

STATE OF UTAH

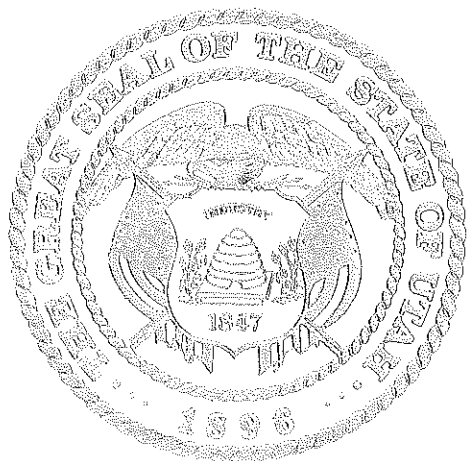


OFFICE OF THE LIEUTENANT GOVERNOR

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 OGDEN CITY, dated May 6th, 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 OGDEN CITY, located in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 21st day of August, 2008 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT
Lieutenant Governor



Management Services
Recorder's Office

August 12, 2008

Lieutenant Governor's Office
Attn: Phillip Matthews
Utah State Capitol Complex
East Office Building, Suite E325
PO Box 142220
Salt Lake City, Utah 84114-2220

Re: Notice of Annexation


Dear Phillip:

I am submitting an 8.5x11 copiable version of the annexation plat map of property owned by ACW Enterprises, generally located at approximately 1224 West 2550 South and containing 1.32 acres, more or less. This is to be utilized to amend Ogden City's Articles of Incorporation to reflect the approved annexation.

I am including a certified copy of the ordinance approving the annexation, together with a plat prepared by a licensed surveyor, approved by the City Council, and filed with the county surveyor in accordance with Section 17-23-17, U.C.A. showing the new boundaries of the affected area. The official mylar and ordinance have been reviewed and recorded with the Weber County Recorder's Office.

Please provide a certified copy of the amended articles to my attention at the Ogden City Recorder's Office. Should you have any questions, please contact our office at 801-629-8152.

Sincerely,


Cindi Mansell, MMC/CRM
City Recorder
Enc.

Received

AUG 18 2008

Gary R. Herbert
Lieutenant Governor

EXHIBIT A

Property generally located at 1224 West 2550 South, Ogden City, Weber County, State of Utah, and more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 2 WEST OF THE SALT LAKE MERIDIAN, US. SURVEY:

BEGINNING AT A POINT N89°22'W 306.43' AND N0°38'E 33.00' FROM THE SOUTHEAST CORNER OF SECTION 25, AND RUNNING: THENCE N0°38'E ALONG A COMMON PROPERTY LINE BEING THE EASTERLY LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED AS ENTRY NO. 22-51320 WEBER COUNTY RECORDERS OFFICE AND 233'±, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE I-15 INTERSTATE; THENCE N57°27'W ALONG SAID INTERSTATE RIGHT-OF-WAY LINE A DISTANCE OF 230'±; THENCE S0°38'W ALONG A COMMON PROPERTY LINE AND ALSO THE EXISTING CORPORATE BOUNDARY LINE OF OGDEN CITY A DISTANCE OF 356'± TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 2550 SOUTH STREET; THENCE S89°22'E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 195'± TO THE POINT OF BEGINNING

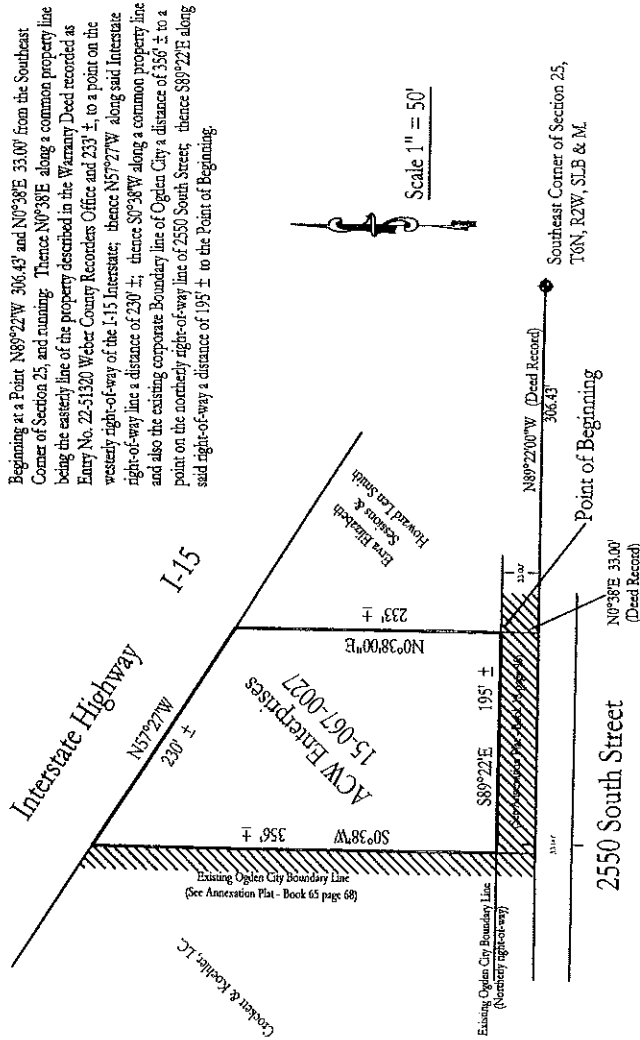
Annexation Plat - Ogden City

A Part of the Southeast Quarter of Section 25,
Township 6 North, Range 2 West,
Salt Lake Base and Meridian,
Ogden City, Weber County, Utah

ANNEXATION BOUNDARY DESCRIPTION

A Part of the Southeast Quarter of Section 25, Township 6 North, Range 2 West of the Salt Lake Meridian, U.S. Survey:

Beginning at a Point N89°22'W 306.43' and N0°38'E 33.00' from the Southeast Corner of Section 25, and running Thence N0°38'E along a common property line being the easterly line of the property described in the Warranty Deed recorded as Entry No. 22-51320 Weber County Records Office and 233' ±, to a point on the westerly right-of-way of the I-15 Interstate; thence N57°27'W along said Interstate right-of-way line a distance of 230' ±; thence S0°38'W along a common property line and also the existing corporate Boundary line of Ogden City a distance of 356' ± to a point on the northerly right-of-way line of 2550 South Street; thence S89°22'E along said right-of-way a distance of 195' ± to the Point of Beginning.



NARRATIVE

This Annexation Map of the subject property was requested by Craig C. Williamson the owner of said property.

The property boundaries shown herein are a representation of the parcel to be included with the Corporate Boundary of Ogden City.

Weber County Recorder's Office, as maps, descriptions and recorded documents (Entry No. or book / page) 15-067-0027 were used in the preparation of the Annexation Description.

No field survey has been conducted with the preparation of this Annexation Plat.

During the preparation of this Annexation Plat, the Weber County Surveyor indicated that the monument this property is tied to, this being the Southeast Corner of Section 25, T6N, R2W, SLB & M, has been disturbed and may be 4 to 5' from proper location.

SURVEYORS CERTIFICATE

I, Dick N. Meckum, do hereby certify that I am a Professional Land Surveyor licensed in the State of Utah, and that I hold Certificate No. 15549 as prescribed under the laws of the State of Utah. This Annexation Plat has been prepared under my direction and in accordance with information obtained from the Weber County Recorder's office.

Signed this 2nd day of August, 2008.

Dick N. Meckum, P.L.S.



OGDEN CITY ACCEPTANCE

State of Utah
County of Weber

I, Craig C. Williamson, certify that I am the duly appointed, qualified and acting City Recorder of Ogden City, a municipal corporation of Utah, and that the foregoing plat of lands sought to be annexed to said City, with a portion of the property owner of the real property embraced therein, for each and every item of the real property embraced therein for such annexation were filed in my office on the 2nd day of August, 2008. For the purpose of such annexation was duly submitted to and voted on by the council of Ogden City at its meeting duly convened and held on the 2nd day of August, 2008, that on such vote more than two thirds of all members of said council voted in favor of said annexation; and that the foregoing plat is the plat referred to in Ogden City Ordinance No. 440508 duly ordained by said Council on August 6, 2008, including such annexation.

Witness my hand and official seal this 2nd day of August, 2008.

Approved: Craig C. Williamson

Ogden City Recorder

Approved: Michael J. Hufferd

Ogden City Mayor



OGDEN CITY ATTORNEY

I have examined this Annexation Plat and in my opinion it conforms with the City ordinance therein and now in force and effect.

Signed this 7th day of August, 2008.

Michael J. Hufferd

Ogden City Attorney

OGDEN CITY ENGINEER

I hereby certify that the requirements of all applicable statutes and ordinances pertaining to City Engineer approval of the foregoing Plat have been complied with.

Signed this 2nd day of August, 2008.

Ronald K. Johnson

Ogden City Engineer

WEBER COUNTY RECORDER

By: John A. Johnson, P.L.S., Public Notary
My Comm. Expires: 12/31/2009, in
Weber County, Utah. My Comm. No. is
15500. In book 148, of records
for August, 2008, at
Ogden, Utah.

By: Michael J. Hufferd, Mayor

CIVIL ENGINEERING CONSULTANTS, P.L.L.C.
514 SOUTH 1500 WEST
RIVERDALE, UT 84405
801.866.0550

NO.	DATE	REVISIONS
1	10/12/07	Changes required by Weber County
2	11/13/07	Changes required by Ogden City
3	06/17/08	Changes required by Ogden City

DATE: June 2008
DRAWN: JLS
DESIGNED: NSN

PROJECT / LOCATION: ACW Enterprises
1224 West 2550 South, Ogden City
TITLE: Petition to Annexation into Ogden City, Utah

CLIENT: Arbuckle
PROJECT NUMBER: J-Arbuckle
FILE: JUNE revision.dwg
SHEET: 1 of 1



W2358862

EN 2358862 PG 1 OF 4
ERNEST D ROWLEY, WEBER COUNTY RECORDER
11-AUG-08 940 AM FEE \$1.00 DEP SPY
REC FOR: OGDEN CITY

ORDINANCE NO. 2007-64
(as corrected)

AN ORDINANCE OF OGDEN CITY, UTAH PROVIDING FOR THE ANNEXATION TO OGDEN CITY OF 1.32 ACRES OF LAND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY, WHICH LAND ANNEXED IS GENERALLY LOCATED AT 1224 WEST 2550 SOUTH; AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 2 WEST OF THE SALT LAKE MERIDIAN, US. SURVEY:

BEGINNING AT A POINT N89°22'W 306.43' AND N0°38'E 33.00' FROM THE SOUTHEAST CORNER OF SECTION 25, AND RUNNING: THENCE N0°38'E ALONG A COMMON PROPERTY LINE BEING THE EASTERLY LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED AS ENTRY NO. 22-51320 WEBER COUNTY RECORDERS OFFICE AND 233'±, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE I-15 INTERSTATE; THENCE N57°27'W ALONG SAID INTERSTATE RIGHT-OF-WAY LINE A DISTANCE OF 230'±; THENCE S0°38'W ALONG A COMMON PROPERTY LINE AND ALSO THE EXISTING CORPORATE BOUNDARY LINE OF OGDEN CITY A DISTANCE OF 356'± TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 2550 SOUTH STREET; THENCE S89°22'E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 195'± TO THE POINT OF BEGINNING

DECLARING THE ANNEXATION THEREOF AND EXTENSION OF THE CORPORATE LIMITS OF SAID CITY ACCORDINGLY; AND CLASSIFYING SAID LAND FOR ZONING AS MANUFACTURING AND INDUSTRIAL ZONE (M-2); AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION AFTER FINAL PASSAGE.

WHEREAS, the owners of all of the property located generally at 1224 West 2550 South, and more particularly described in Section 3 of this ordinance, have petitioned the Ogden City Council to annex such property to Ogden City; and

WHEREAS, the Planning Commission has reviewed the annexation petition with respect to the property described in the petition and has recommended that such property be annexed to Ogden City and that the property in question should be zoned as manufacturing and industrial zone (M-2); and

WHEREAS, no protests have been timely filed which would restrict the City from proceeding with such annexation.

NOW, THEREFORE, the Council of Ogden City hereby ordains:

SECTION 1. Petition and plat accepted and approved: Subject to the conditions provided in Section 4, the Council of Ogden City hereby accepts and approves the written petition for the annexation to Ogden City of the territory hereinafter described and finds that said petition has been filed in the office of the City Recorder of Ogden City, and that the same meets the standards of annexation set forth in Chapter 2, Title 10, Utah Code Annotated. The Council further accepts and approves the copy of the map of said territory certified by Dick N. Mechem, a registered professional land surveyor of the State of Utah, License No. 155649, and finds that it is an accurate and recordable map of said territory in said petition and hereinafter described, and that it was made under the supervision of Dick N. Mechem.

SECTION 2. Territory annexed. Subject to the conditions provided in Section 4, the territory hereinafter particularly described and situate, lying and being immediately contiguous to Ogden City, Utah, boundaries and the same is hereby declared to be annexed to Ogden City, Utah; and the corporate limits of said city are hereby declared to be and they are executed accordingly to include and embrace said territory.

SECTION 3. Annexed territory described. The territory hereinafter referred to and hereby annexed to Ogden City and generally located at 1224 West 2550 South in Weber County, State of Utah, consisting of about 1.32 acres, is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP
6 NORTH, RANGE 2 WEST OF THE SALT LAKE MERIDIAN, US.
SURVEY:

BEGINNING AT A POINT N89°22'W 306.43' AND N0°38'E 33.00' FROM THE SOUTHEAST CORNER OF SECTION 25, AND RUNNING: THENCE N0°38'E ALONG A COMMON PROPERTY LINE BEING THE EASTERLY LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED AS ENTRY NO. 22-51320 WEBER COUNTY RECORDERS OFFICE AND 233'±, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE I-15 INTERSTATE; THENCE N57°27'W ALONG SAID INTERSTATE RIGHT-OF-WAY LINE A DISTANCE OF 230'±; THENCE S0°38'W ALONG A COMMON PROPERTY LINE AND ALSO THE EXISTING CORPORATE BOUNDARY LINE OF OGDEN CITY A DISTANCE OF 356'± TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 2550 SOUTH STREET; THENCE S89°22'E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 195'± TO THE POINT OF BEGINNING

SECTION 4. Conditions of annexation. The annexation approved herein is conditioned upon:

1. Disconnection of this area from the Bona Vista Water District and connection into Ogden City water.
2. Existing use be brought into compliance with M-2 zone, eliminating non-conforming use.

SECTION 5. Plat and ordinance to be recorded. The map with the certification thereof of Dick N. Mechem, a registered land surveyor, as aforesaid and duly certified by the Ogden City Recorder to be a full, true and correct copy of said map so filed and deposited with the City Recorder, shall be forthwith filed and recorded by the City Recorder in the office of the County Recorder of Weber County, Utah, together with a copy of this ordinance duly certified by the Ogden City Recorder. The City Recorder is also directed to file amended articles of incorporation reflecting such annexation with the lieutenant governor of the state of Utah as required by ordinance and State law.

SECTION 6. Zoning classification. The land hereby annexed is hereby classified as Manufacturing and industrial zone (M-2).

SECTION 7. Effective date. This ordinance shall become effective immediately upon publication after final passage.

PASSED, ADOPTED AND ORDERED PUBLISHED this 6th day of May, 2008.

Amy Rich
CHAIR

ATTEST:
Cindi Mansell
Cindi Mansell, City Recorder

Transmitted to the Mayor on: 5900

Mayor's Action: Approved Vetoed

Matthew R. Godfrey
Matthew R. Godfrey, Mayor



ATTEST:
Cindi Mansell
Cindi Mansell, City Recorder

Publication Date: 5-16-08

Effective Date: 5-16-08

APPROVED AS TO FORM: [Signature] 3/4/2008
LEGAL DATE

