

# 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 SMITHFIELD CITY, dated August 24<sup>th</sup>, 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 SMITHFIELD CITY, 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 21<sup>st</sup> day of October, 2016 at Salt Lake City, Utah.

A handwritten signature in cursive script, reading "Spencer J. Cox".

SPENCER J. COX  
Lieutenant Governor

# SMITHFIELD CITY CORPORATION

96 South Main Street - P.O. Box 96  
Smithfield, Utah 84335  
Phone (435) 563-6226  
FAX (435) 563-6228

## OFFICIALS

DARRELL G. SIMMONS  
MAYOR  
CRAIG GILES  
CITY MANAGER  
JUSTIN B. LEWIS  
CITY RECORDER  
JANE PRICE  
CITY TREASURER  
TERRY K. MOORE  
JUSTICE COURT JUDGE

## COUNCIL MEMBERS

JEFFREY H. BARNES  
DEON HUNSAKER  
BARBARA S. KENT  
KRIS MONSON  
CURTIS WALL

October 3, 2016

Utah Lieutenant Governor Office  
Utah State Capitol Complex, Ste 220  
PO Box 142325  
Salt Lake City, UT 84114-2325

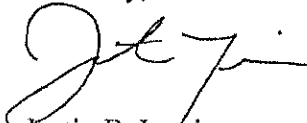
To Whom It May Concern:

Smithfield City Corporation has met the statutes and requirements in regards to the annexation of Parcel Numbers 08-044-0035 and 08-044-0036 into the city limits of Smithfield City.

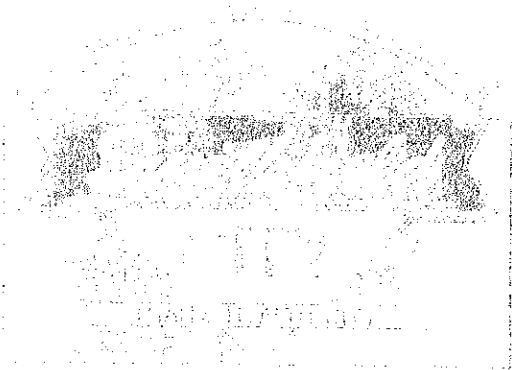
Included are the plat map, resolution and ordinance in regards to the annexation of the above mentioned parcels.

If you have questions, I can be reached via email at [jlewis@smithfieldcity.org](mailto:jlewis@smithfieldcity.org) or by phone at (435) 792-7990.

Sincerely,



Justin B. Lewis  
City Recorder



**ORDINANCE 16-03**

(Neighborhood Non-Profit Housing Corporation)

**WHEREAS**, the owners of certain real property, described below, desire to annex such real property to the corporate limits of Smithfield City, Utah; and

**WHEREAS**, said real property is located within the area proposed for annexation and covers a majority of the private land area within the area proposed for annexation; and

**WHEREAS**, said real property is equal in value to at least one-third (1/3) of the value of all private real property within the area proposed for annexation; and

**WHEREAS**, said real property is a contiguous, unincorporated area contiguous to the boundaries of Smithfield City and the annexation thereof will not leave or create an unincorporated island or peninsula; and

**WHEREAS**, said property is undeveloped and covers an area that is equivalent to less than five percent (5%) of the total land mass of all private real property within Smithfield City; and

**WHEREAS**, said owners have caused a Petition for Annexation to be filed with the city, together with an accurate plat of the real property which was made under the supervision of a competent, licensed surveyor; and

**WHEREAS**, on the 11<sup>th</sup> day of May 2016, the Smithfield City Council received the required Notice of Certification from the City Recorder certifying that the annexation petition meets the requirements of State law; and

**WHEREAS**, the City Council published and mailed notice of the Certification, as required by law and no timely protests have been filed in accordance with the provisions of Section 10-2-407, Utah Code Annotated, 1953, as amended; and

**WHEREAS**, the City Council held the required public hearing after giving notice as required by law, and has determined the referenced annexation is desirable;

**NOW THEREFORE**, pursuant to Section 10-2-407, Utah Code Annotated 1953, as amended, the City Council of Smithfield City, Utah, hereby adopts, passes, and publishes the following:

**AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP, ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF SMITHFIELD CITY, UTAH.**

**BE IT ORDAINED**, by the City Council of Smithfield City, Cache County, State of Utah, as follows:

1. The real property, more particularly described in Paragraph 2, below, is hereby annexed to Smithfield City, Utah, and the corporate limits of the City are hereby extended accordingly.
2. The real property which is the subject of this Ordinance is described as follows:

The Property is located at: North of the Ridgeview Estates Subdivision on Crow Mountain Road (600 East), Smithfield.

Cache County Tax Parcel: 08-044-0035

BEG S 88\*24'58" W 996.19 FT & S 0\*25'48" E 504.82 FT FROM NE COR OF SE/4 OF SEC 22 T 13N R 1E & TH N 88\*40'28" E 332.16 FT TH S 0\*26'38" E 820.59 FT TO N LN OF RIDGEVIEW SUBD PH 4 (RS 2003-0223) TH S 88\*56'41" W 332.34 FT ALG N LN TH N 0\*25'48" W 819.02 FT TO BEG CONT 6.25 AC M/B

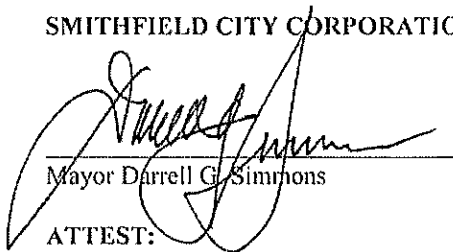
Cache County Tax Parcel: 08-044-0036

BEG AT NE COR OF SE/4 SEC 22 T 13N R 1E & TH S 0\*28'17" E 509.31 FT & S 88\*40'28" W 31.45 FT TO TRUE PB TH S 0\*38'46" E 823.55 FT TO N LN OF RIDGEVIEW SUBD TH S 88\*56'41" W 635.74 FT ALG N LN TH N 0\*26'38" W 820.59 FT TH N 88\*40'48" E 632.87 FT TO TRUE POB CONT 11.97 AC M/B

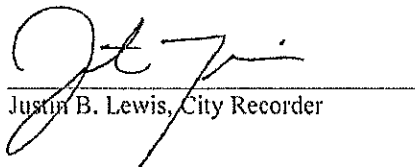
3. The real property described in Paragraph 2, above, shall be classified as being in the A-10 (Agricultural 10-Acre) District of the Agricultural zone in accordance with the provision of Section 17.08.050 of the Smithfield Municipal Code, and the Zoning Map of Smithfield City shall be amended to include the real property described above.
4. A certified copy of this Ordinance and an original plat describing the property so annexed shall be filed with the Cache County Recorder within thirty (30) days after the date this Ordinance is adopted.
5. This ordinance shall be effective upon the posting of three (3) copies in each of three (3) public places within the corporate limits of Smithfield City.

ADOPTED AND PASSED by the Smithfield City Council this 24<sup>th</sup> day of August, 2016.

SMITHFIELD CITY CORPORATION

  
\_\_\_\_\_  
Mayor Darrell G. Simmons

ATTEST:

  
\_\_\_\_\_  
Justin B. Lewis, City Recorder



**RESOLUTION 16-03**

**Neighborhood Non-Profit Housing Corporation**

**Cache County Parcel Number: 08-044-0035**

**Cache County Parcel Number: 08-044-0036**

**A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1995, AS AMENDED.**

WHEREAS, on February 16, 2016 owners of certain real property (petitioners) filed a petition with the City Recorder of Smithfield City, Cache County, State of Utah requesting that such property be annexed to the corporate boundaries of Smithfield City; and

WHEREAS, said petition contains the signatures of the owners of private real property that is: 1) located within the area proposed for annexation; 2) covers a majority of the private land area within the area proposed for annexation; and 3) is equal to at least one-third of the value of all the private property within the area proposed for annexation; and

WHEREAS, the petitioners certify that said property proposed for annexation lies contiguous to the present boundaries of Smithfield City and the petitioners have caused an accurate plat or map of the real property proposed for annexation to be prepared by a licensed surveyor and have filed said plat or map with the City Recorder; and

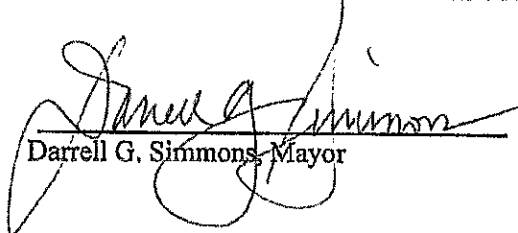
WHEREAS, said petition appears to comply with all the requirements of Section 10-2-402 and 403, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Smithfield City, Cache County, State of Utah, that the Annexation Petition attached hereto as Exhibit "A", is hereby accepted for further consideration under the provisions of Utah State Annexation Law and is hereby referred to the City Recorder for review pursuant to Section 10-2-405(2), Utah State Code Annotated, 1953, as amended.

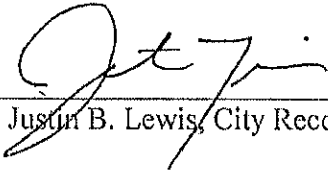
BE IT FURTHER RESOLVED that this resolution shall become effective upon adoption.

ADOPTED AND PASSED by the City Council on March 9, 2016.

**SMITHFIELD CITY CORPORATION**

  
Darrell G. Simmons, Mayor

ATTEST:

  
Justin B. Lewis, City Recorder



**PETITION FOR ANNEXATION**

**Neighborhood Non-Profit Housing Corporation**

TO THE MAYOR AND CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, STATE OF UTAH:

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Smithfield City hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended (U.C.A.);
2. That the property is a contiguous, unincorporated area contiguous to the boundaries of Smithfield City and the annexation thereof will not leave nor create an unincorporated island or peninsula;
3. That the signatures affixed hereto are those of the owners of private real property that:
  - A. Is located within the area proposed for annexation;
  - B. Covers a majority of the private land area within the area proposed for annexation;
  - C. Is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
  - D. Is described as follows:

The property subject of this petition lies contiguous to the present boundary of Smithfield City's corporate limits:

**PARCEL NUMBER: 08-044-0035**

BEG S 88\*24'58" W 996.19 FT & S 0\*25'48" E 504.82 FT FROM NE COR OF SE/4 OF SEC 22 T 13N R 1E & TH N 88\*40'28" E 332.16 FT TH S 0\*26'38" E 820.59 FT TO N LN OF RIDGEVIEW SUBD PH 4 (RS 2003-0223) TH S 88\*56'41" W 332.34 FT ALG N LN TH N 0\*25'48" W 819.02 FT TO BEG CONT 6.25 AC M/B

**PARCEL NUMBER: 08-044-0036**

BEG AT NE COR OF SE/4 SEC 22 T 13N R 1E & TH S 0\*28'17" E 509.31 FT & S 88\*40'28" W 31.45 FT TO TRUE PB TH S 0\*38'46" E 823.55 FT TO N LN OF RIDGEVIEW SUBD TH S 88\*56'41" W 635.74 FT ALG N LN TH N 0\*26'38" W 820.59 FT TH N 88\*40'48" E 632.87 FT TO TRUE POB CONT 11.97 AC M/B

4. That the signers of this petition have designated a "Contact Sponsor", with the mailing address as indicated;
5. That this petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
6. That this petition does not propose annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 U.C.A. or a petition under Section 10-2-125 U.C.A. if:
  - A. the request or petition was filed before the filing of the annexation petition; and
  - B. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;
7. That the petitioners have caused an accurate plat map of the above-described property to be prepared by a licensed surveyor, which plat or map is filed herewith; and
8. That the petitioners request the property, if annexed, be re-zoned A-10 (Agricultural 10-Acre). *All Property comes into the City with an A-10 zone. (Agricultural 10 minimum per residential unit)*

WHEREFORE, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation petitioned.

DATED this 9<sup>th</sup> Day of March 2016

Petitioner & Address:

Neighborhood Non-Profit Housing Corporation  
 195 West Golf Course Road, Suite 1  
 Logan, UT 84321  
 (435) 753-1112

(Original Signature on file)

<u>RECORD OWNER</u>	<u>PARCEL#</u>	<u>ACRES</u>	<u>ASSESSED VALUE</u>
Brian & Diana Peterson	08-044-0035	6.25	125,000
Nancy P Jaussi	08-044-0036	11.97	219,700
Total		18.22 Acres	

## **Addresses for Mailings**

Cache County Corporation  
Craig Buttars  
179 North Main, Suite 309, Logan, UT 84321

Cache County School District  
Steven Norton  
2063 North 1200 East, North Logan, UT 84341



