dated August 13<sup>th</sup>, 2008, 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 CEDAR CITY, 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 21<sup>st</sup> day of August, 2008 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT  
Lieutenant Governor



# CEDAR CITY

10 NORTH MAIN • CEDAR CITY, UTAH 84720  
435-586-2950 • FAX: 435-586-4362  
www.cedarcity.org

Mayor  
Gerald R. Sherratt

Council Members  
Nina R. Barnes  
Dale Brinkerhoff  
Jolene W. Goff  
Georgia Beth Thompson  
Steve Wood

City Manager  
Ronald F. Chandler

August 13, 2008

The Honorable Gary R. Herbert  
Lt. Governor of the State of Utah  
210 State Capital  
Salt Lake City, Utah 84114

RE: Annexation of Additional Lands into Cedar City (Tippets Annexation)

Dear Lt. Governor Herbert:

This letter is sent pursuant to the provisions of Title 10, Chapter 2, Section 425 (1)(a)(iii)(b), Utah Code Annotated, 1953 as amended. Enclosed herewith you will find a final signed copy of an Ordinance Annexing addition lands into the corporate boundaries of Cedar City.

By sending this communication to you we are asking that you issue a Certificate of Annexation and send a copy of said certificate to the Cedar City Council, State Tax Commission, State Auditor, and the Iron County Assessor and Recorder. This notification will be pursuant to Title 10, Chapter 2, Section 245 (1)(b), Utah Code Annotated, 1953 as amended.

If there is additional information you require before sending out the notification, please let me know. For your knowledge we have filed a copy of the Ordinance and a copy of the Plat Map with the Iron County Recorder. Thank you for cooperation.

## Received

AUG 19 2008

**Gary R. Herbert**  
**Lieutenant Governor**

PAB/nh

Sincerely,

PAUL A. BITTMENN  
Cedar City Attorney

encl.

**CEDAR CITY CORPORATION**  
**ORDINANCE NO. 0611-08**  
(Tippetts Annexation)

**AN ORDINANCE CONDITIONALLY ANNEXING  
APPROXIMATELY 493.70 ACRES OF LAND  
LOCATED IN THE VICINITY OF 2400 NORTH AND THE LUND HIGHWAY.**

**WHEREAS**, During December, 2005, petitions were filed requesting annexation of approximately 493.70 acres of land; and

**WHEREAS**, The petitions have been accepted by the Council, certified by staff, public notice of the protest period has been published, and a public hearing has been properly noticed and conducted; and

**WHEREAS**, The owners of the property have encountered some difficulty producing the water necessary for annexation pursuant to City Ordinance ; and

**WHEREAS**, In order to annex the property water certificates from Coal Creek Irrigation Company and others must be provided, and the irrigation companies have indicated that they will not produce the necessary water certificates until the annexation is complete; and

**WHEREAS**, The City Council having reviewed the annexation and finding that it is in the best interests of Cedar City to condition the annexation of the entire property and instructing staff not to sign the annexation plat and not to record the annexation plat and ordinance until all water deeds have been recorded, all change applications have been approved by the State Engineer, and all water stock certificates have been transferred to the City.

**BE IT HEREBY ORDAINED** by the Cedar City Council of Cedar City, Utah, that the property, located in Iron County, State of Utah, and more particularly described in exhibit "A" which is attached hereto and incorporated herein by this reference, is hereby annexed into the municipal boundary of Cedar City, Utah, said annexation is contingent on proof that all water deeds have been recorded, all change applications have been approved by the State Engineer, and all water stock certificates have been delivered to the City.

Passed and approved by the City Council of Cedar City, Utah, on the 13<sup>th</sup> day of August, 2008.

**EFFECTIVE DATE:** This Ordinance, shall be published once it is passed by the City Council. However, it will not become effective until staff has verified that all water deeds have been recorded, all change applications have been approved by the State Engineer, and all water stock certificates have been delivered to the City. Once the foregoing water transfers have taken place, this annexation ordinance is effective, the annexation ordinance will be recorded with the Iron County Recorder's office contemporaneously with Plat map.

DATED this 13<sup>R</sup> day of August, 2008.

[CORPORATE SEAL]  
ATTEST:



  
GERALD R. SHERRATT, MAYOR

  
RENON SAVAGE, CITY RECORDER

# **ANNEXATION DESCRIPTION**

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 28, TOWNSHIP 35 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE MERIDIAN; THENCE  $N00^{\circ}01'00''E$ , ALONG THE SECTION LINE 1,333.21 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE  $S89^{\circ}29'35''E$ , ALONG THE 1/16TH LINE 1,969.85 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE  $S00^{\circ}02'00''E$ , ALONG THE 1/64TH LINE 1,330.83 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER. SAID POINT ALSO BEING LOCATED ON THE EAST-WEST CENTER SECTION LINE; THENCE  $N89^{\circ}33'45''W$ , ALONG SAID LINE 4.27 FEET; THENCE DEPARTING SAID LINE AND RUNNING  $S39^{\circ}53'34''E$ , 1032.15 FEET TO A POINT LOCATED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE  $N00^{\circ}03'08''W$ , ALONG THE 1/16TH LINE 123.16 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE  $S89^{\circ}37'36''E$ , ALONG THE 1/64TH LINE 1,375.44 FEET TO A POINT LOCATED ON THE EAST LINE OF 2300 WEST STREET. SAID POINT ALSO BEING LOCATED ON THE WEST LINE OF FLYING "L" SUBDIVISION; THENCE  $S00^{\circ}09'36''W$  ALONG SAID LINE 1158.62 FEET; THENCE CONTINUING ALONG SAID LINE  $S00^{\circ}17'55''E$  1346.73 FEET TO THE SOUTHWEST CORNER OF THE FLYING "L" SUBDIVISION PHASE 3; THENCE  $N89^{\circ}18'47''E$ , ALONG THE SOUTH LINE OF SAID SUBDIVISION 617.81 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE  $N00^{\circ}05'55''W$ , ALONG THE EAST LINE OF SAID SUBDIVISION 509.42 FEET TO A POINT LOCATED ON THE NORTH LINE OF SAID SECTION 33; THENCE  $S89^{\circ}49'05''E$ , ALONG SAID LINE 643.47 FEET TO THE NORTHEAST CORNER OF SAID SECTION 33. THENCE  $N89^{\circ}57'35''E$ , ALONG THE NORTH LINE OF SECTION 34, OF SAID TOWNSHIP AND RANGE, 595.74 FEET. SAID POINT ALSO BEING LOCATED ON THE EXISTING CEDAR CITY LIMITS; THENCE ALONG THE EXISTING CITY LIMITS THE FOLLOWING FOUR COURSES:  $S00^{\circ}03'36''E$ , 217.42 FEET; THENCE  $S20^{\circ}58'15''W$ , 1,729.61 FEET; THENCE  $S30^{\circ}02'55''W$ , 978.48 FEET TO A POINT LOCATED ON THE QUARTER SECTION LINE; THENCE ALONG THE QUARTER SECTION LINE  $N89^{\circ}37'57''W$ , 842.48 FEET TO A POINT LOCATED ON THE WEST LINE OF 2300 WEST STREET; THENCE  $N00^{\circ}01'09''W$ , ALONG SAID LINE 1,288.96 FEET TO A POINT LOCATED ON THE SOUTH LINE OF AN EXISTING COUNTY ROAD; THENCE  $N89^{\circ}43'31''W$ , ALONG SAID LINE 1,332.95 FEET TO A POINT LOCATED ON THE WEST LINE OF SAID COUNTY ROAD; THENCE  $N00^{\circ}02'44''E$ , ALONG SAID LINE 1,336.80 FEET TO A POINT LOCATED ON THE SOUTH LINE OF 2400 NORTH STREET; THENCE  $N89^{\circ}49'05''W$ , ALONG SAID LINE 2,587.86 FEET TO A POINT LOCATED ON THE WEST LINE OF SECTION 33; THENCE CONTINUING ALONG SAID STREET LINE  $N89^{\circ}36'41''W$ , 1,380.34 FEET TO A POINT LOCATED ON THE WEST LINE OF 3100 WEST STREET (LUND HIGHWAY); THENCE  $N00^{\circ}13'01''E$ , ALONG SAID LINE 2,717.31 FEET TO A POINT LOCATED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE  $S89^{\circ}34'45''E$ , ALONG SAID LINE 1,377.57 FEET TO THE POINT OF BEGINNING. CONTAINING 493.70 ACRES.

Exhibit "A"

