

STATE OF UTAH

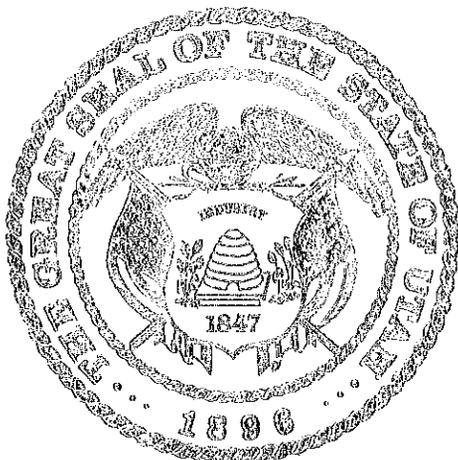


OFFICE OF THE LIEUTENANT GOVERNOR

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 March 3rd, 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 cursive script, reading "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: Witt-Heiner 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:

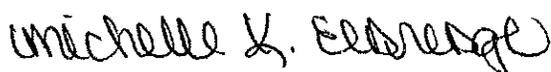
1. a notice of an impending boundary action, as defined in Section 61-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(a); and
2. a copy of an approved final local entity plat, as defined in Section 67-1a-6.5.

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 2016-07

AN ORDINANCE ANNEXING PROPERTY KNOWN AS THE WITT-HEINER ANNEXATION LOCATED AT APPROXIMATELY 2800 SOUTH HIGHWAY 40, HEBER CITY, WASATCH COUNTY, STATE OF UTAH.

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

Section 1. That the 27.52 +/- 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 MARCH, 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 W. Smith	<u>X</u>	_____
Council Member Ronald R. Crittenden	<u>X</u>	_____

APPROVED:

Alan McDonald
Alan McDonald, Mayor

ATTEST:



Date of First Publishing: MARCH 11, 2016

Exhibit A

BOUNDARY DESCRIPTION

Commencing at the Northwest corner of Section 16, T4S, R5E SLB&M;

Thence South 532.38 feet along the western boundary of Heber Estates Subdivision;

Thence N°52'10"E 20.38 feet;

Thence S37°50'00"E for 2,046.80 feet;

Thence West 253.50 feet;

Thence South 151.72 feet;

Thence N52°00'32"E 101.00 feet;

Thence N37°50'00"W 2,966.00 feet;

Thence N89°52'00"E 875.75 feet to the point of beginning.

Contains 27.52 acres.

Exhibit B: Annexation Agreement

BOUNDARY DESCRIPTION

BEGINNING AT A POINT THAT IS NORTH 84°57'55" WEST 567.07 FEET FROM THE WASATCH COUNTY MONUMENT FOR THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

AND RUNNING THENCE EAST 592.24 FEET ALONG THE APPARENT NORTHERLY RIGHT-OF-WAY LINE OF 2400 SOUTH STREET (CENTER CREEK ROAD);

THENCE SOUTH 560.68 FEET ALONG THE APPARENT EASTERLY RIGHT-OF-WAY LINE OF 1200 EAST STREET (MILL ROAD);

THENCE SOUTH 37°50' EAST 2047.03 FEET ALONG THE WESTERN BOUNDARY FOR THE HEBER ESTATES SUBDIVISION;

THENCE WEST 253.72 FEET ALONG THE SOUTH BOUNDARY OF THE WITT PROPERTY;

THENCE SOUTH 162.86 FEET TO THE APPARENT EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40;

THENCE SOUTH 52°10'00" WEST 50.00 FEET PERPENDICULAR TO THE APPARENT CENTER OF SAID RIGHT-OF-WAY OF U.S. HIGHWAY 40;

THENCE NORTH 37°50'00" WEST 1503.49 FEET PARALLEL WITH THE EASTERN AND WESTERN RIGHT-OF-WAY LINES OF U.S. HIGHWAY;

THENCE SOUTH 52°10'00" WEST 50.87 FEET PERPENDICULAR ACROSS SAID U.S. HIGHWAY 40 TO THE WESTERLY RIGHT-OF-WAY LINE;

THENCE NORTHWESTERLY ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE NORTH 37°50'00" WEST 1459.64 FEET;

THENCE NORTH 52°10'00" EAST 100.87 FEET PERPENDICULAR ACROSS SAID U.S. HIGHWAY 40 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE;

THENCE EAST 223.39 FEET ALONG SAID APPARENT NORTHERLY RIGHT-OF-WAY OF 2400 SOUTH TO THE POINT OF BEGINNING.

ANNEXATION PARCEL CONTAINS 27.15 ACRES.

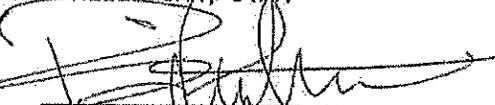
BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THE SURVEY IS SOUTH 00°06'21" EAST 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.

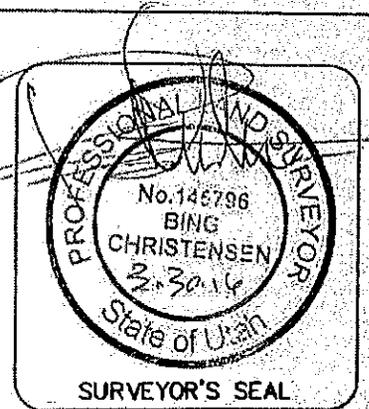
SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED INTO HEBER CITY, UTAH


BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

3-30-16
DATE



SURVEYOR'S NARRATIVE

PURPOSE:

CURRENT UTAH CODE REQUIRES THAT ANNEXATION PETITIONS BE ACCOMPANIED BY "AN ACCURATE AND RECORDABLE MAP, PREPARED BY A LICENSED SURVEYOR, OF THE AREA PROPOSED FOR ANNEXATION" (SEE 10-2-403-3-c-1). FOR THIS ANNEXATION PETITION MAP, AN "ACCURATE" MAP WAS INTERPRETED AS BEING PREPARED IN CONFORMANCE WITH UTAH CODE 17-23-17 AS PERTAINING TO MAPS OF BOUNDARY SURVEYS. EXISTING SECTION CORNER SURVEY MONUMENTS WERE USED TO IDENTIFY DEED LINES; HOWEVER, SAID SECTION CORNER SURVEY MONUMENTS MAY NOT REPRESENT THE ORIGINAL LOCATION OF THE SECTION CORNERS ESTABLISHED BY THE ORIGINAL G.L.O. SURVEY IN THIS AREA. SPECIFIC NOTES PERTAINING TO THE DERIVATION OF EACH COURSE ALONG THE ANNEXATION BOUNDARY ARE AS FOLLOWS:

SIDE "A" FOLLOWS THE APPARENT RIGHT-OF-WAY LINE FOR 2400 SOUTH (CENTER CREEK ROAD)

SIDE "B" FOLLOWS THE APPARENT EASTERLY RIGHT-OF-WAY LINE FOR 1200 EAST (MILL ROAD)