

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 EPHRAIM CITY, dated May 2nd, 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 EPHRAIM CITY, located in Sanpete County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 7th day of August, 2008 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT
Lieutenant Governor

When Recorded, Please Return to:
Ephraim City Recorder
5 South Main, Ephraim, UT 84627

Ent 156429 Bk 573 Pg 819
Date: 09-JUL-2008 11:01AM
Fee: None
Filed By: KEH
REED D HATCH, Recorder
SANPETE COUNTY CORPORATION
For: EPHRAIM CITY
3-17-36

ANNEXATION AGREEMENT FOR THE DANIELS PROPERTY

This Annexation Agreement is made by and between Ephraim City (hereinafter "the City") and Cory Daniels (hereafter "Petitioner") to set forth the terms and conditions under which the City will annex land owned by Petitioner into the corporate limits of the City and extend municipal services to a portion of that property. This Agreement is made under authority of Utah Code Annotated §10-2-407 (1953, as amended), and shall serve as a supplemental annexation policy declaration when executed by all parties. In consideration of City's agreement to annex Petitioner's property and in consideration of the mutual promises contained herein, the parties agree that the terms and conditions of annexation shall be as follows:

1. **Property:** The property to be annexed is approximately 11.87 acres, depicted on the official plat shown as Exhibit A.
2. **Zoning:** Upon annexation, the property will be zoned as Rural Agricultural (RA).
3. **Road Improvements:** Petitioner agrees to pay, or arrange for payment, his fair share in any and all road improvements as deemed necessary by the City and at a time as the road is being upgraded. Upgrading could include any or all of the following; engineering, surveying, curb, gutter, sidewalk, widening of roadway, grading and paving.
4. **Dedication of Water Right:** Petitioner shall within 5 years dedicate to the City adequate underground water rights equivalent to one residential unit. This generally is accepted to be .45 acre feet. The water right must be approved by the Utah State Engineer and bear the name of Ephraim City.
5. **Sanitary Sewer:** Nothing in this Agreement obligates the City to extend the municipal sewer to the property; however, petitioner agrees to connect to the municipal sanitary sewer at such time as the sewer main line is installed within 300 feet of the principal residence and to pay all installation costs, assessments and fees associated with the connection thereto.
6. **Compliance with City Ordinances:** Petitioner understands and agrees that he be subject to all City codes, rules, regulations and ordinances.

Received

JUL 28 2008
Map Sect 7128/08
Gary R. Herbert
Lieutenant Governor

7. **Assignment:** This Agreement is also a personal obligation of the Petitioner. Petitioner may assign its obligations under this Agreement, only upon prior written consent of the City, upon demonstration that the City's rights are adequately secured by the assignment. Consent to assignment shall rest in the sole discretion of the City.

8. **Full Agreement:** This Agreement contains the full and complete agreement of the parties regarding the Annexation and there are no other agreements in regard to the annexation of the Property. This Agreement may be amended only by a written instrument signed by all parties hereto.

This Agreement shall take effect immediately upon approval.

Cory Daniels
Cory Daniels, Petitioner

Date 5-2-07

By Cliff Birrell
Cliff Birrell, Mayor

COUNCIL VOTE

Jannette Anderson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Kim Cragun	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Elaine Reid	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Penny Kittelsrud	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Dave Warren	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

ATTEST:

E. Richard Anderson
E. Richard Anderson, City Manager

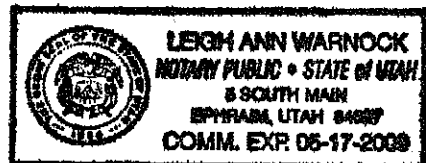


State of Utah
County of Sanpete

On May 2, 2007, Cory Daniels personally appeared before, who is personally known to me.

Leigh Ann Warnock
Notary

5-2-07
Date



When Recorded, Please Return to:
Ephraim City Recorder
5 South Main, Ephraim, UT 84627

ECO-07-02

AN ORDINANCE DECLARING ANNEXATION OF TERRITORY
AND EXTENSION OF THE CORPORATE LIMITS OF EPHRAIM
CITY KNOWN AS THE DANIELS ANNEXATION.

WHEREAS, a petition has been filed with the City of Ephraim for annexation of property into its boundaries; and

WHEREAS, it is found that this petition is in compliance with the City's adopted annexation policy;

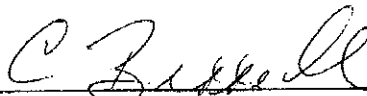
NOW THEREFORE BE IT ORDAINED by the City Council of Ephraim that the following real property is annexed into the corporate limits Ephraim City and the corporate limits of Ephraim City are extended accordingly. Said property is located in Sanpete County, State of Utah, and is more particularly described a follows, to-wit:

Beginning 7.30 chains North from the center of Section 3 Township 17 South, Range 3 East, SLB&M; Thence N 0° 30' 00" E 8.7 chains; Thence East 4.65 chains; Thence N 15° 00' 00" W 4.15 chains; Thence East 2.35 chains; Thence S 15° 00' 00" E 7.25 chains; Thence N 89° 15' 00" E 8.40 chains; Thence S 20° 00' 00" W 6.19 chains; Thence N 89° 59' 38" W 14.16 chains to the point of beginning.

This ordinance shall take effect immediately upon posting, as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

APPROVED, PASSED, and ADOPTED this 2nd day of May, 2007.

By



Cliff Birrell, Mayor

ATTEST:



E. Richard Anderson, City Manager

COUNCIL VOTE

Jannette Anderson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Kim Cragun	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Elaine Reid	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Penny Kittelsrud	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Dave Warren	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

State of Utah

County of Sanpete

Subscribed and sworn to before me this 2nd day of May, 2007, who are personally known to me, Clifford Birrell and Richard Anderson.



Leigh Ann Warnock
Notary Public

My Commission Expires: 5-17-09

DANIELS/LARSEN ANNEXATION PLAT
 NE 1/4 OF SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM

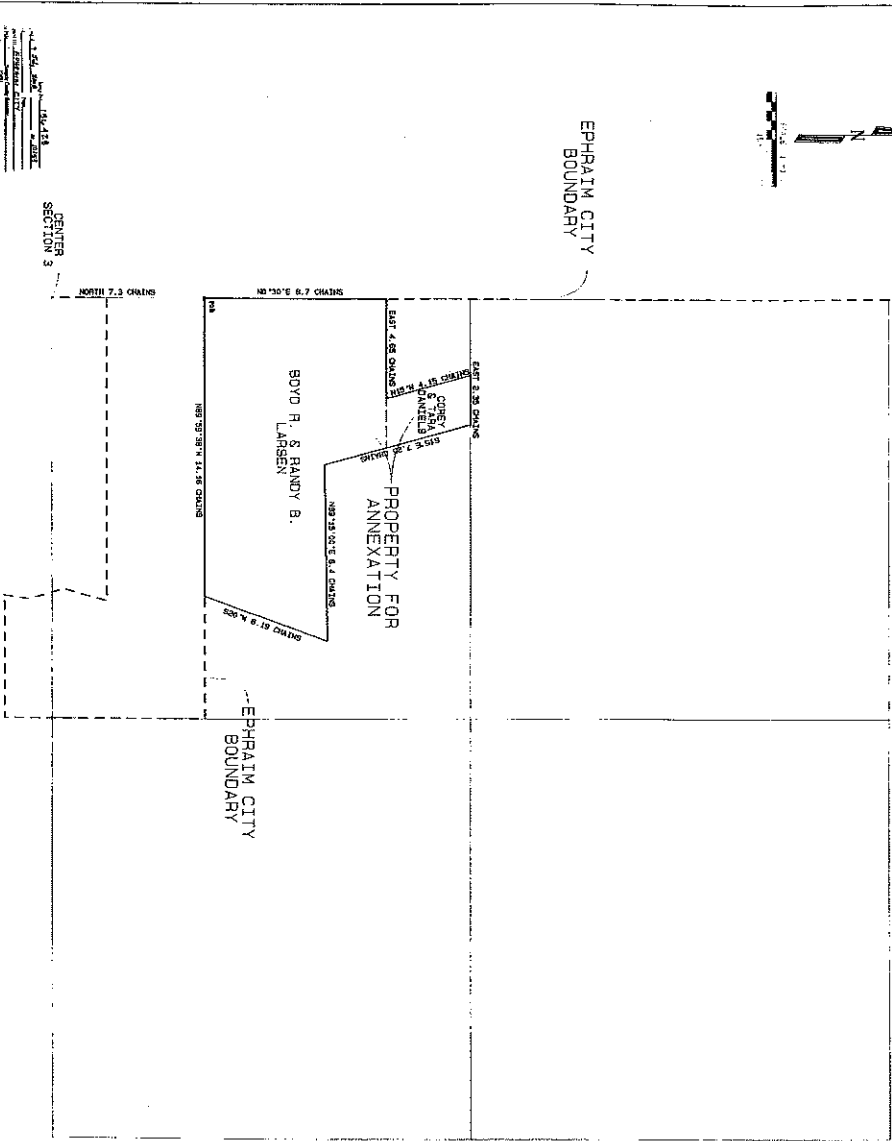


Exhibit A

SUPERVISOR'S CERTIFICATE

I, DANIEL S. WALKER, SUPERVISOR OF THE CITY OF EPHRAIM, MISSOURI, DO HEREBY CERTIFY THAT THE ANNEXATION OF THE NE 1/4 OF SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM TO THE CITY OF EPHRAIM, MISSOURI, IS IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF MISSOURI.

Daniel S. Walker
 DANIEL S. WALKER
 SUPERVISOR

LEGAL DESCRIPTION

SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM, NE 1/4 OF SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM, TO BE ANNEXED TO THE CITY OF EPHRAIM, MISSOURI.

RECORD LEGAL DESCRIPTIONS

SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM, NE 1/4 OF SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM, TO BE ANNEXED TO THE CITY OF EPHRAIM, MISSOURI.

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT THE ANNEXATION OF THE NE 1/4 OF SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM TO THE CITY OF EPHRAIM, MISSOURI, WAS APPROVED BY THE LEGISLATIVE BODY OF THE CITY OF EPHRAIM, MISSOURI, ON THIS 15th DAY OF MAY, 2017, BY THE FOLLOWING SIGNATURES:

[Signatures]
 APPROVED: _____
 ATTEST: _____

ACKNOWLEDGMENT

I, _____, SUPERVISOR OF THE CITY OF EPHRAIM, MISSOURI, DO HEREBY CERTIFY THAT THE ANNEXATION OF THE NE 1/4 OF SECTION 3, TOWNSHIP 17 SOUTH, RANGE 3 EAST, SLSBM TO THE CITY OF EPHRAIM, MISSOURI, WAS APPROVED BY THE LEGISLATIVE BODY OF THE CITY OF EPHRAIM, MISSOURI, ON THIS 15th DAY OF MAY, 2017.

[Signature]

 SUPERVISOR

PLANNING COMMISSION APPROVAL, A.D. 2017.
 APPROVED THIS 15th DAY OF MAY, 2017.

 PLANNING COMMISSION CHAIRMAN

MANAGER & ASSOCIATES, INC.
 4001 17th Street
 Independence, MO 64050
 (816) 352-3444
 (816) 352-3444 CELL