

STATE OF UTAH

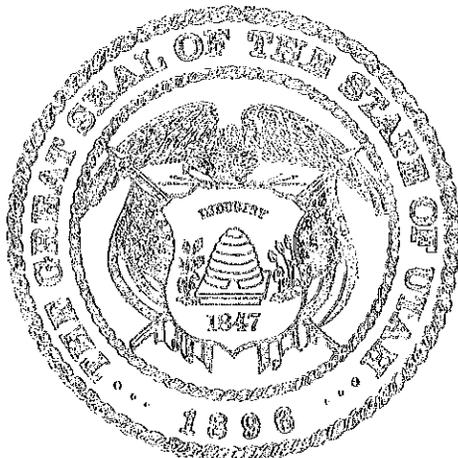


OFFICE OF THE LIEUTENANT GOVERNOR

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 HEBER CITY, dated July 21st, 2016, 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 HEBER CITY, located in Wasatch County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 14th day of September, 2016 at Salt Lake City, Utah.

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

SPENCER J. COX
Lieutenant Governor

Mayor: Alan W. McDonald
Council: Jeffery M. Bradshaw
Heidi Franco
Kelleen L. Potter
Jeffrey W. Smith
Ronald R. Crittenden

HEBER CITY CORPORATION

75 North Main
Heber City, Utah 84032
Phone (435) 654-0757
Fax (435) 657-2543

September 1, 2016

Spencer Cox, Lieutenant Governor
Lieutenant Governor's Office
Utah State Capitol Complex, Suite 200
350 North State Street
Salt Lake City, UT 84114

Re: Old Mill Annexation

Dear Lieutenant Governor Cox:

The legislative body of Heber City Corporation is filing the following documents with the Lieutenant Governor for the above-reference annexation:

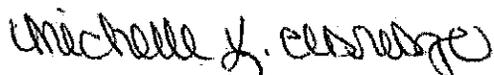
1. a notice of an impending boundary action, as defined in Section 61-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(a); and
2. a copy of an approved final local entity plat, as defined in Section 67-1a-6.5.

As per instructions from your office, the local entity plat has been reduced in size, and we have also attached a copy of Ordinance No. 2016-12 annexing the area.

We understand that within ten days, as per Subsection 61-1a-6.5(2), you will issue the annexation certificate if you determine the notice of the impending boundary action meets the requirements of Subsection 67-1a-6.5(3), and the notice is accompanied by an approved local entity plat.

If you are unable to issue the annexation certificate, please notify us as soon as possible.

Best regards,
HEBER CITY CORPORATION



Michelle K. Eldredge
City Recorder

Attachments

ORDINANCE 2016-12

AN ORDINANCE ANNEXING PROPERTY KNOWN AS THE OLD MILL ANNEXATION LOCATED BETWEEN EAST AIRPORT ROAD AND 2400 SOUTH ALONG THE EAST SIDE OF HIGHWAY 40, HEBER CITY, WASATCH COUNTY, STATE OF UTAH.

BE IT ORDAINED BY THE CITY COUNCIL OF HEBER CITY, UTAH:

Section 1. That the 7.45 +/- acres, described in the attached Exhibit A of this Ordinance is hereby assigned to the C-2 Commercial Zone, consistent with the Heber City General Plan, County of Wasatch, State of Utah.

Section 2. This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder, (c) a short summary of it has been published in the Wasatch Wave or a complete copy has been posted in three public places within Heber City, (d) the execution and recording of an annexation Agreement and Covenant Running With the Land in substantially the form attached hereto as Exhibit C, and (e) the respective changes have been properly noted and attested to in the official zone map as required per Section 18.20.010 of the Heber City Municipal Code.

ADOPTED AND PASSED by the City Council of Heber City, Utah, this 31st day of July, 2016, by the following vote:

| | AYE | NAY |
|-------------------------------------|----------|-------|
| Council Member Jeffery M. Bradshaw | <u>X</u> | _____ |
| Council Member Heidi Franco | <u>X</u> | _____ |
| Council Member Kelleen L. Potter | <u>X</u> | _____ |
| Council Member Jeffrey Smith | <u>X</u> | _____ |
| Council Member Ronald R. Crittenden | <u>X</u> | _____ |

APPROVED:

Alan McDonald
Alan McDonald, Mayor

ATTEST:

Michelle K. Lewis
RECORDER
(Seal)



Date of First Publishing: August 31, 2016

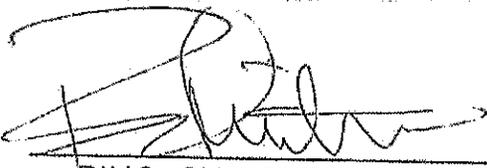
EXHIBIT A: DESCRIPTION

BEGINNING AT A POINT THAT IS NORTH 84°57'55" WEST 567.07 FEET FROM THE WASATCH COUNTY MONUMENT FOR THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;
THENCE WEST 223.39 FEET TO THE APPARENT EASTERLY LINE FOR U.S. HWY 40;
THENCE SOUTH 52°10'00" WEST 100.87 FEET ACROSS SAID HWY. 40 TO THE APPARENT WESTERLY LINE SAID U.S. HWY 40;
THENCE NORTHWESTERLY ALONG SAID APPARENT RIGHT-OF-WAY LINE NORTH 37°50' WEST 894.10 FEET ALONG THE SLI ANNEXATION BOUNDARY;
THENCE NORTH 52°10'00" EAST 100.87 FEET ACROSS SAID HWY. 40 TO THE SAID APPARENT EASTERLY RIGHT-OF-WAY LINE FOR U.S. HWY. 40;
THENCE SOUTHEASTERLY ALONG SAID APPARENT EASTERLY RIGHT-OF-WAY LINE SOUTH 37°50' EAST 121.11 FEET;
THENCE EAST 506.88 FEET ALONG THE NORTHERN BOUNDARY OF THE KAYBRAY, LLC PROPERTY TO THE NORTHWEST CORNER OF THE GILES PROPERTY;
THENCE SOUTHEASTERLY ALONG SAID GILES BOUNDARY SOUTH 17°20'29" EAST 639.57 FEET TO THE POINT OF BEGINNING.
CONTAINS 7.19 ACRES.

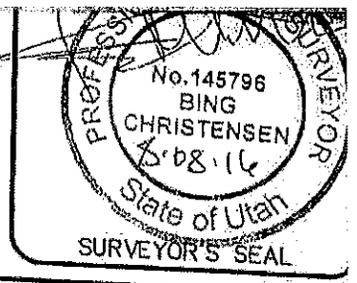
PROPERTY SERIAL NUMBERS

OWC-1633-6-008-045
OWC-1633-1-008-045
OWC-1633-4-008-045

EXHIBIT B: ANNEXATION AGREEMENT


BING CHRISTENSEN, P.L.S.

8-08-16
DATE



ANNEXATION DESCRIPTION

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CONTAINS 7.19 ACRES.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THE SURVEY IS NORTH 00°06'21" WEST BETWEEN THE COUNTY MONUMENTS FOR THE SOUTHEAST CORNER OF SECTION 8 AND THE EAST 1/4 CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

NARRATIVE

- THIS MAP SHOWS THE PROPOSED BOUNDARY PROPOSED TO BE ANNEXED INTO HEBER CITY, UT.
- SIDE 'A' FOLLOWS THE APPARENT RIGHT-OF-WAY OF CENTER CREEK ROAD AND PER KEYSER/HEINER/WITT ANNEXATION BOUNDARY
- SIDE 'B' CROSSES PERPENDICULAR TO THE HIGHWAY 40 RIGHT-OF-WAY AND PER KEYSER/HEINER/WITT ANNEXATION BOUNDARY
- SIDE 'C' FOLLOWS THE APPARENT WESTERLY RIGHT-OF-WAY OF HIGHWAY 40
- SIDE 'D' CROSSES PERPENDICULAR TO THE HIGHWAY 40 RIGHT-OF-WAY
- SIDE 'E' FOLLOWS THE APPARENT EASTERLY RIGHT-OF-WAY OF HIGHWAY 40
- SIDE 'F' FOLLOWS ALONG THE KAYBRAY, LLC NORTH BOUNDARY