

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from MONA CITY, dated May 13<sup>th</sup>, 2014, 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 MONA CITY, located in Juab 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 September, 2014 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX  
Lieutenant Governor

# APPLICATION FOR ANNEXATION

**For Office Use Only**

Resolution # 05-13-14 Date Filed: 5-13-14 City Clerk: Lyla R. Spencer

Fee \$400 Date Paid: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

Name: FILEY PARK Authorized Agent (if applicable): \_\_\_\_\_

Phone #: (435) 600-0446 Fax #: ( ) \_\_\_\_\_ Mailing Address: 189 S 2100 E SPANISH FORK UT 84660

Name and Address of licensed land surveyor: CIS 295 N 200 E MONA, UT 84645

Name of Proposed Annexation: FILEY PARK GROUP,

General Location of Proposed Annexation: SEE ANNEXATION PLAT - 1-15 SB & HIGHWAY 54

What percent of the Private Real Property within the proposed Annexation is represented by the signatures of the Owners? \_\_\_\_\_

What percent of the Value of Private Real Property within the Annexation plat is represented by the signatures of the owners? \_\_\_\_\_

Total number of acres included in Annexation: 35 Total number of parcels included in Annexation: 2

Zoning Requested: COMMERCIAL

\*\*\*\*\*

## APPLICATION REQUIREMENTS

All fees and the application requirements listed below are required of all proposed annexations regardless of size. In addition to the following information, the application may be required to provide additional information if the staff, DRC, Planning & Zoning, or City Council finds the information to be necessary to evaluate the merits of the proposed annexation.

1.  Owner's request for Annexation. This application must be accompanied by the signatures of each property owner included in the Annexation who is requesting that the City annex their property by resolution. (The owner of real property shall be the record title owner according to the records of the County Recorder on the date of the filing of the application.)
2.  Plat: A plat of the area proposed to be annexed drawn by a licensed land surveyor must also accompany this application which includes the following:

- (A)  Identify on the plat each parcel included in the annexation and on each parcel label the owner's names, the tax identification number, acreage, and the proposed zoning.
- (B)  Four(4) twenty-four by thirty-six (24X36) inch copies, and one (1) eleven by seventeen (11X17) inch reproducible copy of the proposed Annexation Plat shall be submitted to the City.
- (C)  A Mylar copy of the Annexation Plat must be submitted prior to the final public hearing before the City Council and shall be prepared in ink by an Engineer or Land Surveyor licensed in the State of Utah. The Mylar plat shall be of such size and material as is acceptable for filing in the office of the Juab County Recorder, but shall not be less than twenty-four by thirty-six (24X36) inches.
- (D)  The title block must contain the following verbiage above the City Council's signature block: "This is to certify that we the undersigned Mona City Council have adopted a resolution of its intent to Annex the tract of land shown herein and have subsequently adopted an ordinance annexing said tract into Mona City, Utah and that a copy of the ordinance has been prepared for filing herewith all in accordance with Utah Code Section 10-2-418 as revised and that we have examined and do hereby approve and accept the annexation of the tract as shown as a part of said City and that said tract of land is to be known hereafter as the Riley Park Camp annexation".
3.  Annexation Information Requirements: Please prepare a statement that responds to the following questions as required by the Mona City development code
- (A)  In general, what is the topography, vegetation, and other natural features present on the property proposed to be annexed?
- (B)  What is the existing land use(s) of the property proposed for annexation and those requested by the owners?
- (C)  What is the current and potential (if the property were developed) population and residential density of the proposed area?
- (D)  How will the proposed annexation comply with and achieve Mona City's land use(s), goals and policies outlined in the Mona City General Plan.
- (E)  What are the current and potential (if the property were to be developed) demands for City provided facilities and services to the area proposed for annexation, including culinary water, irrigation water, transportation facilities, drainage, fire protection, parks and recreation, and police protection?
- (F)  Are the water rights necessary for Annexation available for dedication to Mona City available upon Annexation?
- (4)  Notification: As a courtesy to property owners, all applicants for annexation shall provide the City with stamped and preaddressed stamped envelopes for each owner of record of each parcel located entirely or partly within three hundred (300) feet from any boundary of the property in unincorporated Juab County or adjacent municipalities, together with a mailing list for those owners. The names and addresses shall be as shown on the most recently available Juab County tax assessment rolls. It shall be the

# MONA CITY, UTAH

## ANNEXATION ORDINANCE

May 13, 2014

### ORDINANCE NO. 05-13-14

#### **AN ORDINANCE ANNEXING APPROXIMATELY 35.35 ACRES OF CONTIGUOUS REAL PROPERTY INTO THE BOUNDARIES OF MONA CITY, UTAH.**

WHEREAS, Utah Code Ann. § 10-2-402 authorizes municipalities to annex a contiguous, unincorporated area that is contiguous to the municipality into its boundaries by petition; and

WHEREAS on March 11, 2014, Mona City (hereinafter "the City") received a petition requesting that it annex certain contiguous real property (described in more detail below) into its boundaries, which petition was subsequently accepted by the City for further review and certified by the City Recorder on March 25, 2014 who mailed notice of certification to its contact sponsor, the City Mayor, City Council and County Commission in accordance with Utah Code Ann. § 10-2-405; and

WHEREAS on April 2, 9, and 16, 2014 notice was given by publication in a newspaper of general circulation and notice of the certified petition was mailed to each affected entity in accordance with Utah Code Ann. § 10-2-406; and

WHEREAS no protests were submitted to the City Recorder or County Commission against the petition within 30 days of the City Council's receipt of notice of certification (deadline: April 26, 2014) pursuant to Utah Code Ann. § 10-2-407; and

WHEREAS a public hearing was properly noticed and held on May 13, 2014 regarding the proposed annexation pursuant to Utah Code Ann. § 10-2-407; and

WHEREAS City Council, pursuant to Utah Code Ann. § 10-2-407, desires to approve and grant the annexation petition and adopt an ordinance annexing said real property described therein.

NOW THEREFORE, BE IT ORDAINED by the City Council of Mona City, Juab County, Utah, as follows:

Section 1. The City Council finds:

- (a) That on March 11, 2014, an annexation petition was filed with the City Recorder;
- (b) That, within 30 days of receiving the annexation petition, the City Recorder sent notice of certification of the petition to the necessary parties;
- (c) That, upon receiving notice of certification from the City Recorder, the City Council had such information published once a week for three consecutive weeks in a newspaper of general circulation;
- (d) That notice was sent to the appropriate entities that might be affected by the proposed annexation;
- (e) That the City Council did not receive, and is unaware of, any protests to the proposed annexation; and
- (f) That a public hearing was properly noticed and held regarding the proposed annexation.

Section 2. The City Council, finding that the requirements under the Utah Municipal Code for annexation by petition have been met, hereby annexes approximately 35.35 acres of certain contiguous real property near the Northeast boundary of Mona, Utah into the boundaries of the City, the property being more particularly described as follows:

**BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 15 (I-15) AND THE 1/16 LINE, SAID INTERSECTION LIES N.88°58'55"E. 2,006.27 FEET ALONG THE SECTION LINE AND SOUTH 1,322.06 FEET FROM THE NORTHWEST CORNER SECTION 33, TOWNSHIP 11 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE THE FOLLOWING THIRTEEN (13) COURSES ALONG THE EASTERLY RIGHT-OF-WAY LINE OF I-15: (1) N.89°02'01"E. 48.79 FEET; (2) N.03°28'39"E. 34.24 FEET; (3) N.22°16'17"E. 209.70 FEET; (4) N.11°56'28"E. 805.22 FEET; (5) N.10°48'10"E. 119.50 FEET; (6) N.57°29'30"E. 64.68 FEET; (7) N.88°52'09"E. 185.00 FEET; (8) N.01°03'10"W. 85.51 FEET; (9) N.68°55'26"E. 107.27 FEET; (10) N.01°07'51"W. 72.90 FEET; (11) S.88°52'09"W. 172.10 FEET; (12) N.49°53'28"W. 265.80 FEET; AND (13) N.14°04'24"W. 345.48 FEET. THENCE WEST 1121.31 FEET, THENCE SOUTH 649.14 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 (A 100' WIDE RIGHT-OF-WAY), THENCE N.88°53'00"E. 118.40 FEET ALONG SAID STATE ROAD RIGHT-OF-WAY TO THE RIGHT-OF-WAY LINE OF I-15, THENCE S.89°29'39"E. 350.13 FEET ALONG SAID I-15 RIGHT-OF-WAY, THENCE S.14°35'40"E. 477.80 FEET ALONG SAID I-15 RIGHT-OF-WAY, THENCE S.00°16'34" W. 765.96 FEET ALONG SAID I-15 RIGHT - OF - WAY, TO THE EXISTING BOUNDARY OF MONA CITY'S INCORPORATED AREA, THENCE N.89°02'14" E. 339.59 FEET ALONG SAID MONA CITY BOUNDARY TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 1,541,057 SQUARE FEET IN AREA OR 35.38 ACRES MORE OR LESS. THE BASIS OF BEARING IS THE UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE.**

Section 3. The City Council directs the City Recorder to, within 30 days of enactment of this ordinance, file with the Utah Lieutenant Governor's office (1) a notice of an impending boundary action and (2) a copy of an approved final local entity plat, both of which shall meet the requirements of Utah Code Ann. § 67-1a-6.5.

Section 4. Upon receipt of a certificate of annexation from the lieutenant governor, the City Recorder shall submit to the Juab County Recorder the original (1) notice of an impending boundary action sent to the lieutenant governor, (2) certificate of annexation, (3) approved final local entity plat; and (4) a certified copy of this annexation ordinance.

Section 5. The City Council further directs the City Recorder to send notice of the certified annexation to all of the following within 30 days of the adoption of this annexation ordinance: (A) Juab County Clerk; (B) any local district or special district whose boundaries include any part of the annexed area; (C) the Juab County School District; and (D) any municipality whose boundaries are within one-half mile of the annexed area, which the City Council finds to be none.

Section 6. The City Council finds that the annexed area is not currently serviced by another emergency services provider licensed under Title 26, Chapter 8a of the Utah Code and therefore the notice requirements of Utah Code Ann. § 26-8a-414 do not apply to this annexation.

Section 7. The City Council determines that the proposed annexation area is in need of municipal-type services and that the City is capable of providing those services.

Section 8. It is hereby declared that all parts of this Ordinance are severable, and if any section, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause, or provision shall not affect the remaining sections, clauses, or provisions of this Ordinance.

Section 9. All ordinances, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any ordinance, order, regulation, or part thereof heretofore repealed.

Section 10. Immediately after its adoption, this Ordinance shall be signed by the Mayor and City Recorder and shall be recorded in the ordinance book kept for that purpose. This Ordinance shall be published once in a newspaper published and having general circulation in the Issuer, and shall take effect immediately upon its passage and approval and publication as required by law.

DATED this 13 day of May, 2014.

1st Tyla R. Spencer  
City Recorder

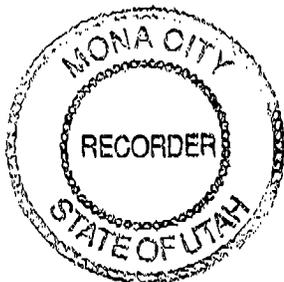
PASSED, APPROVED AND ADOPTED this 13th day of May, 2014.

Greg Leavitt  
Mayor

ATTEST:

Tyla R. Spencer  
City Recorder

(SEAL)



## RECORD OF PROCEEDINGS

The City Council (the "Council") of Mona City, Juab County, Utah (the "City"), met in regular session on May 13, 2014 at the regular meeting place of said Council at 50 West Center Street in Mona, Utah, at 7:00 p.m., or as soon thereafter as feasible, with the following members of the Council present:

|                       |               |
|-----------------------|---------------|
| <u>Molli Graham</u>   | Councilmember |
| <u>Jeffrey Hearty</u> | Councilmember |
| <u>Jonathan Jones</u> | Councilmember |
| <u>Frank Riding</u>   | Councilmember |
| <u>Jeffrey Smith</u>  | Councilmember |

Also present:

|                       |               |
|-----------------------|---------------|
| <u>Lyla R Spencer</u> | City Recorder |
|-----------------------|---------------|

|                            |       |
|----------------------------|-------|
| Absent: <u>Greg Newton</u> | Mayor |
|----------------------------|-------|

Thereupon, the foregoing Ordinance was introduced in written form, discussed in full, and pursuant to motion made by Councilmember Jeffrey Hearty and seconded by Councilmember Jeffrey Smith, adopted by the following vote:

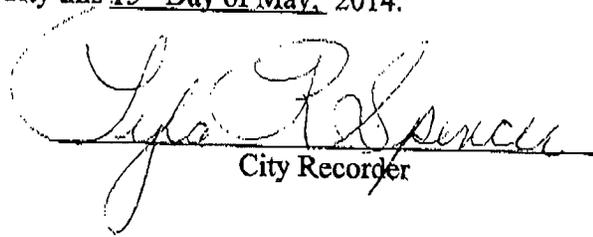
AYE: 5 (FIVE)

NAY: 0 (ZERO)

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

I, Lyla Spencer, the duly qualified and acting City Recorder of the City, do hereby certify according to the records of the City's Council in my possession that the foregoing constitutes a true, correct and complete copy of the minutes of the regular meeting of the Council held on Tuesday May 13, 2014, as it pertains to an ordinance (the "Ordinance") adopted by the Council at said meeting, including the Ordinance, as said minutes and Ordinance are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the City this 13<sup>th</sup> Day of May, 2014.

  
City Recorder

(SEAL)



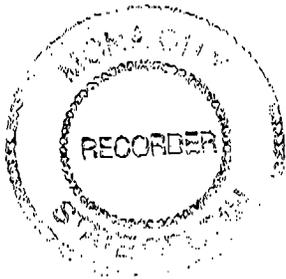
CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Lyla Spencer, the duly qualified and acting City Recorder of the City, do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Utah Code Ann. § 52-4-202, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the May 13, 2014 public meeting held by the City as follows:

- (a) By causing a notice to be posted at the City's principal offices at least 24 hours prior to the convening of the meeting, said notice having continuously remained so posted and available for public inspection until the completion of the meeting; and
- (b) By causing a copy of such notice to be delivered to a newspaper of general circulation within the City at least 24 hours prior to the convening of the meeting.
- (c) By causing a copy of such notice to be posted on the Utah Public Notice Website at least 24 hours prior to the convening of the meeting.

In addition, the Notice of 2014 Annual Meeting Schedule for the City specifying the date, time and place of the regular meetings of the City Council to be held during the 2014 calendar year was (1) posted on January 2, 2014, at the principal office of the City Council and (2) provided to at least one newspaper of general circulation within the City on January 2, 2014, and (3) posted on the Utah Public Notice Website on January 2, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my signature this 3 day of June, 2014.



(SEAL)

*Lyla Spencer*  
City Recorder

(Attach Meeting Agenda)

(Attach Annual Meeting Notice)

(Attach Proof of Posting Notices on Utah Public Notice Website)

