

STATE OF UTAH

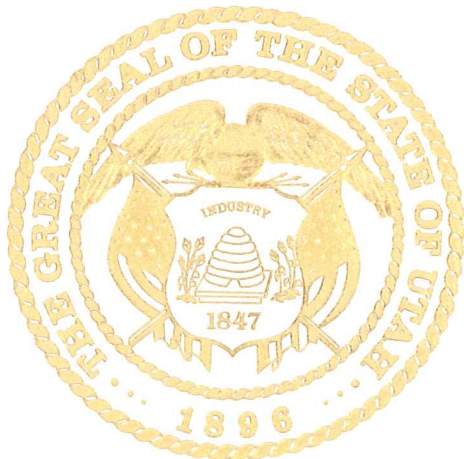


OFFICE OF THE LIEUTENANT GOVERNOR

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 March 26th, 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 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 13th day of April, 2009 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

March 26, 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 (Brindley 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.

Sincerely,

PAUL A. BITTMENN
Cedar City Attorney

Received

encl.

APR 13 2009

Gary R. Herbert

Lieutenant Governor

Administration
586-2953

Building and Zoning
865-4519

Economic Development
586-2770

City Engineer
586-2963

Parks & Recreation
865-9223

Public Works
586-2912

CEDAR CITY CORPORATION
ORDINANCE NO. 0325-09
(Brindley Annexation)

AN ORDINANCE ANNEXING
APPROXIMATELY 7.44 ACRES OF LAND
LOCATED IN THE VICINITY OF 200 NORTH AND 5280 WEST.

WHEREAS, During March, 2008, petitions were filed requesting annexation of approximately 7.44 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 City Council having reviewed the annexation and finding that it is in the best interests of Cedar City to annex the property.

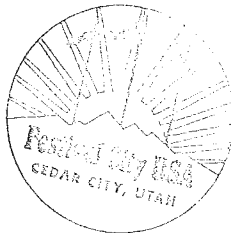
BE IT HEREBY ORDAINED by the Cedar City Council of Cedar City, Utah, that the property, located in Iron County, State of Utah, and more particularly described in exhibit "A" which is attached hereto and incorporated herein by this reference, is hereby annexed into the municipal boundary of Cedar City, Utah.

Passed and approved by the City Council of Cedar City, Utah, on the 25th day of MARCH, 2009.

This Ordinance, Cedar City Ordinance No. 0325-09 shall become effective immediately upon publication as required by state law.

DATED this 26th day of MARCH, 2009.

[CORPORATE SEAL]
ATTEST:



Gerald R. Sherratt
GERALD R. SHERRATT, MAYOR

Renon Savage
RENON SAVAGE, CITY RECORDER

EXHIBIT "A"
BRINDLEY ANNEXATION LEGAL DESCRIPTION

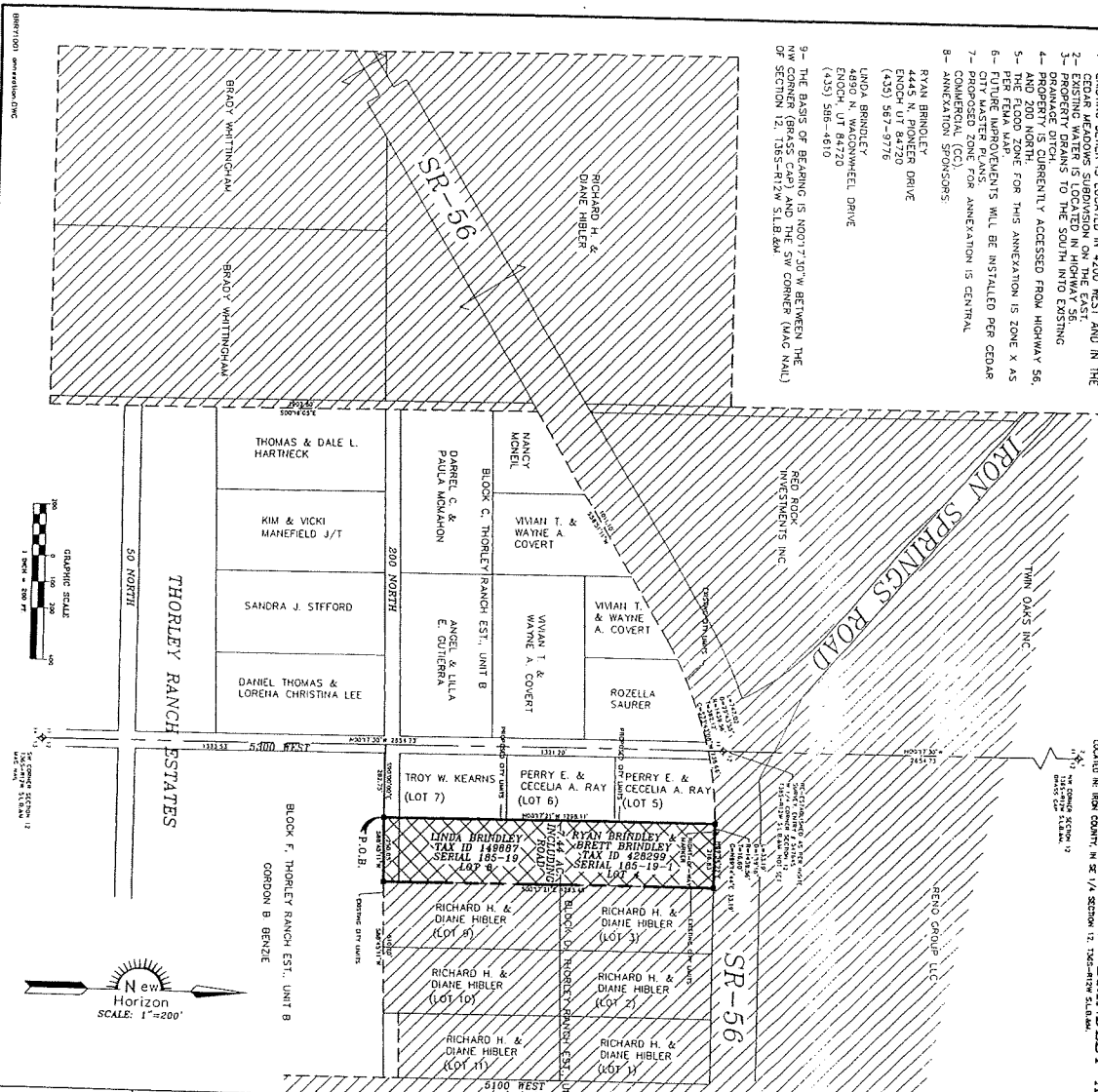
LOTS 4 AND 8, BLOCK D, THORLEY RANCH ESTATES SUBDIVISION, UNIT B,
INCLUDING THE ROAD ON THE SOUTH FRONTAGE OF SAID LOT 8; MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N00°17'30"W 1333.53 FEET ALONG THE SECTION
LINE AND S90°00'00"E 282.75 FEET FROM THE SW CORNER (MAG NAIL) OF SECTION
12, T36S-R12W S.L.B.&M. RUNNING THENCE N00°17'21"W 1298.11 FEET TO THE
SOUTH RIGHT-OF-WAY LINE OF STATE ROUTE 56, SAID POINT ALSO BEING ON A
NON-TANGENT CURVE TO THE RIGHT, CURVE DATA; D=1°19'16", R= 1439.56', T=
16.60', CHORD BEARING=N89°14'44"E 33.19', THENCE ALONG SAID SOUTH LINE AND
THE ARC OF SAID CURVE 33.19 FEET TO THE PT, SAID POINT BEING AN EXISTING
RIGHT-OF-WAY MARKER; THENCE N89°54'22"E 216.83 FEET; THENCE S00°17'21"E
1293.46 FEET; THENCE S88°45'11"W 250.05 FEET TO THE POINT OF BEGINNING, AND
CONTAINING 7.44 ACRES.

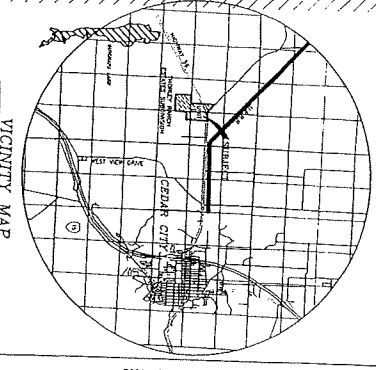
PRELIMINARY ANNEXATION PLAN: BRINDLEY ADDITION

LOCATED IN 80th SECTOR, IN THE 1/4 SECTION 12, T20S-R12W S.L.B. 6M.

- GENERAL NOTES**
- EXISTING SEWER IS LOCATED IN 4200 WEST AND IN THE CEDAR MEADOWS SUBDIVISION ON THE EAST.
 - SEWER MAIN IS LOCATED ON HIGHWAY 56.
 - PROPERTY DEEDS TO THE SOUTH INTO EXISTING PAVEMENT DITCH.
 - PROPERTY IS CURRENTLY ACCESSED FROM HIGHWAY 56.
 - PER FEMA MAP.
 - FLOOD ZONE FOR THIS ANNEXATION IS ZONE X AS PER FEMA MAP.
 - FLOOD IMPROVEMENTS WILL BE INSTALLED PER CEDAR MEADOWS SUBDIVISION RECORDS.
 - PROPOSED ZONE FOR ANNEXATION IS CENTRAL COMMERCIAL (CC).
 - ANNEXATION SPONSORS:
RYAN BRINDLEY
4445 N. PIONEER DRIVE
ENOGCH UT 84720
(435) 587-9776
LINDA BRINDLEY
4950 N. WADSWORTH DRIVE
ENOGCH UT 84720
(435) 586-4610
 - THE BASIS OF BEARING IS N001°17'30" W BETWEEN THE NW CORNER (BRASS CAP) AND THE SW CORNER (MAG NAIL) OF SECTION 12, T20S-R12W S.L.B. 6M.



- LEGEND**
- SECTION CORNER
 - FOUND MONUMENT
 - SET BACK & PLASTIC CAP U.S. NO. 364372
 - EXISTING ANNEXATION LINE
 - PROPOSED ANNEXATION LINE
 - CORNER IN CEDAR CITY LIMITS
 - PROPERTY TO BE ANNEXED

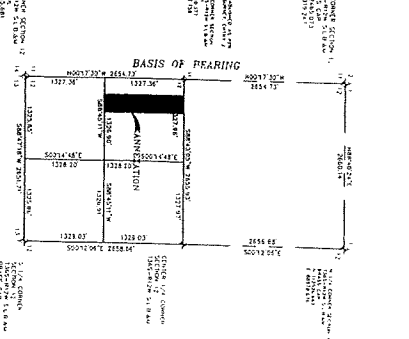


- LIST OF OWNERS BEING ANNEXED**
- 1- LOT 4, BLOCK D, THORLEY RANCH ESTATES, UNIT B, RYAN BRINDLEY & BRETT BRINDLEY
4445 N. PIONEER DRIVE ENOGCH, UTAH 84720
1-435-587-9776
 - 2- LOT 8, BLOCK D, THORLEY RANCH ESTATES, UNIT B, RYAN BRINDLEY & BRETT BRINDLEY
4950 N. WADSWORTH DRIVE ENOGCH, UTAH 84720
1-435-586-4610

CITY ENGINEER APPROVAL
I, _____, City Engineer, do hereby approve this plan and the annexation and the proposed use of the land shown thereon.

CERTIFICATE OF APPROVAL
I, _____, Surveyor, do hereby certify that this plan and the annexation were prepared in accordance with the laws of the State of Utah and the rules and regulations of the Board of Surveyors.

BOUNDARY DESCRIPTION
SECTION 12, T20S-R12W S.L.B. 6M. BEING ANNEXED TO CEDAR CITY, UTAH. THE ANNEXATION LINE IS DESCRIBED AS FOLLOWS: BEGIN AT THE NW CORNER OF SECTION 12, T20S-R12W S.L.B. 6M. (BRASS CAP); THENCE S001°17'30" W 175.00 FEET TO THE SW CORNER (MAG NAIL); THENCE S89°12'30" W 175.00 FEET TO THE SE CORNER; THENCE S001°17'30" E 175.00 FEET TO THE NE CORNER; THENCE N89°12'30" E 175.00 FEET TO THE NW CORNER OF SECTION 12, T20S-R12W S.L.B. 6M. (BRASS CAP). AREA 17.50 ACRES.



PARTIAL SECTION BREAKDOWN
SECTION 12, T20S-R12W S.L.B. 6M.
PART 1/4 SECTION 12, T20S-R12W S.L.B. 6M.

**PRELIMINARY ANNEXATION PLAN:
BRINDLEY ADDITION**

LOCATION: SE 1/4 SECTION 12, T20S-R12W S.L.B. 6M.
DATE: JAN/2008 SCALE: 1"=200'

**NEW HORIZON
Engineering & Surveying LLC**
252 N 200 W Suite 3
Cedar City UT, 84720
(435) 586-8897
(435) 965-2882