

STATE OF UTAH

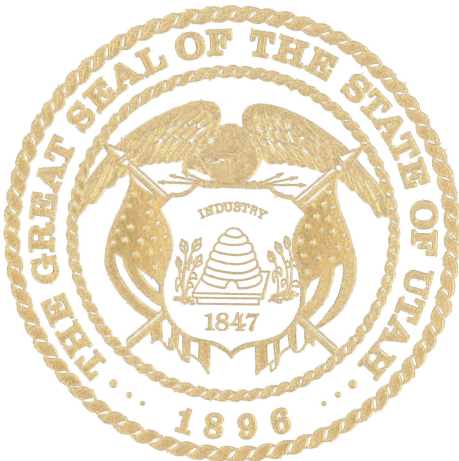


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from HEBER CITY, dated November 19<sup>th</sup>, 2009, 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 HEBER CITY, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 6<sup>th</sup> day of January, 2010 at Salt Lake City, Utah.

A handwritten signature in black ink that reads "Greg Bell".

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GREG BELL  
Lieutenant Governor

Mayor: David R. Phillips  
Council: Jeffery M. Bradshaw  
Elizabeth Hokanson  
Eric Straddeck  
Nile D. Horner  
Robert L. Patterson

## HEBER CITY CORPORATION

75 North Main  
Heber City, Utah 84032  
Phone (435) 654-0757  
FAX (435) 657-2543

December 31, 2009

Lt. Governor Greg Bell  
210 State Capitol Building  
Suite 220 East Building  
Salt Lake City UT 84114

RE: Modification of the Heber City boundaries via annexation

Per State Code 10.2.425 please find a copy of Ordinance 2009-15 which Ordinance approves the inclusion of the property known as the Nichol Annexation into the Heber City limits. Also included is the legal description of the property and a plat map. This Ordinance was approved by the Heber City Council on November 19, 2009.

Thank you.

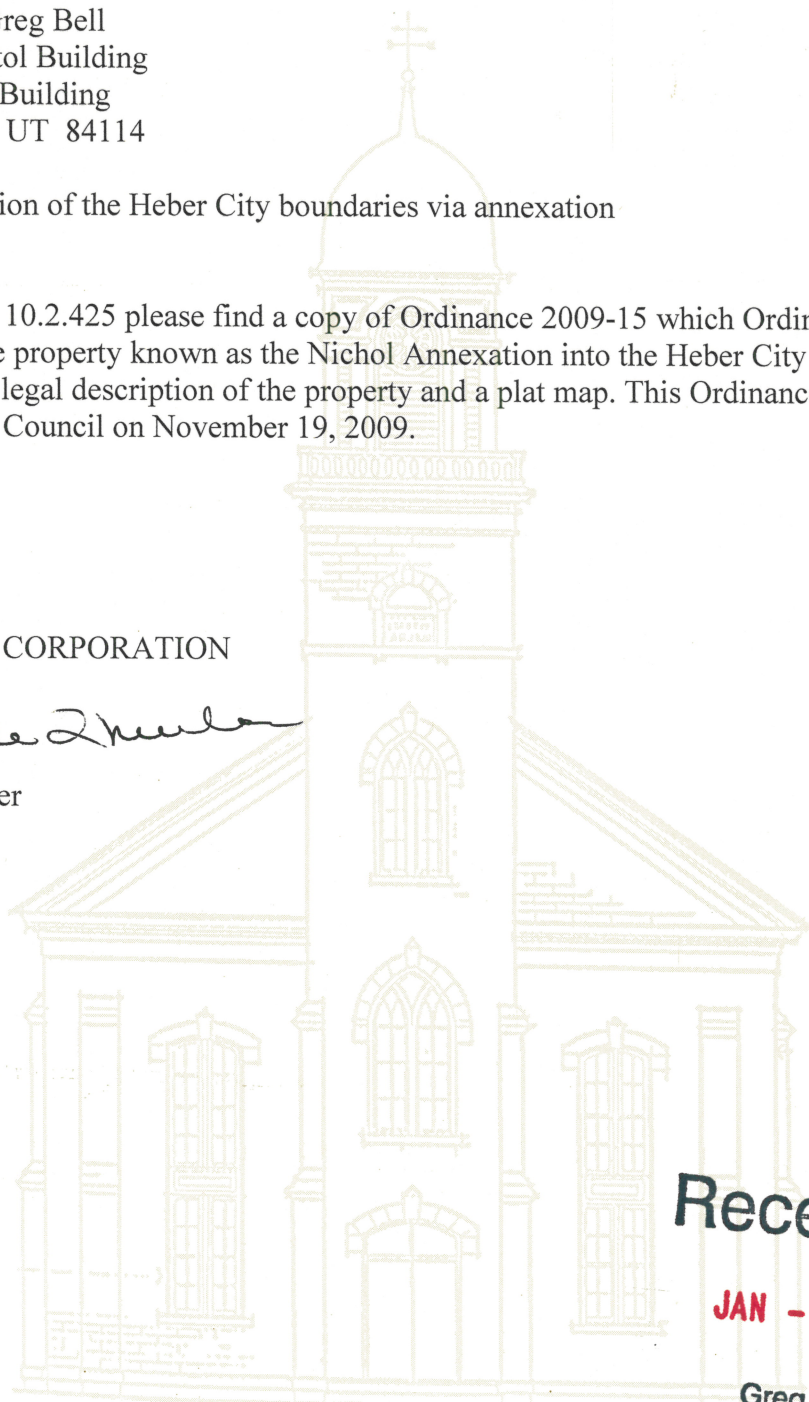
Cordially,

HEBER CITY CORPORATION



Paulette Thurber  
City Recorder

Enclosures



**Received**

**JAN - 6 2010**

**Greg Bell**  
Lieutenant Governor

ORDINANCE NO. 2009-15

AN ORDINANCE ANNEXING PROPERTY KNOWN AS THE NICHOL ANNEXATION LOCATED AT APPROXIMATELY 950 AND 1200 SOUTH ON THE WEST SIDE OF SOUTHFIELD ROAD, HEBER CITY, WASATCH COUNTY, STATE OF UTAH.

BE IT ORDAINED BY THE CITY COUNCIL OF HEBER CITY, UTAH:


**Section 1.** That the 15.07 acres, described in the attached Exhibit A of this Ordinance is hereby assigned to and made a part of the R-3 Residential Zone, consistent with the Heber City General Plan, County of Wasatch, State of Utah.

**Section 2.** This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder, (c) a short summary of it has been published in the Wasatch Wave or a complete copy has been posted in three public places within Heber City, (d) the execution and recording of an Annexation Agreement and Covenant Running With the Land in substantially the form attached hereto as Exhibit B, and (e) the respective changes have been properly noted and attested to in the official zone map as required per Section 18.20.010 of the Heber City Municipal Code.

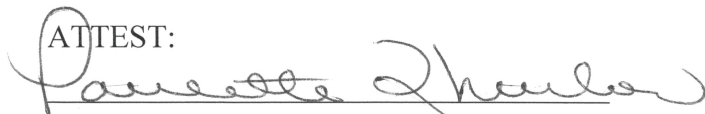
ADOPTED AND PASSED by the City Council of Heber City, Utah, this 19<sup>th</sup> day of November, 2009, by the following vote:

	AYE	NAY
Councilmember Jeffery M. Bradshaw	<u>X</u>	_____
Councilmember Elizabeth Hokanson	<u>X</u>	_____
Councilmember Eric Straddeck	_____	<u>X</u>
Councilmember Nile D. Horner	_____	<u>X</u>
Councilmember Robert L. Patterson	<u>X</u>	_____

APPROVED:

  
\_\_\_\_\_  
Mayor David R. Phillips

ATTEST:

  
\_\_\_\_\_

RECORDER

(Seal)

Date of First Publishing:

November 25, 2009

EXHIBIT A

BOUNDARY DESCRIPTION

BEGINNING AT THE WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT OF BEGINNING ALSO LYING ON THE PRESENT CITY BOUNDARY OF HEBER CITY AS EVIDENCED BY THE SOUTHFIELDS ANNEXATION;

AND RUNNING THENCE SOUTH 13.85 FEET ALONG THE PRESENT CITY BOUNDARY OF HEBER CITY AS EVIDENCED BY THE SOUTHFIELDS ANNEXATION;

THENCE ALONG THE APPARENT SOUTHERLY RIGHT-OF-WAY LINE OF 1200 SOUTH STREET THE FOLLOWING TWO (2) COURSES: (1) THENCE NORTH  $89^{\circ}36'08''$  WEST 505.61 FEET; (2) THENCE SOUTH  $89^{\circ}00'58''$  WEST 54.03 FEET;

THENCE NORTH  $00^{\circ}32'42''$  EAST 1055.40 FEET TO A POINT ON THE CENTERLINE OF SPRING CREEK CANAL;

THENCE ALONG THE CENTERLINE OF SPRING CREEK CANAL THE FOLLOWING TWO (2) COURSES: (1) THENCE NORTH  $25^{\circ}25'48''$  EAST 228.98 FEET; (2) THENCE NORTH  $23^{\circ}48'55''$  EAST 219.06 FEET;

THENCE NORTH 338.52 FEET ALONG THE WESTERLY BOUNDARY OF THE RANDALL GILES PROPERTY TO A POINT ON THE PRESENT CITY BOUNDARY OF HEBER CITY AS EVIDENCED BY THE FILES ANNEXATION;

THENCE SOUTH  $89^{\circ}12'00''$  EAST 572.29 FEET ALONG THE PRESENT CITY BOUNDARY OF HEBER CITY AS EVIDENCED BY THE FILES ANNEXATION;

THENCE ALONG THE PRESENT CITY BOUNDARY OF HEBER CITY AS EVIDENCED BY THE SOUTHFIELDS ANNEXATION THE FOLLOWING FIVE (5) COURSES (1) THENCE SOUTH  $00^{\circ}24'23''$  WEST 452.88 FEET; (2) THENCE SOUTH  $00^{\circ}39'33''$  WEST 278.59 FEET; (3) THENCE SOUTH  $70^{\circ}03'32''$  WEST 10.72 FEET; (4) THENCE SOUTH  $00^{\circ}37'15''$  WEST 301.63 FEET; (5) THENCE WEST 103.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 15.07 ACRES.

**SURVEYOR'S CERTIFICATE**  
 I, JOHN CHRISTOPHER LAUB, SURVEYOR, A LICENSED SURVEYOR IN THE STATE OF IOWA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE COPY OF THE RECORDS OF THE SURVEY MADE BY ME AND MY ASSISTANTS ON THE DATE HEREIN SET FORTH.

**BOUNDARY DESCRIPTION**  
 BEING THE BOUNDARY OF THE ANNEXATION AREA AS SHOWN ON THE ATTACHED MAP AND AS DESCRIBED BY THE SURVEYOR'S NARRATIVE.

**BASIS OF BEARINGS**  
 THE BEARINGS AND DISTANCES ON THIS MAP WERE OBTAINED FROM THE SURVEYOR'S FIELD NOTES AND ARE CORRECTED FOR LOCAL MAGNETIC VARIATION.

**SURVEYOR'S NARRATIVE**  
 THIS SURVEY WAS MADE FOR THE PURPOSE OF DETERMINING THE BOUNDARY OF THE ANNEXATION AREA AS SHOWN ON THE ATTACHED MAP. THE SURVEY WAS MADE BY ME AND MY ASSISTANTS ON THE DATE HEREIN SET FORTH. THE SURVEY WAS MADE IN ACCORDANCE WITH THE IOWA SURVEYING ACTS AND THE IOWA CONSTITUTION.

**ACCEPTANCE BY LEGISLATIVE BODY**  
 THIS MAP WAS ACCEPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, IOWA, ON THE DATE HEREIN SET FORTH.

DATED THIS 12th DAY OF December, 2009  
 JOHN CHRISTOPHER LAUB, SURVEYOR  
 CITY ENGINEER: [Signature] DATE: 12-29-09  
 PLANNING COMMISSION CHAIRMAN: [Signature] DATE: 29 Dec. 09

ATTEST:  
 [Signature] CITY RECORDER

