

STATE OF UTAH

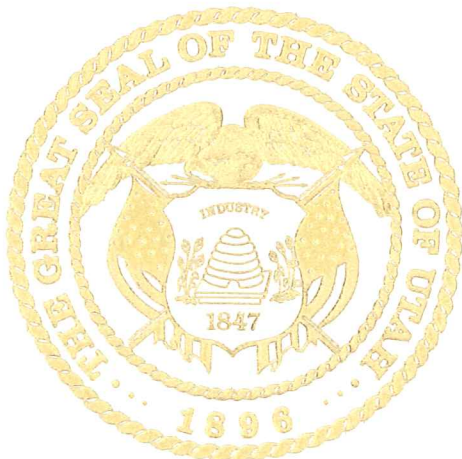


OFFICE OF THE LIEUTENANT GOVERNOR

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 October 21<sup>st</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 2<sup>nd</sup> day of April, 2009 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT  
Lieutenant Governor



\*W2397863\*

E# 2397863 PG 1 OF 4  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
16-MAR-09 850 AM FEE \$0.00 DEP SPY  
REC FOR: OGDEN CITY

**ORDINANCE NO. 2008-46**

**AN ORDINANCE OF OGDEN CITY, UTAH PROVIDING FOR THE ANNEXATION TO OGDEN CITY OF 15.04 ACRES OF LAND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY, WHICH LAND ANNEXED IS GENERALLY LOCATED AT APPROXIMATELY 3047 MIDLAND DRIVE; AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

A PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, AND ALSO A PART OF LOT 12 OF SAID SECTION 36, BASIS OF BEARINGS IS UTAH STATE PLANE, BEGINNING AT A POINT ON THE EASTERN RIGHT OF WAY OF THE D.&R.G.W.R.R.. COMPANY, AS LOCATED, SAID POINT BEARS N. 89°44'55" W. (WEST) 900.63 FEET, MORE OR LESS, ALONG SECTION LINE TO SAID RIGHT OF WAY, AND S.34°21'06"W. (S.34°04'W.) 796.42 FEET, MORE OR LESS, ALONG SAID RIGHT OF WAY TO THE SOUTHERN BOUNDARY OF MIDLAND BUSINESS PARK, AND S.89°54'21"E. 60.50 FEET, MORE OR LESS TO A POINT WHICH LAY 100 FEET PERPENDICULAR FROM THE CENTERLINE OF THE DENVER RIO GRANDE WESTERN RAILWAY CO. RAILROAD FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION, AND RUNNING THENCE S.89°54'21"E. (N.89°52'40"E.) 1035.06 FEET MORE OR LESS, ALONG SAID SOUTHERN BOUNDARY TO THE WESTERN LINE OF ROAD, MIDLAND DRIVE, THENCE S.46°33'58"E. 66.00 FEET, MORE OR LESS, THENCE S.43°20'17"W. 565.58 FEET, MORE OR LESS, TO THE OGDEN CITY LIMITS, THENCE N.46°39'43"W. 66.00 FEET TO THE WESTERN LINE OF SAID ROAD AND OGDEN CITY LIMITS, THENCE S.43°20'17"W. (SOUTHWESTERLY) 330.13 FEET ALONG SAID ROAD TO THE NORTHEAST CORNER OF THE WHEELWRIGHT LUMBER COMPANY PROPERTY, AS LOCATED, SAID POINT BEING ON THE SOUTH LINE OF LOT 12, THENCE N.89°32'53"W. (N.89°52'W.) 862.10 FEET MORE OR LESS, ALONG SAID LOT LINE, MORE OR LESS, TO THE EXISTING OGDEN CITY LIMITS, THENCE N.34°21'06"E. (N34°04'E.) 783.01 FEET ALONG SAID OGDEN CITY LIMITS TO THE POINT OF BEGINNING.

**CONTAINING 655,191 SQ. FT./15.04 ACRES, MORE OR LESS.**

**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 3047 Midland Drive, and more particularly described in Section 3 of this ordinance, have petitioned the Ogden City Council to annex such property to Ogden City; and**

**Received**

MAR 26 2009  
*Map sent 3/26*  
Gary R. Herbert  
Lieutenant Governor

**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:** 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 Cynthia L. Segriff, a registered professional land surveyor of the State of Utah, License No. 7511, 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 Cynthia L. Segriff.

**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 3047 Midland Drive in

Weber County, State of Utah, consisting of about 15.04 acres, is more particularly described as follows:

A PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, AND ALSO A PART OF LOT 12 OF SAID SECTION 36, BASIS OF BEARINGS IS UTAH STATE PLANE, BEGINNING AT A POINT ON THE EASTERN RIGHT OF WAY OF THE D.&R.G.W.R.R.. COMPANY, AS LOCATED, SAID POINT BEARS N. 89°44'55" W. (WEST) 900.63 FEET, MORE OR LESS, ALONG SECTION LINE TO SAID RIGHT OF WAY, AND S.34°21'06"W. (S.34°04'W.) 796.42 FEET, MORE OR LESS, ALONG SAID RIGHT OF WAY TO THE SOUTHERN BOUNDARY OF MIDLAND BUSINESS PARK, AND S.89°54'21"E. 60.50 FEET, MORE OR LESS TO A POINT WHICH LAY 100 FEET PERPENDICULAR FROM THE CENTERLINE OF THE DENVER RIO GRANDE WESTERN RAILWAY CO. RAILROAD FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION, AND RUNNING THENCE S.89°54'21"E. (N.89°52'40"E.) 1035.06 FEET MORE OR LESS, ALONG SAID SOUTHERN BOUNDARY TO THE WESTERN LINE OF ROAD, MIDLAND DRIVE, THENCE S.46°33'58"E. 66.00 FEET, MORE OR LESS, THENCE S.43°20'17"W. 565.58 FEET, MORE OR LESS, TO THE OGDEN CITY LIMITS, THENCE N.46°39'43"W. 66.00 FEET TO THE WESTERN LINE OF SAID ROAD AND OGDEN CITY LIMITS, THENCE S.43°20'17"W. (SOUTHWESTERLY) 330.13 FEET ALONG SAID ROAD TO THE NORTHEAST CORNER OF THE WHEELWRIGHT LUMBER COMPANY PROPERTY, AS LOCATED, SAID POINT BEING ON THE SOUTH LINE OF LOT 12, THENCE N.89°32'53"W. (N.89°52'W.) 862.10 FEET MORE OR LESS, ALONG SAID LOT LINE, MORE OR LESS, TO THE EXISTING OGDEN CITY LIMITS, THENCE N.34°21'06"E. (N34°04'E.) 783.01 FEET ALONG SAID OGDEN CITY LIMITS TO THE POINT OF BEGINNING.

**SECTION 4. Plat and ordinance to be recorded.** The map with the certification thereof of Cynthia L. Segriff, 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 manufacturing and industrial zone (M-2).

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

**PASSED, ADOPTED AND ORDERED PUBLISHED** this 21st day of October, 2008.

  
CHAIR

ATTEST:  
  
Cindi Mansell, City Recorder

Transmitted to the Mayor on: 10-27-08

Mayor's Action:  Approved     Vetoed

  
Matthew R. Godfrey, Mayor

ATTEST:  
  
Cindi Mansell, City Recorder

Publication Date: 11-2-08

Effective Date: 11-2-08


APPROVED AS TO FORM  9/4/2008  
LEGAL DATE



STATE OF UTAH    )  
                          ) ss  
COUNTY OF WEBER )

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE DOCUMENT THAT APPEARS ON RECORD IN MY OFFICE.

WITNESS MY HAND AND SEAL

THIS 23 DAY OF March 20 09  
ERNEST D. ROWLEY, WEBER COUNTY RECORDER  
BY  DEPUTY



