

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
AMALGA TOWN, dated June 13th, 2012, 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 AMALGA TOWN, located in
Cache County, State of Utah.



IN TESTIMONY WHEREOF, I have
hereunto set my hand, and affixed the Great
Seal of the State of Utah this 21st day of
August, 2012 at Salt Lake City, Utah.

GREG BELL
Lieutenant Governor

AMALGA TOWN, CACHE COUNTY, UTAH

NOTICE OF IMPENDING BOUNDARY ACTION

To: The Utah Lieutenant Governor
Utah State Capitol Complex, Suite 220
P. O. Box 142325
Salt Lake City, UT 84114-2325

1. Notice is hereby given that the Town of Amalga, Cache County, Utah intends to annex certain real property and extend its corporate limits, the property to be annexed being owned by C. Victor Bingham and Nancy K. Bingham, husband and wife.

2. A copy of the Approved Final Local Entity Plat (Annexation Plat) is included.

3. The undersigned, David Wood and Morris L. Hansen, as the Amalga Town Mayor and Recorder, respectively, hereby certify that all requirements to be completed by Amalga Town which are applicable to the annexation of said Bingham real property have been met.

DATED: June 13, 2012.

AMALGA TOWN, a Utah Municipal Corporation

Attested & Verified:

By: David Wood
Mayor David Wood

By: Morris L. Hansen
Morris L. Hansen,
Town Recorder

PLEASE RETURN THESE DOCUMENTS AND
THE CERTIFICATE OF ANNEXATION TO:
Morris L. Hansen, Town Recorder
8240 North 2400 West
Amalga, UT 84335

ORDINANCE NO. 2012-1

ORDINANCE AMENDING THE
AMALGA TOWN ZONING ORDINANCES
AND ANNEXING SPECIFIC REAL PROPERTY TO AMALGA, UTAH

WHEREAS, the owners of a majority of the private land area within an area proposed for annexation, as described below, desire to annex such real property to Amalga, Utah, said owners being the owners of the least one-third (1/3) in value of all private real property proposed for annexation as shown by the last assessment roll; and

WHEREAS, said real property lies contiguous to the corporate boundaries of Amalga, Utah; and

WHEREAS, said owners have caused a Petition For Annexation to be filed with the Town together with an accurate plat of the real property which was made by a licensed surveyor; and

WHEREAS, the Amalga Town Council received a Certification of Annexation Petition from the Town Recorder on March 14, 2012, and provided a Notice of Certification of Annexation Petition to the *Herald Journal*, a newspaper with general circulation within Amalga Town, which Notice was duly published in accordance with the applicable laws of the State of Utah; and

WHEREAS, said Notice of Certification of Annexation Petition also included and published a Notice of a Public Hearing to be held on June 13, 2012, at 7:00 p.m., which hearing was held and no legally sufficient objections to the proposed annexation were received by the deadline stated in said Notice of June 13, 2012; and

WHEREAS, the Amalga Town Council has determined that the proposed annexation, subject to certain conditions and agreements by the owners of the real property to be annexed, will promote the general welfare of the Town, and that such action will be in compliance with the Town's Annexation Policy Plan as previously adopted by the Town;

NOW, THEREFORE, pursuant to Sections 10-2-407(3)(b)(i) and 10-9A-506 Utah Code Annotated 1953, as amended, the Town Council of Amalga, Utah, hereby adopts, passes and publishes the following:

BE IT ORDAINED BY THE TOWN COUNCIL OF AMALGA, UTAH, AS FOLLOWS:

AN ORDINANCE AMENDING THE AMALGA TOWN ZONING ORDINANCES AND ANNEXING SPECIFIC REAL PROPERTY TO AMALGA, UTAH.

1. The real property more particularly described in Paragraph 2, below, is hereby annexed to Amalga, Utah, and the corporate limits of Amalga, Utah, are hereby extended accordingly, subject to certain express terms and conditions which are more fully set forth in Paragraph 6, below.

2. The real property which is the subject of this Ordinance is described as follows:

A PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT ON THE EXISTING AMALGA TOWN EAST CORPORATE LIMITS LINE AND AT THE NORTHWEST CORNER OF PARCELL 08-013-0044 LOCATED NORTH 90°00'00" EAST 1320.00 FEET FROM THE NORTHWEST CORNER OF THE SAID SOUTHWEST QUARTER OF SECTION 7 AND RUNNING THENCE NORTH 900°0'00" EAST A DISTANCE OF 208.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 08-013-0044; THENCE SOUTH 00°00'00" EAST A DISTANCE OF 677.00 FEET; THENCE NORTH 90°00'00" WEST A DISTANCE OF 208.00 FEET TO THE SAID EAST CORPORATE LIMITS LINE; THENCE NORTH 00°00'00" EAST A DISTANCE OF 677.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. CONTAINING 3.24 ACRES

3. The zoning map of Amalga Town shall be amended to include the real property described above in Paragraph 2.

4. The real property described in Paragraph 2, above, shall be classified as being in the Agricultural Zone, also known as the A Zone, subject to the terms, conditions and restrictions contained in Paragraph 6, below.

5. A certified copy of this Ordinance and the original plat depicting and describing the property so annexed shall be filed with the County Recorder of Cache County, Utah, by the Town Recorder, who shall also send Notice to each affected entity, and file required certified copies of this Ordinance and a copy of the Annexation Plat with the Lt. Governor's and County Surveyor's offices and complete all other action, as required by law, within thirty (30) days of the date of this Ordinance.

6. Property Owners' Agreement.

A. The annexation of the real property described in Paragraph 2, above, is expressly made subject to the terms and conditions of the Town of Amalga Annexation Policy Plan.

B. The terms, provisions and conditions of this Ordinance, specifically including this Paragraph 6, shall attach to the above-described parcel of real property, shall become binding thereon and shall be covenants which run with said real property. In addition, the terms, provisions and conditions expressed herein shall be binding upon and shall inure to the benefit of

the undersigned Property Owners and to their respective heirs, representatives, successors and assigns.

7. This Ordinance shall become effective after posting as required by law and on the date of the lieutenant governor's issuance of a Certificate of Annexation under Section 10-2-425, UCA. A copy of the Ordinance and plat shall be deposited in the Office of the Town Recorder prior to posting.

ADOPTED AND PASSED by the Town Council of the Town of Amalga, Utah, this 13th day of June, 2012.

AMALGA TOWN

By:



David Wood, Mayor

ATTEST:



Morris Hansen, Town Recorder

POSTING DATE: _____

CERTIFICATION

STATE OF UTAH)
 : ss.
County of Cache)

I, MORRIS HANSEN, the Town Recorder of Amalga, Utah, do hereby certify that the above and foregoing is a full and correct copy of Ordinance No. 2012-1 entitled Ordinance Amending the Amalga Town Zoning Ordinances and Annexing Specific Real Property To Amalga, Utah, adopted and passed by the Town Council of Amalga, Utah, at a regular meeting thereof on the 13 day of June, 2012, which appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town, this 13 day of June, 2012.

Morris S. Hansen
MORRIS HANSEN, Town Recorder

EXECUTION BY PROPERTY OWNERS

Receipt of a copy of this Ordinance and agreement to be bound by the terms and provisions hereof is acknowledged by each of the undersigned Property Owners.

PROPERTY OWNERS

DATE: 7-18-2012



C. VICTOR BINGHAM



NANCY K. BINGHAM

STATE OF UTAH)
 :SS
County of Cache)

On the 18 day of July, 2012, personally appeared before me C. Victor Bingham and Nancy K. Bingham, the signers of the within instrument, who duly acknowledged to me that they executed the same.



Notary Public



