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 AMERICAN FORK CITY, dated May 14th, 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 AMERICAN FORK 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 24th day of May, 2013 at Salt Lake City, Utah.

GREG BELL
Lieutenant Governor

AMERICAN FORK
— 1853 —

51 East Main, American Fork, UT 84003
(801) 763-3000 Fax (801) 763-3033

May 22, 3013

Lt. Governor's Office
Utah State Capitol Complex
P.O. Box 142325
Salt Lake City, Utah 84114-2325

Emailed to: spencerhadley@utah.gov

RE: North Granite View Annexation into American Fork City

To Whom It May Concern:

At the May 14, 2013, City Council meeting, the Mayor and City Council approved Ordinance No. 2013-05-14, which approved the North Granite View Annexation into American Fork City.

Enclosed you will find a copy of our Ordinance of Annexation, which includes the boundary description of the annexation, and a copy of the annexation map. The above referenced annexation meets the requirements of annexation.

If approved, please send the Certificate of Annexation to:

American Fork City
Terilyn Lurker, Deputy Recorder
51 East Main
American Fork, UT 84003

If you have any questions or need further information, please call me at 801-763-3000 ext. 501.

Sincerely,

Terilyn Lurker

Terilyn Lurker
Deputy Recorder

enclosures

Mayor James H. Hadfield

Brad Frost, Craig Nielsen, Heidi Rodeback, Robert Shelton, Clark Taylor

AN ORDINANCE

AN ORDINANCE AMENDING SECTION 1.12.010 OF THE REVISED ORDINANCES OF AMERICAN FORK CITY 1985, AS AMENDED, ANNEXING CERTAIN PROPERTIES TO AMERICAN FORK CITY AND ESTABLISHING ZONING CLASSIFICATION FOR SAID PROPERTY.

BE IT ORDAINED BY THE CITY COUNCIL OF AMERICAN FORK CITY, UTAH:

SECTION I. THAT THE FOLLOWING DESCRIBED REAL PROPERTY BE, AND THE SAME IS HEREBY ANNEXED TO AMERICAN FORK CITY, UTAH, THE CORPORATE LIMITS OF SAID CITY ARE HEREBY EXTENDED TO INCLUDE SAID DESCRIBED PROPERTY, AND SAID PROPERTY IS HEREBY DECLARED TO BE PART OF AMERICAN FORK CITY AND SHALL HENCEFORTH BE SUBJECT TO ALL OF THE ORDINANCES AND REGULATIONS THEREOF, AND THAT THE DESCRIPTION OF THE BOUNDARIES OF AMERICAN FORK CITY AS SET FORTH IN SECTION 1.12.010 OF THE REVISED ORDINANCES BE AMENDED TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY TO-WIT:

ORDINANCE NO. **2013-05-14**
NORTH GRANITE VIEW ANNEXATION (810 EAST 50 SOUTH)
SEE ATTACHMENT 'A'

SECTION II. THAT THE TERRITORY ANNEXED UNDER SECTION I ABOVE, IS HEREBY CLASSIFIED INTO THE R3-7500 RESIDENTIAL ZONE AND SUBJECT TO THE TERMS AND CONDITIONS OF THE NORTH GRANTE VIEW ANNEXATION AGREEMENT AS PROVIDED IN ATTACHMENT 'B'.

SECTION III. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND FIRST PUBLICATION. PASSED BY THE CITY COUNCIL OF AMERICAN FORK, THIS 14 DAY OF MAY, 2013.

JAMES H. HADFIELD, MAYOR

ATTEST:

STATE OF UTAH
COUNTY OF UTAH

I, RICHARD M. COLBORN, RECORDER OF AMERICAN FORK CITY, UTAH, DO HEREBY CERTIFY THE ABOVE AND FOREGOING TO BE A FULL, TRUE AND CORRECT COPY OF AN ORDINANCE AMENDING SECTION 1.12.010 OF THE REVISED ORDINANCES OF AMERICAN FORK CITY 1985, AMENDED, ANNEXING CERTAIN PROPERTIES TO AMERICAN FORK CITY AND ESTABLISHING ZONING CLASSIFICATION FOR SAID PROPERTY.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND AFFIX THE CORPORATE SEAL OF AMERICAN FORK, UTAH THIS 14 DAY OF MAY, 2013.

RICHARD M. COLBORN, RECORDER

ATTACHMENT A

SURVEYOR'S CERTIFICATE

I, CHAD A. POULSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 501182 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAT OF ANNEXATION TO THE CORPORATE LIMITS OF AMERICAN FORK CITY, UTAH COUNTY, UTAH IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM RECORDS ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT LOCATED N89°45'24"W ALONG THE SECTION LINE 416.80 FEET AND SOUTH 505.30 FEET FROM THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 10.64 FEET TO THE EXISTING AMERICAN FORK CITY BOUNDARY; THENCE ALONG SAID AMERICAN FORK CITY BOUNDARY THE FOLLOWING FOUR (4) COURSES: N89°07'42"W 50.87 FEET; THENCE S0°45'55"W 61.33 FEET; THENCE N89°07'42"W 153.76 FEET; THENCE S0°06'40"E 164.12 FEET; THENCE N89°07'00"W 0.83 FEET; THENCE S0°10'27"W 43.75 FEET; THENCE N89°48'53"W 101.12 FEET; THENCE N0°07'42"E 263.14 FEET; THENCE WEST 65.30 FEET; THENCE NORTH 1.98 FEET; THENCE WEST 2.05 FEET; THENCE NORTH 12.89 FEET TO THE NORTH LINE OF 50 SOUTH STREET; THENCE S89°45'06"E ALONG SAID NORTH LINE 373.95 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±0.93 ACRES

CHAD A. POULSEN
PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 501182

MARCH 8, 2013
DATE

STATE OF UTAH
CHAD A. POULSEN
No. 501182
3/8/2013
PROFESSIONAL LAND SURVEYOR

SURVEYOR'S SEAL

ATTACHMENT B

2-6-13
PC Draft #1

ANNEXATION AGREEMENT
(North Granite View Annexation)

This Agreement, made and entered into this 26 day of February, 2013, by and between The City of American Fork, Utah, a Utah Municipal Corporation (hereafter referred to as "City") and Scott Mitchell (hereafter referred to as "Applicant"), is based on the following:

RECITALS

WHEREAS, Applicant is the owner of a parcel of privately owned real property constituting the entirety of, the North Granite View Annexation, which annexation is located within the unincorporated territory of Utah County and contiguous to the corporate boundary of the City. A "Request to Initiate Annexation of Land Within an Island or Peninsula" relating to the North Granite View Annexation (Attachment 2), together with a map showing the area proposed for annexation (hereafter referred to as "Annexation Area"), has been submitted to the City (Attachment 1); and

WHEREAS, the area proposed for annexation constitutes a portion of an existing island, as defined by Utah State law; and

WHEREAS, in accordance with the provisions of UCA 10-2-418, the American Fork City Council has heretofore adopted Resolution No. 2012-08-23R indicating its intent to annex the entire Annexation Area. Further, notice of hearing regarding the proposed annexation has been published and the public hearing thereon held.

WHEREAS, the City Council has determined that annexation of the real property described on Attachment 1 is in the best interest of the City and has indicated an intent to: (1) enact an ordinance of annexation relating thereto, subject to the prior execution of this Agreement, and (2) authorize the recording of the annexation plat at the office of the Utah County Recorder, subject to those certain understandings as are more fully set forth in this Agreement, completion of all outstanding tasks identified herein or otherwise required prior to annexation.

TERMS AND CONDITIONS

NOW THEREFORE, based on the above recitals and in consideration of the annexation of the territory described in Attachment 1 to the City, the parties covenant and agree as follows:

SECTION 1 – Applicability of Agreement: The real property to which the terms of this Agreement apply shall be the parcels of private property within the Annexation Area, identified on Attachment 1. Attachment 1 is hereby made part of this Agreement.

SECTION 2 – Annexation a benefit to Applicant: Applicant and City acknowledge that the City is not required to approve the annexation and that the terms and conditions of annexation, as set forth herein, are reasonable and entered into freely and voluntarily. Further, Applicant hereby acknowledges and agrees that the benefit received from annexation of the property is equal to or greater than the requirements and conditions of annexation as set forth in this Agreement and the conditions of the development as set forth under the terms of the City's Development Code and Impact Fee Ordinance and does not constitute a taking as defined pursuant to the terms of UCA 10-9a-103(6), 1953, as amended.

SECTION 3 – Authority of Applicant: Applicant hereby affirms that he is the sole owner of the North Granite View parcel and has complete authority to enter into this Agreement and bind the property hereto.

SECTION 4 – Compatibility with Land Use Plan and Initial Zone Classification: The Land Use Element of the General Plan shows the entire annexation area classified as High Density Residential. The Applicant intends to develop the parcel for residential uses similar to what exists to the west and south (Granite View Estates). Therefore, the zone classification attached to the parcel shall be the R3-7500 Residential Zone.

SECTION 5 – Annexation Concept Plan: Applicant intends to divide the parcel into two lots and develop a four-unit structure, identical to what exists in the adjacent Granite View Estates, on one lot. This four unit structure will become a part of Granite View Estates. The other lot will be a single family residential lot. Attachment 3 illustrates the concept plan for development and his hereby made part of this Agreement.

SECTION 6 – Street Rights-of-Way to be Conveyed: The Annexation Area includes a portion of 50 South which is essential to proper vehicular travel. Attachment 4 shows the location of the street area to be conveyed. As a condition of annexation, the Applicant agrees to convey or cause to be conveyed to the City, without cost, that

portion of the Annexation Area intended for street purposes as set forth on Attachment 4. A copy of the description of the right-of-way and the documents conveying it to the City is attached hereto (Attachment 5) and the City acknowledges receipt of the executed original.

SECTION 7 – Water Rights to be Conveyed: City annexation policy requires that all signatories to the petition convey to the City sufficient water right to meet the needs of the proposed development. The concept plan envisions five (5) total units on this parcel; four (4) of which will be in a 4-plex and one single family home. Therefore, the water right is determined to be 4.56 acre feet. The Applicant has satisfied this water right through share number 7288 from the Pleasant Grove Irrigation Company (3.465 shares).

SECTION 8 – Impact Fees: No impact fees are required as a condition of annexation. However, nothing in this Agreement constitutes a waiver of any obligation that Applicant or any successor may have for the payment of impact fees required as a condition of connection to the City water and/or sewer systems or development of the Annexation Area or any portion thereof. The Applicant acknowledges that no development approval or building permit shall be issued until all applicable fees required by City ordinance have been paid at the amount then in effect.

SECTION 9 – Default: Should any of the parties default in the performance of any of the terms of this Agreement, the parties shall first seek mediation to resolve any defaulting performance. The defaulting party shall pay all costs and expenses, including mediation fees and/or reasonable attorney's fees, which may arise from enforcing this Agreement, whether such remedy is pursued by mediation and/or filing suit or otherwise.

SECTION 10 – Notice: Any notice to be given hereunder shall be given by certified mail, return receipt requested, addressed as follows:

a. If to the City, to the City of American Fork, 51 East Main Street, American Fork Utah, 84003
b. If to Applicant, to Scott Mitchell, 215 South 800 West, Lindon Utah, 84042

SECTION 11 – Entire Agreement: This Agreement constitutes the entire agreement between the parties and may be changed only in writing signed by all parties, and this agreement shall bind the heirs, assigns and successors in interest of the respective parties. If any party shall breach this Agreement, the other party shall be entitled to recover their attorney fees and court costs in addition to other lawful damages resulting therefrom.

IN WITNESS WHEREOF, the parties have signed this agreement on the date first mentioned above.

SCOTT MITCHELL

MAYOR

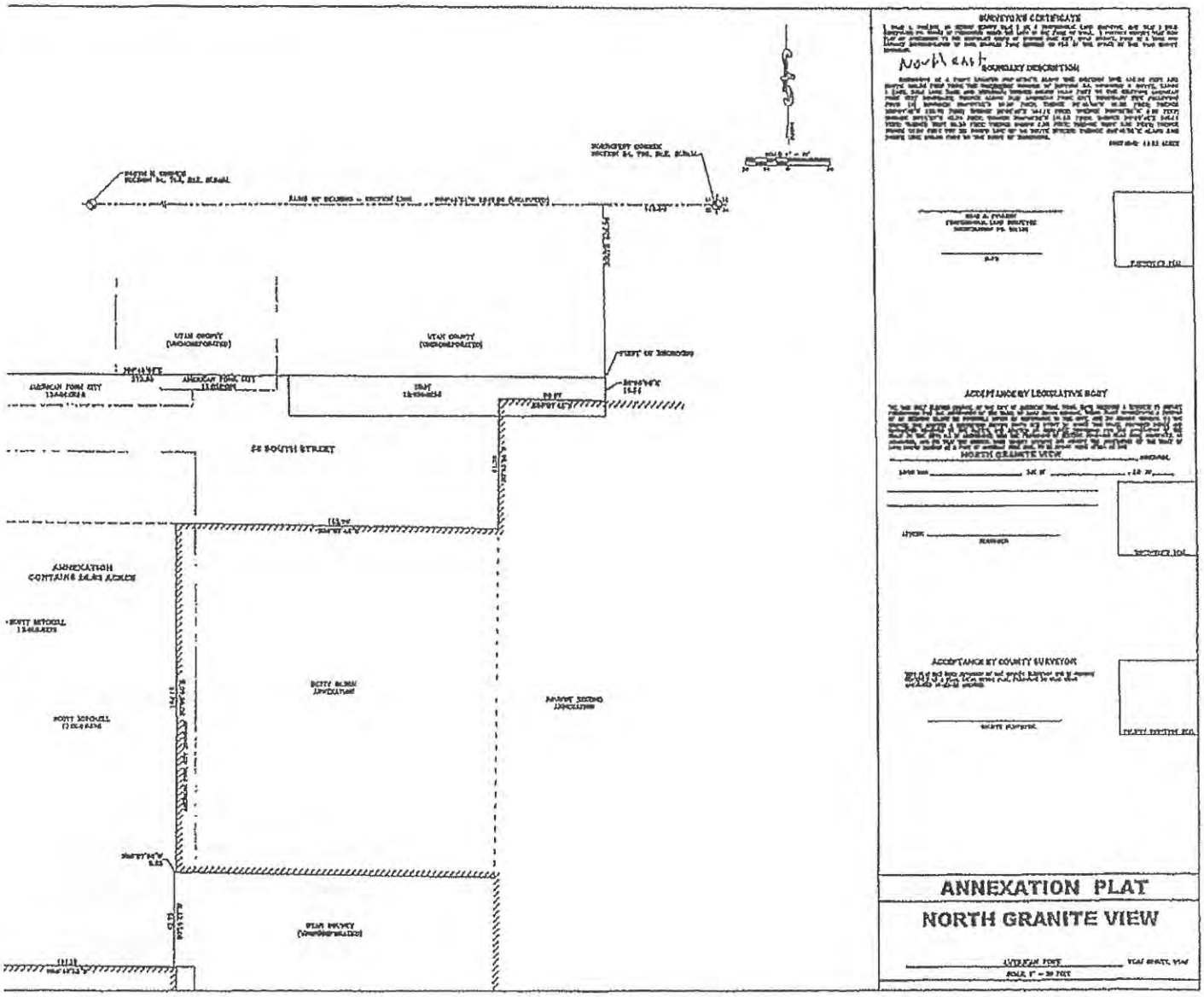
Mayor

ATTEST:

City Recorder

LIST OF ATTACHMENTS

Attachment 1	Copy of Annexation Plat
Attachment 2	Copy of Request to Initiate Annexation
Attachment 3	Annexation Concept Plan
Attachment 4	Copy of map showing general location of right-of-way to be conveyed to City as condition of annexation.
Attachment 5	Copy of deed conveying additional right-of-way for 50 South.



ATTACHMENT 1

ATTACHMENT 2

REQUEST TO INITIATE ANNEXATION OF LAND WITHIN AN ISLAND OR PENINSULA

DATE: 7/31/2012

We the undersigned, by virtue of our signatures affixed hereto, do hereby request the City of American Fork, Utah, to annex the parcel(s) identified on the attached map, in accordance with the procedures for "Annexation Without Petition" as set forth under Section 10-2-418 of the Utah State Code.

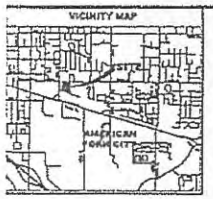
We hereby further acknowledge and affirm as follows:

A. The area qualifies as an unincorporated island within the City, or a peninsula contiguous to the City.

B. The area to be annexed contains less than 500 residents.

C. The City has provided one or more municipal-type services to the area for at least one year.

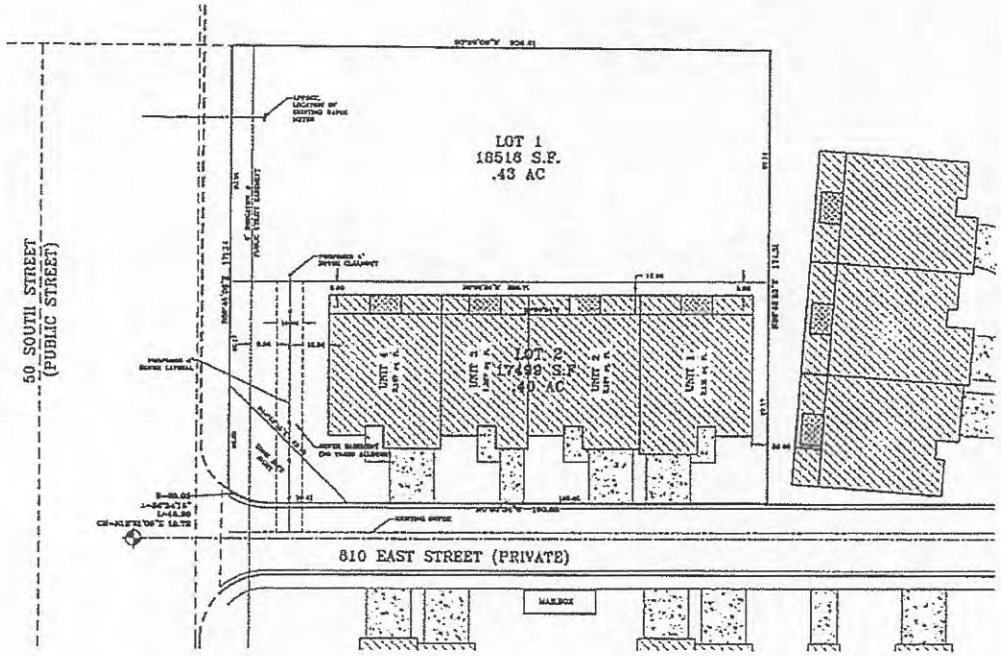
Tax I.D. Number	Name(s) of Owner(s)	Signature of Owner(s)
13:058:0276	SCOTT MITCHELL	Scott Mitchell
13:058:0278	SCOTT MITCHELL	Scott Mitchell
13:058:0296	AMERICAN FORK CITY	NA
13:058:0290	AMERICAN FORK CITY	NA
13:058:0298	UDOT	NA



LEGEND

PRIVATE AREA
COVERED PATIO
COMMON AREA
LIMITED COMMON AREA (DEVELOPER ONLY)
STREET DEDICATION
SURVEY MONUMENT
MAILBOX
SIGN LOCATION

NOTE:
1. LANDSCAPE PLAN TO BE PROVIDED BY NO TREES OR SHRUBS ARE PLANTED WITHIN THE 30' SEWER EASEMENT.



TABULATIONS

DESIGNATION	
LOT 1	N/A
LOT 2	0.091 S.F. (0.04)

ATTACHMENT 3

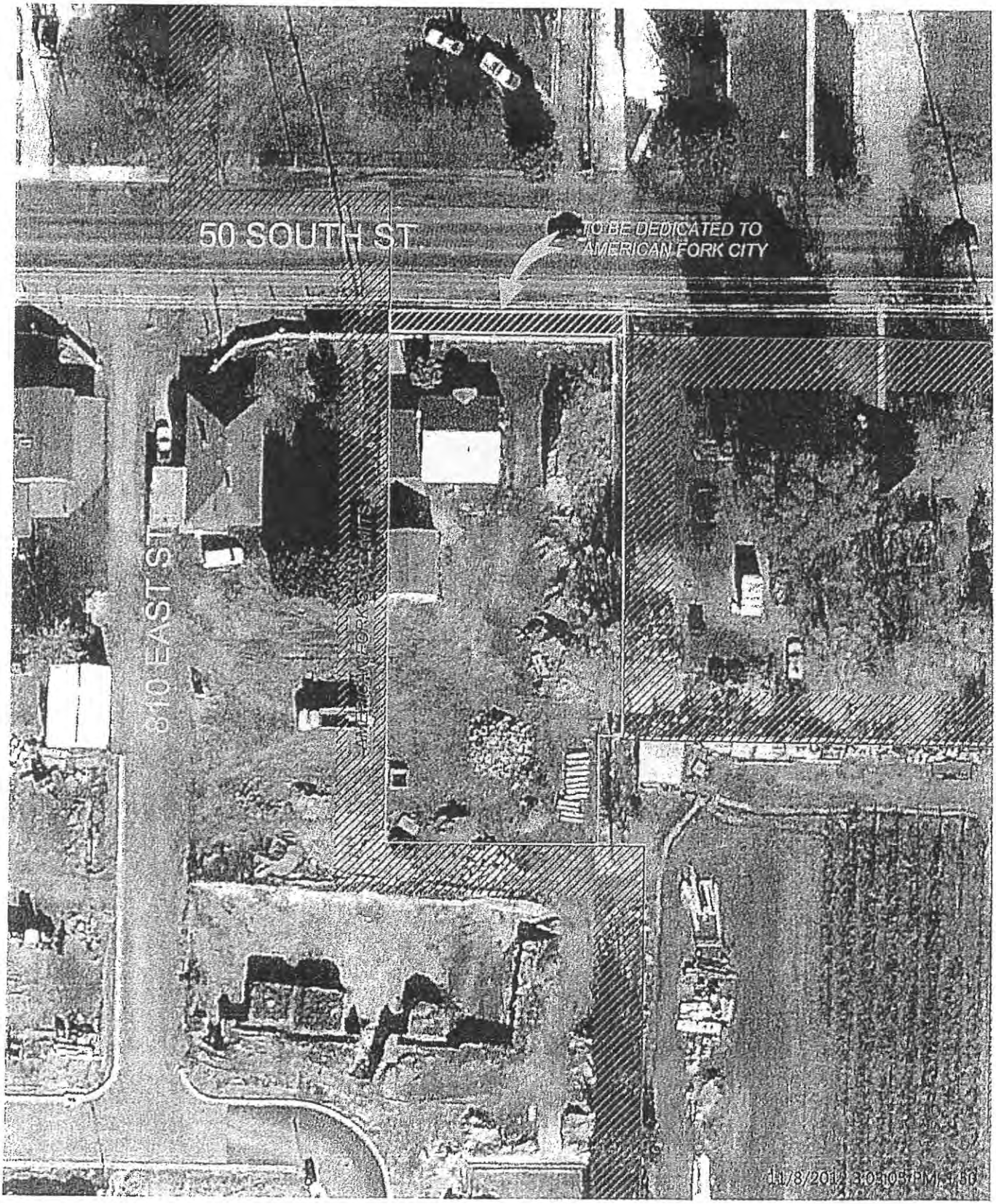
LEI
ENGINEERS
SURVEYORS
PLANNERS

GRANITE VIEW ESTATES PLAT B
AMERICAN FORK, UTAH

PLAT B PLAN

2012-1076
DSC
NKW
1

ATTACHMENT 4



Attachment 5

Copy of Deed conveying additional right-of-way for 50 South

To be provided by Applicant.

ENT 31745:2013 PG 1 of 1
JEFFERY SMITH
UTAH COUNTY RECORDER
2013 Apr 01 3:29 pm FEE 0.00 BY SW
RECORDED FOR AMERICAN FORK CITY

MAIL TAX NOTICE TO:
American Fork City
51 East Main Street
P.O. Box 397
American Fork, Utah 84003

WARRANTY DEED

SCOTT MITCHELL, GRANTOR, OF Utah County, Utah, hereby CONVEYS and WARRANTS to AMERICAN FORK CITY, a municipal corporation of the State of Utah, at 51 East Main Street, American Fork, Utah 84003, GRANTEE, for the sum of Ten dollars and other valuable consideration the following described tract of land in Utah County, State of Utah:

A PORTION OF 50 SOUTH STREET THAT IS WITHIN THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 161263:2007 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N89°45'24"W ALONG THE SECTION LINE 613.19 FEET AND SOUTH 541.29 FEET FROM THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 36.00 FEET TO THE SOUTH LINE OF 50 SOUTH STREET; THENCE N89°45'06"W ALONG SAID SOUTH LINE 177.99 FEET; THENCE N0°14'54"E 36.00 FEET; THENCE S89°45'06"E 177.84 FEET TO THE POINT OF BEGINNING

WITNESS the hands of said grantor, this 22 day of March, 2013.

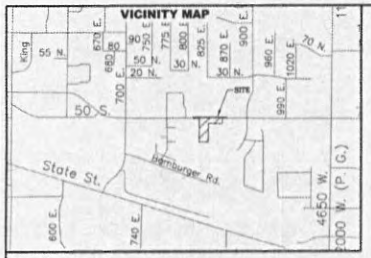
SCOTT MITCHELL

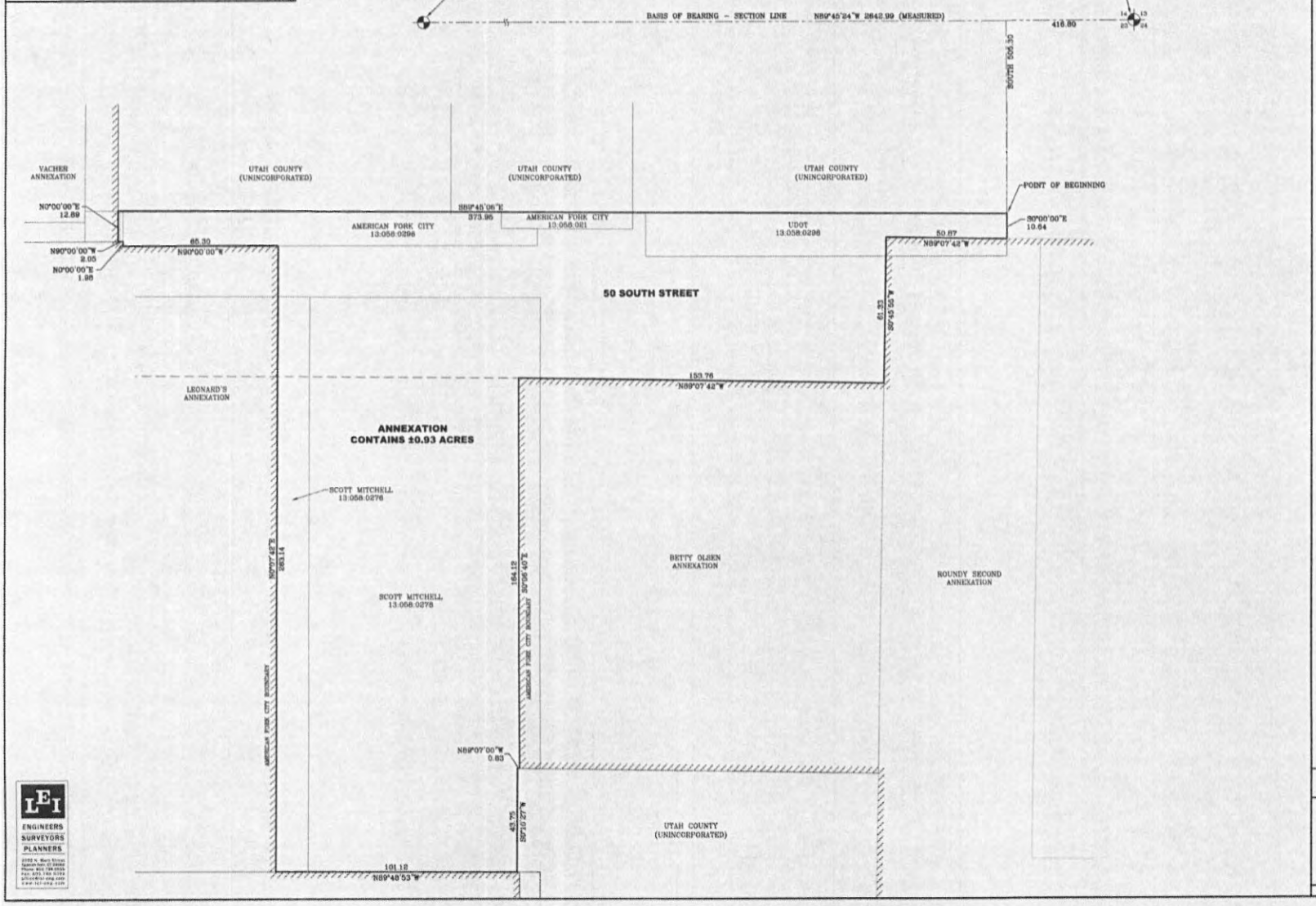
STATE OF UTAH)
: ss.
COUNTY OF UTAH)

On the 22 day of March, 2013 personally appeared before me SCOTT MITCHELL the signer of the within instrument, who duly acknowledged to me that they executed the same.

CHERYL HOYT
NOTARY PUBLIC • STATE OF UTAH
COMMISSION# 662669
COMM. EXP. 01-17-2017

NOTARY PUBLIC





SURVEYOR'S CERTIFICATE

I, CHAD A. POULSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 501162 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAT OF ANNEXATION TO THE CORPORATE LIMITS OF AMERICAN FORK CITY, UTAH COUNTY, UTAH IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM RECORDS ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

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CONTAINS: ±0.93 ACRES

CHAD A. POULSEN
PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 501162

MARCH 6, 2013
DATE

SURVEYOR'S SEAL

ACCEPTANCE BY LEGISLATIVE BODY

"WE, THE DULY ELECTED COUNCIL OF THE CITY OF AMERICAN FORK, UTAH, HAVE RECEIVED A REQUEST TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON, WHICH TRACT CONSTITUTES A PORTION OF AN EXISTING ISLAND OR PENINSULA WITHIN OR CONTIGUOUS TO THE CITY, AND DO HEREBY CERTIFY: (1) THE COUNCIL HAS ADOPTED A RESOLUTION SETTING FORTH IT'S INTENT TO ANNEX THE TRACT, PROVIDED NOTICE AND CONDUCTED HEARINGS ON THE MATTER, AND ADOPTED AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THE TRACT TO THE CITY; ALL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10-2-418 UTAH CODE ANNOTATED, AS AMENDED; AND (2) THAT THE COUNCIL DOES HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON AS A PART OF AMERICAN FORK CITY, TO BE KNOWN HERE AFTER AS THE

NORTH GRANITE VIEW ANNEXATION.

DATED THIS 14 DAY OF MAY A.D. 20 13

ATTEST: RECORDER

AMERICAN FORK CITY CORPORATE SEAL STATE OF UTAH

ACCEPTANCE BY COUNTY SURVEYOR

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANNOTATED 17-23-20 AMENDED.

COUNTY SURVEYOR

COUNTY OF UTAH COUNTY SURVEYOR SEAL

LEI ENGINEERS SURVEYORS PLANNERS

ANNEXATION PLAT

NORTH GRANITE VIEW

AMERICAN FORK UTAH COUNTY, UTAH

SCALE: 1" = 20 FEET