

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of withdrawal of VIRGIN TOWN, dated January 7th, 2019, complying with Section 10-2-507, 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 withdrawal, referred to above, on file with the Office of the Lieutenant Governor pertaining to VIRGIN TOWN located in Washington County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 9th day of January, 2019 at Salt Lake City, Utah.

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

SPENCER J. COX
Lieutenant Governor





January 7, 2019

Lieutenant Governor Spencer J. Cox
Utah State Capitol Complex
Suite 220
P.O. Box 14325
Salt Lake City, Utah 84114-2325

Dear Lieutenant Governor Cox,

For some time now, the Town of Virgin has had the Mesa Road inside its municipal boundary. The roadway was built along the cliffside. The road provides recreational access and test site access on Smith Mesa. Virgin has developed a plan to rehabilitate and maintain the roadway in a sustainable matter and has applied to numerous state and federal agencies for initial funding assistance with no productive results. Class B and C road funds appertaining to this road fall woefully short for even pothole repair and rock removal. Consequently, the Town of Virgin has followed the statutory requirements to petition for disconnecting the parcel of land identified in the attached disconnection packet. The State of Utah and Bureau of Land Management, who are the underlying property holders, are aware of our petition and will work with the county going forward.

Thank you for your consideration and processing.

Respectfully submitted,



Matthew Spendlove
Mayor, Virgin Town

VIRGIN TOWN
ORDINANCE #2018-31

AN ORDINANCE TO DISINCORPORATE A PARCEL OF PROPERTY UNDER THE OWNERSHIP OF THE
BUREAU OF LAND MANAGEMENT (BLM).

RECITALS

WHEREAS, Virgin Town (“Town”) is a municipal corporation duly organized and existing under the laws of the State of Utah, particularly Title 10 of the Utah Code.

WHEREAS, Virgin Town Council (“Town Council”) is both the Town’s governing body and Land Use Authority pursuant to Utah Code § 10-9a- 101 et seq.

WHEREAS, Utah Code provides for the adoption and amendment of Town land use ordinances by the Land Use Authority, which in Virgin is the “Town Council” ; and

WHEREAS, the Virgin Land Use Authority finds that Town of Virgin desires to disincorporate a parcel of property under the Ownership of the Bureau of land Management (BLM); and

WHEREAS, the Virgin Land Use Authority finds that, in the best interest of its citizens to de-annex and disconnect with the real property identified in the attached exhibit; and

WHEREAS, the Virgin Town Council will hold properly noticed Public Hearings on these amendments on August 22, 2018, and voted to approve ordinance 2018-31 in a regular Town Council meeting held on September 26, 2018;

NOW, THEREFORE BE IT ORDAINED by the Land Use Authority of Virgin, Utah that, in order to provide for the health, safety and general welfare of the citizens of Virgin, Utah, the Virgin Town Council requests de-annexation of the parcel identified in the attached exhibit.

Exhibit A

Section A:

The Town of Virgin has applied to various state and federal agencies for assistance in Maintaining the road, known as the Mesa Road, that runs from SR-9 to the Smith Mesa. The road services as recreational access and is the only practical access for people and supplies to the government testing site on the Smith Mesa. The portion of this road in the proposed de-annexation does not and will not likely ever be an asset to the town nor its residents. Through years of struggling to provide minimal safe maintenance the town has learned very clearly that it lacks the resources to continue with this parcel and road in the town jurisdiction.

Section B:

Note Attached

1. Severability. If any section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

2. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.
3. Effective Date. This Ordinance # 2018-31, shall become effective immediately upon adoption by the Virgin Town Council and executed by the Virgin Town Mayor. Noticing published in the newspaper as required by Utah State Statute on August 11, 2018.

ADOPTED AND APPROVED BY THE VIRGIN TOWN COUNCIL this 28th day of December, 2018 based upon the following vote:

Council Member:

Dan Snyder	AYE <u>X</u> NAE <u> </u>
LeRoy Thompson	AYE <u>X</u> NAE <u> </u>
Kevin Stout	AYE <u>X</u> NAE <u> </u>
Jay Lee	AYE <u>X</u> NAE <u> </u>
Matthew Spendlove, Mayor	AYE <u>X</u> NAE <u> </u>

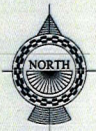
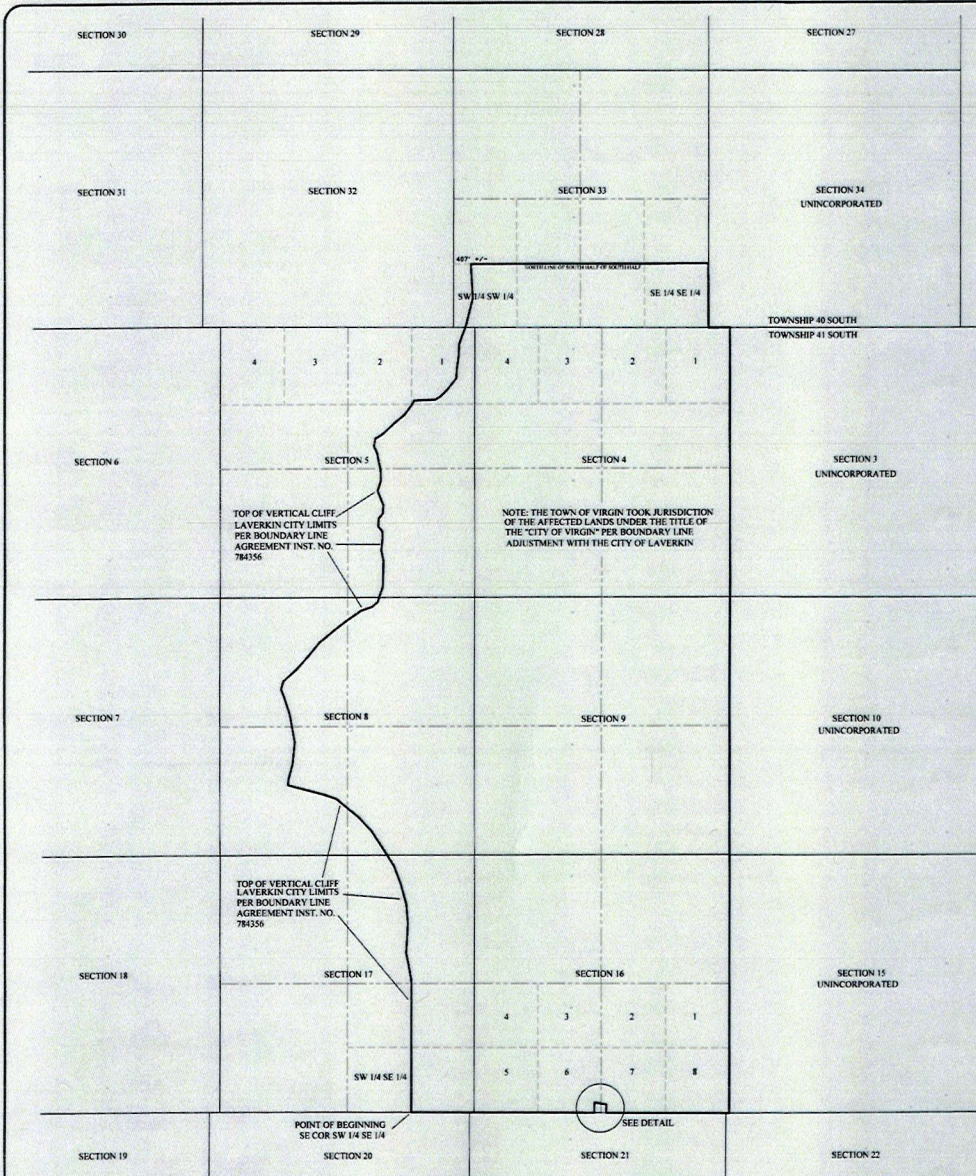
VIRGIN TOWN

a Utah municipal corporation

Matthew Spendlove
Matthew Spendlove, Mayor

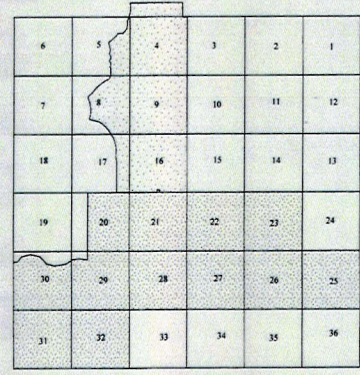
ATTEST:

Monica Bowcutt
Monica Bowcutt, Town Clerk

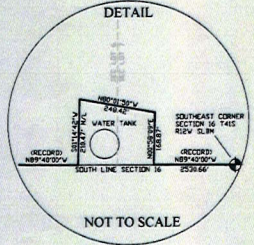


LEGEND

- SECTION LINES
- QUARTER SECTION LINES
- 1/16 SECTION LINES
- DISCONNECTION BOUNDARY
- DISCONNECT AREA
- VIRGIN TOWN LIMITS AFTER DISCONNECT



TOWNSHIP 41 SOUTH, RANGE 12 WEST
(NOT TO SCALE)



NOT TO SCALE

SURVEYOR'S CERTIFICATE

I, MARK A. SCHRAUT, SPRINGDALE, UTAH, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION (LICENSE) NUMBER 18789, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE CITY OF VIRGIN, UTAH, I HAVE PREPARED THIS PLAT SHOWING THE LAND TO BE DISCONNECTED FROM THE TOWN OF VIRGIN.

DESCRIPTION OF AREA TO BE DISCONNECTED

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 41 SOUTH, RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST HALF OF SAID SECTION 17 TO A POINT ON THE TOP OF A VERTICAL CLIFF ON THE HURRICANE MESA; THENCE NORTHERLY ALONG THE TOP OF SAID VERTICAL CLIFF THROUGH SECTIONS 17, 8, AND 5, TOWNSHIP 41 SOUTH, RANGE 12 WEST, AND SECTION 33, TOWNSHIP 40 SOUTH, RANGE 12 WEST TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 33, SAID POINT BEING EASTERLY 407 FEET MORE OR LESS FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE EASTERLY ALONG SAID NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF SAID SECTION 33 TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 33 TO THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE EASTERLY, ALONG THE NORTH LINE OF SECTION 4, TOWNSHIP 41 SOUTH, RANGE 12 WEST, TO THE NORTHEAST CORNER OF SAID SECTION 4; THENCE SOUTHERLY ALONG THE EAST LINE OF SECTIONS 4, 9, AND 16 TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 2529.66 FEET; THENCE NORTH 0°58'09" EAST 168.87 FEET; THENCE NORTH 80°01'50" WEST 248.42 FEET; THENCE SOUTH 1°14'42" WEST 210.47 FEET N61 TO A POINT ON THE SOUTH LINE OF SAID SECTION 16; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 16 AND 17 TO THE POINT OF BEGINNING.

DATE 12/31/18



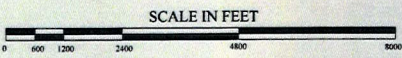
MARK A. SCHRAUT
REGISTERED LAND SURVEYOR
UTAH LICENSE NO. 18789

WASHINGTON COUNTY SURVEYOR APPROVAL

ON THIS 31 DAY OF January, 2019, THIS PLAT HAS BEEN APPROVED BY THE WASHINGTON COUNTY SURVEYOR.



WASHINGTON COUNTY SURVEYOR



MESA ROAD DISCONNECTION PLAT
TOWN OF VIRGIN, UTAH
LOCATED WITHIN SECTION 33
TOWNSHIP 40 SOUTH, RANGE 12 WEST
AND SECTIONS 4, 5, 8, 9, 16, AND 17,
TOWNSHIP 41 SOUTH, RANGE 12 WEST
SALT LAKE BASE AND MERIDIAN

ZONING ADMINISTRATOR
APPROVED THIS 29 DAY OF December, 2018 BY THE PLANNING AND ZONING ADMINISTRATOR.
[Signature]
VIRGIN TOWN ZONING ADMINISTRATOR

PLANNING COMMISSION
APPROVED THIS 02 DAY OF January, 2019 BY THE TOWN PLANNING COMMISSION.
[Signature]
VIRGIN TOWN PLANNING COMMISSION CHAIRMAN

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ___ DAY OF ___, 201__.
[Signature]
VIRGIN TOWN ATTORNEY

ACCEPTANCE
PRESENTED TO THE VIRGIN COUNCIL ON THE 28 DAY OF December, 2018 AT WHICH TIME THIS PLAT WAS APPROVED AND ACCEPTED.
[Signature] *[Signature]*
ATTTEST: TOWN RECORDER VIRGIN TOWN MAYOR

RECORDED #
STATE OF UTAH, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE REQUEST OF THE CITY OF VIRGIN DATE ___ TIME ___
FEE \$ _____ WASHINGTON COUNTY RECORDER

REVISIONS

DATE

MARK A. SCHRAUT
PROFESSIONAL LAND SURVEYOR
100 NORTH FORK DRIVE, SPRINGDALE, UT 84707
PH 435-772-3223

DISCONNECTION PLAT
FOR THE TOWN OF VIRGIN, UTAH
LOCATED WITHIN SECTION 33, TOWNS R12W
AND SECTIONS 4, 5, 8, 9, 16 AND 17, T41S R12W
SALT LAKE BASE AND MERIDIAN

DECEMBER 2018
SHEET 1 OF 1