

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 July 28<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 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 13<sup>th</sup> day of August, 2008 at Salt Lake City, Utah.



GARY R. HERBERT  
Lieutenant Governor



Management Services  
Recorder's Office

August 4, 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 a 8.5x11 copiable version of the annexation plat map of property generally located at approximately 5000 South Old Post Road and containing 3.280 acres of property, 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.

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 11 2008

Gary R. Herbert  
Lieutenant Governor

**AMENDED ARTICLES OF INCORPORATION  
OF THE  
CITY OF OGDEN**

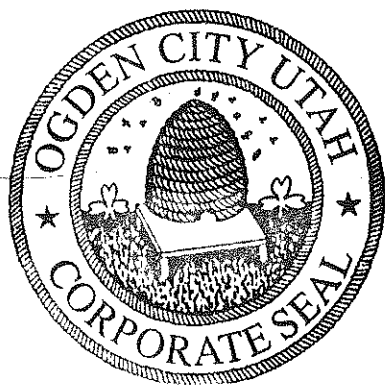
Pursuant to Utah Code Ann. § 10-1-117, the City of Ogden, Weber County, Utah, acting by its Mayor, after approval of the Ogden City Council pursuant to an ordinance of annexation, hereby amends its Articles of Incorporation, insofar as the geographical description of the City is hereby amended to include the described property attached hereto as Exhibit "A".

DATED this 29<sup>th</sup> day of July, 2008.

CITY OF OGDEN  
Matthew R. Godfrey  
Matthew R. Godfrey, Mayor

ATTEST:  
Erin Maxwell  
City Recorder

APPROVED AS TO FORM:  
Mark Hedger  
City Attorney

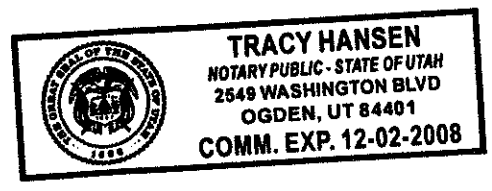


STATE OF UTAH            )  
                                      :SS  
COUNTY OF WEBER        )

I, Matthew R. Godfrey, being first duly sworn upon oath, deposes and says: that I am the Mayor of the City of Ogden and the foregoing Amended Articles of Incorporation of the City of Ogden are truthful and accurate to the best of my knowledge and information.

Matthew R. Godfrey  
Mayor

Subscribed and sworn before me this 28<sup>th</sup> day of July, 2008.



Tracy Hansen  
Notary Public

## EXHIBIT A

Property generally located at 5000 South Old Post Road, Ogden City, Weber County, State of Utah, and more particularly described as follows:

A PART OF THE NORTHWEST QUARTER OF SECTION 15, T 5N, R1W, SLB&M, U.S. SURVEY. BEGINNING AT A POINT ON THE EXISTING OGDEN CITY BOUNDARY BEING THE NORTHEAST CORNER OF THAT PARCEL OF LAND KNOWN BY SERIAL NUMBER 070140001 OWNED BY ROBERT P. EVANS TRUST, DATED 3/31/87, AND BEING EAST 1,339.59 FEET AND SOUTH 996.35 FEET FROM THE NORTHWEST CORNER OF SECTION 15, T5N, R1W, SLB&M, U.S. SURVEY; THENCE THE FOLLOWING COURSES:

S 00°23'06" W 551.71 FT. ALONG THE WEST LINE OF THE STONE MOUNTAIN ESTATES SUBDIVISION - PHASE 2 AND THE EXISTING OGDEN CITY BOUNDARY TO THE NORTHEASTERLY LINE OF OLD POST ROAD; THENCE NORTHWESTERLY 431.69 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD ON A NON-TANGENT CURVE TO THE RIGHT (R=1441.66', D=17°09'23", T=217.47', LC=430.08', CHB=N48°09'01"W) TO A TANGENT LINE; THENCE N 39°34'20" W 141.35 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD TO A TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY 125.08 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD ON A TANGENT CURVE TO THE RIGHT (R=401.00', D=17°52'16", T=63.05', LC=124.57', CHB= N30°38'11"W) TO THE NORTH LINE OF SAID PARCEL NUMBER 070140001; THENCE S 88°00'02" E 238.38 FT. ALONG SAID NORTH LINE BEING THE EXISTING OGDEN CITY BOUNDARY; THENCE N 76°37'10" E 246.04 FT. ALONG SAID NORTH LINE AND EXISTING OGDEN CITY BOUNDARY TO THE POINT OF BEGINNING.

AREA: 142,877 S.F. / 3.280 ACRE



\*W2357464\*

EN 2357464 PG 1 OF 5  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
04-AUG-08 11:21 AM FEE \$1.00 DEP SPY  
REC FOR: OGDEN CITY

**ORDINANCE NO. 2008-10**

**AN ORDINANCE OF OGDEN CITY, UTAH PROVIDING FOR THE ANNEXATION TO OGDEN CITY OF 3.280 ACRES OF LAND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY, WHICH LAND ANNEXED IS GENERALLY LOCATED AT APPROXIMATELY 5000 SOUTH OLD POST ROAD; AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**A PART OF THE NORTHWEST QUARTER OF SECTION 15, T 5N, R1W, SLB&M, U.S. SURVEY. BEGINNING AT A POINT ON THE EXISTING OGDEN CITY BOUNDARY BEING THE NORTHEAST CORNER OF THAT PARCEL OF LAND KNOWN BY SERIAL NUMBER 070140001 OWNED BY ROBERT P. EVANS TRUST, DATED 3/31/87, AND BEING EAST 1,339.59 FEET AND SOUTH 996.35 FEET FROM THE NORTHWEST CORNER OF SECTION 15, T5N, R1W, SLB&M, U.S. SURVEY; THENCE THE FOLLOWING COURSES:**

**S 00°23'06" W 551.71 FT. ALONG THE WEST LINE OF THE STONE MOUNTAIN ESTATES SUBDIVISION - PHASE 2 AND THE EXISTING OGDEN CITY BOUNDARY TO THE NORTHEASTERLY LINE OF OLD POST ROAD; THENCE NORTHWESTERLY 431.69 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD ON A NON-TANGENT CURVE TO THE RIGHT (R=1441.66', D=17°09'23", T=217.47', LC=430.08', CHB=N48°09'01"W) TO A TANGENT LINE; THENCE N 39°34'20" W 141.35 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD TO A TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY 125.08 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD ON A TANGENT CURVE TO THE RIGHT (R=401.00', D=17°52'16", T=63.05', LC=124.57', CHB= N30°38'11"W) TO THE NORTH LINE OF SAID PARCEL NUMBER 070140001; THENCE S 88°00'02" E 238.38 FT. ALONG SAID NORTH LINE BEING THE EXISTING OGDEN CITY BOUNDARY; THENCE N 76°37'10" E 246.04 FT. ALONG SAID NORTH LINE AND EXISITING OGDEN CITY BOUNDARY TO THE POINT OF BEGINNING.**

**AREA: 142,877 S.F. / 3.280 ACRE**

**DECLARING THE ANNEXATION THEREOF AND EXTENSION OF THE CORPORATE LIMITS OF SAID CITY ACCORDINGLY; AND CLASSIFYING SAID LAND FOR ZONING AS SINGLE-FAMILY RESIDENTIAL (R-1-10); AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION AFTER FINAL PASSAGE.**

**WHEREAS**, the property to be annexed is the subject of a covenant agreement dated September 19, 1989, and recorded in the office of the Weber County Recorder as entry number 1092524, Book 1570, Page 759, whereby annexation was delayed at the

request of the property owners; and

**WHEREAS**, the owners of all of the property located generally at approximately 5000 South Old Post Road, and more particularly described in Section 3 of this ordinance, have now 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 single-family residential (R-1-10); 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: 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 Jerry R. Luger, a registered professional land surveyor of the State of Utah, License No. 166691, 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 Jerry R. Luger.

**SECTION 2.** Territory annexed. 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 extended 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 approximately 5000 South Old Post Road in Weber County, State of Utah, consisting of about 3.280 acres, is more particularly described as follows:

A PART OF THE NORTHWEST QUARTER OF SECTION 15, T 5N, R1W, SLB&M, U.S. SURVEY. BEGINNING AT A POINT ON THE EXISTING OGDEN CITY BOUNDARY BEING THE NORTHEAST CORNER OF THAT PARCEL OF LAND KNOWN BY SERIAL NUMBER 070140001 OWNED BY ROBERT P. EVANS TRUST, DATED 3/31/87, AND BEING EAST 1,339.59 FEET AND SOUTH 996.35 FEET FROM THE NORTHWEST CORNER OF SECTION 15, T5N, R1W, SLB&M, U.S. SURVEY; THENCE THE FOLLOWING COURSES:

S 00°23'06" W 551.71 FT. ALONG THE WEST LINE OF THE STONE MOUNTAIN ESTATES SUBDIVISION - PHASE 2 AND THE EXISTING OGDEN CITY BOUNDARY TO THE NORTHEASTERLY LINE OF OLD POST ROAD; THENCE NORTHWESTERLY 431.69 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD ON A NON-TANGENT CURVE TO THE RIGHT (R=1441.66', D=17°09'23", T=217.47', LC=430.08', CHB=N48°09'01"W) TO A TANGENT LINE; THENCE N 39°34'20" W 141.35 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD TO A TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY 125.08 FT. ALONG SAID NORTHEASTERLY LINE OF OLD POST ROAD ON A TANGENT CURVE TO THE RIGHT (R=401.00', D=17°52'16", T=63.05', LC=124.57', CHB= N30°38'11"W) TO THE NORTH LINE OF SAID PARCEL NUMBER 070140001; THENCE S 88°00'02" E 238.38 FT. ALONG SAID NORTH LINE BEING THE EXISTING OGDEN CITY BOUNDARY; THENCE N 76°37'10" E 246.04 FT. ALONG SAID NORTH LINE AND EXISITING OGDEN CITY BOUNDARY TO THE POINT OF BEGINNING.

AREA: 142,877 S.F. / 3.280 ACRE

**SECTION 4. Plat and ordinance to be recorded.** The map with the certification thereof of Jerry R. Luger, 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 5. Zoning classification.** The land hereby annexed is hereby classified as single-family residential zone (R-1-10).

**SECTION 6. Effective date.** This ordinance shall become effective immediately upon publication after final passage.

**PASSED, ADOPTED AND ORDERED PUBLISHED** this 27<sup>th</sup> day of May, 2008.

Amy L. Welch  
CHAIR

ATTEST:  
Cindi Mansell  
Cindi Mansell, City Recorder

Transmitted to the Mayor on: 05/30/08

Mayor's Action:  Approved     Vetoed

Matthew R. Godfrey  
Matthew R. Godfrey, Mayor



ATTEST:  
Cindi Mansell  
Cindi Mansell, City Recorder



Publication Date: 6/08/08

Effective Date: 6/08/08

APPROVED AS TO FORM [Signature] 3/14/08

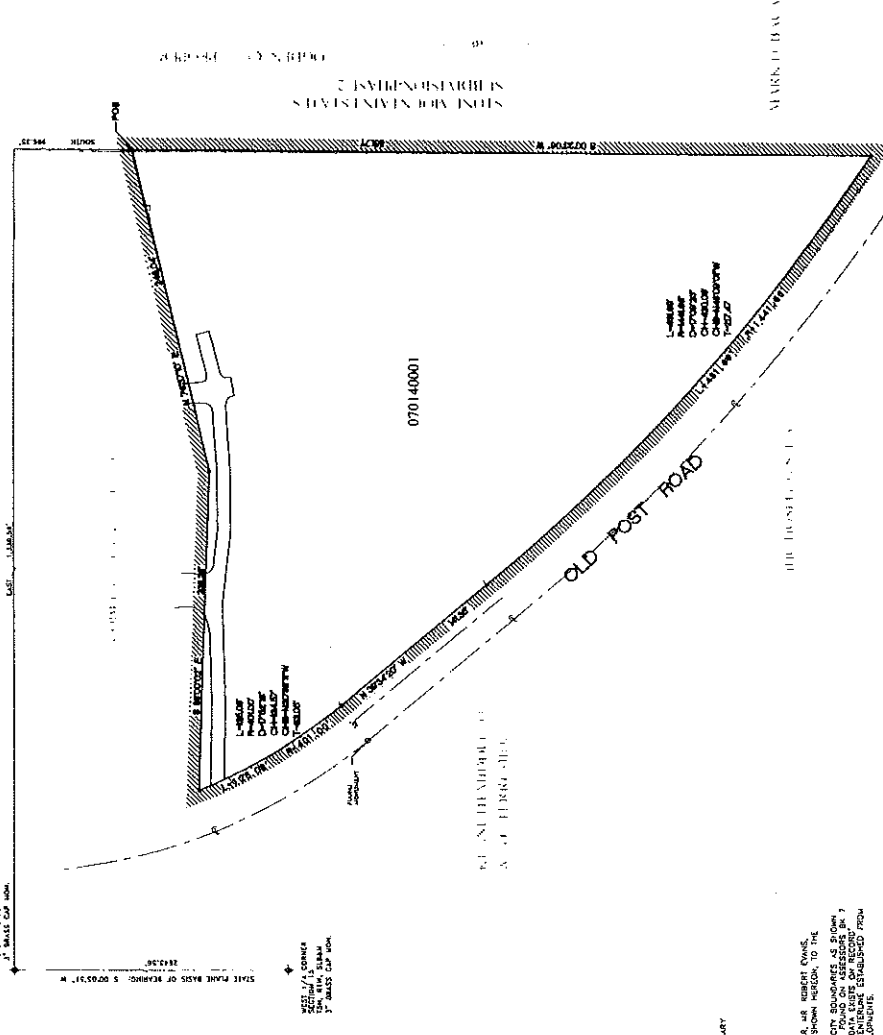
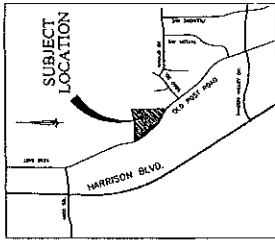
LEGAL DATE



# PLAT OF ADDITION TO THE CORPORATE LIMITS OF OGDEN CITY

A PART OF THE NORTHWEST 1/4 OF SECTION 15  
TOWNSHIP 5 NORTH, RANGE 1 WEST, SLB&M U.S. SURVEY  
OGDEN CITY, WEBBER COUNTY, UTAH  
MARCH 2008

VICINITY MAP



## LANDSCAPE CERTIFICATION

I, **LESLIE LUGER**, OF WEBBER COUNTY, UTAH, AM A REGISTERED LAND SURVEYOR AND THAT I HAVE EXAMINED AND (AS BEING AS PRESUMED UNDER THE LAWS OF THE STATE OF UTAH) I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND THAT THE RESURVEYING MARKERS SHOWN ON THE SUBDIVISION PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RECONSTRUCT THE BOUNDARIES OF THE TRACT OF LAND SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE NATURAL BOUNDARIES OF THE BELOW DESCRIBED TRACT OF REAL PROPERTY AND OF EACH OF THE LOTS LOCATED ON SAID TRACT; AND THE SUBDIVISION PLAT COMPLES WITH THE PROVISIONS OF THE CURRENT SUBDIVISION REGULATIONS OF OGDEN CITY.

## BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 15, T4N, R1W, S8E & U.S. SURVEY, BEGINNING AT A POINT ON THE EXISTING OGDEN CITY BOUNDARY BEING THE WEST CORNER OF THE TRACT OF LAND SHOWN ON PLAT 070140001 OWNED BY ROBERT P. EVANS TRUST, DATED 2/21/07, AND BEING EAST 13,132.00 FEET AND SOUTH 89.53 FEET FROM THE NORTHWEST CORNER OF SECTION 15, T4N, R1W, S8E, BEING THE FOLLOWING COURSE:

S 00°33'08" W	251.71 FT.	ALONG THE WEST LINE OF THE STONE MOUNTAIN STATE SUBDIVISION, TO THE POINT OF BEGINNING AND THE EXISTING LINE OF OLD POST ROAD; THENCE
NORTHWESTERLY	4,115.59 FT.	ALONG SAID NORTHWESTERLY LINE OF OLD POST ROAD, TO THE POINT OF BEGINNING OF THE EXISTING OGDEN CITY BOUNDARY; THENCE
N 37°34'30" W	14,125.35 FT.	ALONG SAID NORTHWESTERLY LINE OF OLD POST ROAD, TO THE POINT OF BEGINNING OF THE EXISTING OGDEN CITY BOUNDARY; THENCE
NORTHWESTERLY	123.08 FT.	ALONG SAID NORTHWESTERLY LINE OF OLD POST ROAD, TO THE POINT OF BEGINNING OF THE EXISTING OGDEN CITY BOUNDARY; THENCE
S 88°00'02" E	238.35 FT.	ALONG SAID NORTH LINE BEING THE EXISTING OGDEN CITY BOUNDARY; THENCE
N 76°37'00" E	246.04 FT.	ALONG SAID BOUNDARY; THENCE
CONTAINING 12,837.57 S.F. (293.80 AC.)		

BASED ON BEARING THE SECTION LINE BETWEEN THE NORTHWEST CORNER AND THE WEST QUARTER CORNER OF SECTION 15, T4N, R1W, S8E & U.S. SURVEY.

## OGDEN CITY APPROVAL AND ACCEPTANCE

APPROVED BY THE CITY COUNCIL OF OGDEN, UTAH, BY ORDINANCE NUMBER \_\_\_\_\_ AND UNDER SUCH AUTHORITY ACCEPTED BY THE MAYOR \_\_\_\_\_



Attest: \_\_\_\_\_  
CITY RECORDS

**COUNTY RECORDER**  
DAVE W. HARRIS, REC'D  
RECORDED IN BOOK 2008, PAGE 100  
RECORDED IN BOOK 2008, PAGE 100  
OGDEN CITY, UTAH  
DATE RECORDED: 3/21/08

**OWNER/DEVELOPER**  
ROBERT P. EVANS  
4850 OLD POST ROAD  
OGDEN, UTAH 84403  
(801) 475-6308

THIS AMENDMENT PLAT WAS PREPARED AT THE REQUEST OF THE OWNER, MR. ROBERT EVANS, AND THE NORTH BOUNDARIES FOLLOW THE EXISTING OGDEN CITY BOUNDARIES AS SHOWN ON PLAT 070140001 OWNED BY ROBERT P. EVANS TRUST, DATED 2/21/07, AND BEING EAST 13,132.00 FEET AND SOUTH 89.53 FEET FROM THE NORTHWEST CORNER OF SECTION 15, T4N, R1W, S8E, BEING THE FOLLOWING COURSE: ...