

# 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 BRIGHAM CITY, dated December 17<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 BRIGHAM CITY, located in Box Elder County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 12<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

ORDINANCE NO. 09-21

**AN ORDINANCE EXPANDING THE CORPORATE LIMITS OF  
BRIGHAM CITY BY ANNEXATION**

**WHEREAS**, Utah Code Section 10-2 Part 4 establishes procedures for the expansion of municipal boundaries by annexation; and

**WHEREAS**, Utah Code Section 10-2 Part 4 requires petitions for annexation to contain the signature of the owners of at least 50% of the land area and 1/3 of the land value of private real property within the area proposed for annexation; and

**WHEREAS**, a petition dated September 9, 2009 was received by the Brigham City Recorder requesting annexation and signed by Don W. Robinson; and

**WHEREAS**, the petitions requesting this annexation contain signatures representing 94 % of private land area and 99.8 % of private real property value within the area proposed for annexation; and

**WHEREAS**, Utah Code Section 10-2-402(1)(b)(iii) prohibits annexations that leave or create an unincorporated island or peninsula; and

**WHEREAS**, Utah Code Section 10-1-104(6) defines peninsula to mean "an area surrounded on more than 1/2 of its boundary distance, but not completely, by incorporated territory and situated so that the length of a line drawn across the unincorporated area from an incorporated area to an incorporated area on the opposite side shall be less than 25% of the total aggregate boundaries of the unincorporated area"; and

**WHEREAS**, annexation of those properties represented by signatures on the petition would not create islands or leave peninsulas of unincorporated property; and

**WHEREAS**, following all procedures required by Utah Code Section 10-2 Part 4, the Brigham City Council has held a public hearing and finds that the annexation of the property shown on the plat of the annexation is desirable and in the best interests of the citizens of Brigham City and will protect the health, safety, and welfare of the citizens of Brigham City.

**NOW THEREFORE BE IT AN IT IS HEREBY ORDINATED by the City Council of  
Brigham City:**

Section 1:

The following property be and the same is hereby annexed into the corporate limits of Brigham City:

**Received**

**DEC 28 2009**

*Map Serv 12-28*

**Greg Bell  
Lieutenant Governor**

A PART OF LOTS 2, 3 AND 4, BLOCK 9 OF THE FIVE ACRE, BRIGHAM CITY SURVEY BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE INTERSECTION OF EXISTING FENCES NORTHEAST CORNER OF SAID LOT 04 WHICH POINT IS 2517.12 FEET WEST AND 2817.68 FEET SOUTH FROM NORTHEAST CORNER OF SAID SECTION 11; THENCE SOUTH 00°17'25" EAST 978.02 FEET TO EXISTING BRIGHAM CITY CORPORATE LIMITS LINE BEING ON THE SOUTH RIGHT-OF-WAY LINE OF THE O.S.L.R.R.; THENCE ALONG SAID CORPORATE LIMITS AND RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES; (1) TO THE LEFT ALONG THE ARC OF A 2446.46 FOOT RADIUS CURVE, A DISTANCE OF 370.49 FEET, CHORD BEARS NORTH 72°35'11" WEST 370.14 FEET; (2) NORTH 75°13'45" WEST 327.06 FEET TO THE WEST LINE OF SAID LOT 2; THENCE NORTH 808.36 FEET ALONG THE WEST LINE OF SAID LOTS 2, 3 AND 4 TO THE NORTHWEST CORNER OF SAID LOT 4, BEING A POINT IN AN EXISTING FENCE LINE; THENCE SOUTH 87°53'17" EAST 697.94 FEET ALONG SAID FENCE LINE TO THE POINT OF BEGINNING.

INCLUDES PARCEL NUMBERS 03-077-0031, 03-077-0033, 03-077-0034 AND 03-077-0028

CONTAINING 13.56 ACRES.

Section 2:

This Ordinance shall become effective upon its adoption, recordation and first publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF BRIGHAM CITY, STATE OF UTAH, ON THIS 17TH DAY OF DECEMBER 2009.

By:



Lou Ann Christensen, Mayor

ATTEST:

  
Mary Kate Christensen, City Recorder

