

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR CERTIFICATE OF ANNEXATION

I, DEIDRE M. HENDERSON, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from RICHFIELD CITY, dated January 27, 2021, 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 the RICHFIELD CITY, located in Sevier County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 1st day of February, 2021 at Salt Lake City, Utah.

A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON
Lieutenant Governor



NOTICE OF IMPENDING BOUNDARY ACTION

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the City Council of Richfield City, Utah (the "Council"), at a special meeting of the Council, duly convened pursuant to notice, on January 20, 2021, adopted an ordinance to annex 8.867 acres of land into the corporate limits of Richfield City.

Pursuant to Utah Code Ann. Section 10-2-407, and Ordinance 2021-1, the corporate limits of Richfield City are extended to include the property identified in the Ordinance 2021-1 and the approved final plat.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Annexation.

DATED this 27 day of January, 2021.

CITY COUNCIL, RICHLFIELD UTAH

By:  , Mayor

VERIFICATION

STATE OF UTAH)
:ss.
COUNTY OF SEVIER)

The undersigned, being duly sworn upon oath, says that the facts set forth in the foregoing Notice of Impending Boundary Action are true, accurate, and complete to the best of the undersigned's knowledge and belief.

David Ogden, Mayor, City Council, Richfield City Utah.

SUBSCRIBED AND SWORN to before me this 27 day of January, 2021.

 NOTARY PUBLIC



ORDINANCE NO. 2021-1
ORDINANCE ANNEXING SPECIFIC
PROPERTY TO RICHFIELD, UTAH

WHEREAS, a majority of the owners of certain real property described below, desire to annex such real property to Richfield, Utah, said owner, Smith's Loft Properties, LLC; and

WHEREAS, said real property consists of approximately 8.867 acres and lies contiguous to the corporate boundaries of Richfield, Utah; and

WHEREAS, said owners have caused a petition to be filed with the City Recorder together with an accurate plat of the real property which was made under the supervision of a licensed surveyor; and

WHEREAS, Richfield City Council accepted the petition for annexation; and within 30 days the City Recorder reviewed the petition and certified that the petition meets the requirements for annexation as provided by Utah State Law (Subsections 10-2-408(2), (3), and (4)); and

WHEREAS, a notice was published once a week for three successive weeks, beginning no later than ten days after receipt of the notice of certification, in a newspaper of general circulation for the area proposed for annexation and the unincorporated area within a half mile of the area proposed for annexation as provided by Utah State Law (Subsection 10-2-406); and

WHEREAS, within 20 days of receipt of the notice of certification, written notices were mailed to the affected entities as provided by Utah State Law (Subsections 10-2-406(1) (b)); and

WHEREAS, no protests to the annexation petition were filed during the period specified;

NOW, THEREFORE, pursuant to Section 10-2-407, Utah Code, the City Council of Richfield, Utah, hereby adopts and passes the following:

BE IT ORDAINED BY THE CITY COUNCIL OF RICHFIELD, UTAH, AS FOLLOWS:

**ORDINANCE 2020-4 ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE
CORPORATE LIMITS OF RICHFIELD, UTAH.**

The real property more particularly described in Paragraph 1, below, is hereby annexed to Richfield, Utah and the corporate limits of Richfield, Utah, are hereby extended accordingly.

1. The real property which is the subject of this Ordinance is described as follows:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. SAID PARCEL IS LOCATED IN SEVIER COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY SR-118 AND THE NORTH

RIGHT OF WAY LINE OF 1500 SOUTH STREET BEING N89°49'23"E 372.88 FEET AND SOUTH 743.88 FEET FROM THE NORTHWEST CORNER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. THENCE ALONG SAID NORTH LINE OF 1500 SOUTH STREET RIGHT OF WAY S88°04'56"E 394.10 FEET; THENCE ALONG AN EXISTING FENCE LINE AND THE EXTENSION THEREOF S00°11'01"W 723.81 FEET TO AN EXISTING FENCE LINE AND A REBAR AND CAP STAMPED FRIANT; THENCE ALONG AN EXISTING FENCE LINE N88°15'00"W 528.80 FEET; THENCE N80°26'26"W 32.82 FEET; THENCE S21°57'06"W 29.47 FEET; THENCE N89°51'41"W 103.41 FEET TO THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY SR-118; THENCE ALONG SAID RIGHT OF WAY OF SR-118 N20°55'03"E 794.87 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 8.867 ACRES MORE OR LESS

2. The zoning map of Richfield City shall be amended to include the real property described in Paragraph 2. The real property described in Paragraph 2, above, has been defined as Lot 5 and Lot 6 for the purpose of zoning designation. This is based on approval of the suitable plan presented at the time of this annexation, in accordance with the General Plan for Richfield, Utah and provisions of Chapter 16 of the City's Land Use Management and Development Code and Section 10-9-406(1) of the Utah Code Annotated, 1953, as amended.

That portion of land described hereafter will be classified as **multi family residential (RM-11) zoning**: LOT SPLIT PARCEL 6: A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. SAID PARCEL IS LOCATED IN SEVIER COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY SR-118 LOCATED N89°49'23"E 261.62 FEET AND SOUTH 1034.62 FEET FROM THE NORTHWEST CORNER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. THENCE S88°04'55"E 504.47 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE S00°11'01"W 429.03 FEET; THENCE N88°15'00"W 528.80 FEET; THENCE N80°26'26"W 32.82 FEET; THENCE S21°57'06"W 29.47 FEET; THENCE LEAVING SAID FENCE LINE N89°51'41"W 103.41 FEET TO SAID HIGHWAY SR-118 RIGHT OF WAY; THENCE ALONG SAID HIGHWAY SR-118 RIGHT OF WAY N20°55'03"E 483.25 FEET MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 5.828 ACRES MORE OR LESS.

That portion of land described hereafter will be classified as **general commercial (GC)**: LOT SPLIT PARCEL 5: A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. SAID PARCEL IS LOCATED IN SEVIER COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY SR-118 LOCATED N89°49'23"E 261.62 FEET AND SOUTH 1034.62 FEET FROM THE NORTHWEST CORNER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. THENCE ALONG SAID HIGHWAY SR-118 RIGHT OF WAY N20°55'03"E 248.17 FEET TO THE SOUTH LINE OF 1500 SOUTH STREET; THENCE ALONG SAID SOUTH LINE OF 1500 STREET S88°04'55"E 416.57 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE S00°11'01"W 234.75 FEET; THENCE LEAVING SAID FENCE LINE N88°04'55"W 504.47 FEET MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 2.480 ACRES MORE OR LESS

3. A certified copy of this Ordinance and an original plat setting forth the property so annexed shall be filed with the County Recorder of Sevier County, Utah by the City Recorder.

4. This Ordinance shall become effective upon adoption and passage by the City Council. A copy of the Ordinance and plat shall be deposited in the Office of the City Recorder.

ADOPTED AND PASSED by the City Council of Richfield, Utah, this 12th day of January 2021 and ratified approval on the 20th day of January 2021.

RICHFIELD CITY
A Utah Municipal Corporation

By

David Ogden, Mayor

ATTEST:

Michele H. Jolley
Michele H. Jolley, Recorder

(S E A L)

Councilmember Bryan Burrows
Councilmember Kathy Christensen
Councilmember Todd Gleave
Councilmember Kip Hansen
Councilmember Connie Nielson

AYE:

NAY:



RESOLUTION NO. 2020-13

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, 1953, AS AMENDED.

WHEREAS, on the 14th day of October 2020, the owner of certain real property, Darrell H. Smith of Smith's Loft Properties, LLC; petitioner, filed a petition with the city recorder of Richfield City, Sevier County, the State of Utah requesting that such property be annexed to the corporate boundaries of Richfield 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 in value to at least one-third of the value of all the private real 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 Richfield 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 of 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 Richfield City, Sevier County, State of Utah, that the Annexation Petition 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 this 10th day of November 2020.

ATTEST:


Michele Jolley, Recorder

RICHFIELD CITY
A Utah Municipal Corporation

By


David C. Ogden, Mayor

(S E A L)

	<u>AYE:</u>	<u>NAY:</u>
Councilmember Bryan Burrows	✓	
Councilmember Kathy Christensen	✓	
Councilmember Todd Gleave	✓	
Councilmember Kip Hansen	✓	
Councilmember Connie Nielson	✓	

Petition for Annexation #2020-4
of Territory
To Richfield City, Utah

TO THE COUNCIL OF RICHLFIELD CITY:

We the undersigned owners of certain real property lying contiguous to the present municipal limits of Richfield 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 subject to this petition is a contiguous, unincorporated area contiguous to the boundaries of Richfield City and the annexation thereof will not leave or 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 Richfield City's corporate limits (describe approximate location) _____

(See enclosed EXHIBITS)
_____ and more particularly described as follows
(see legal description attached):

4. That up to five (5) of the signers of this petition have been designated as sponsors, one of whom is designated as the AContact Sponsor@, with the mailing address of each sponsor being 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 or 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, to be zoned CG + PM-1
- 9. That the petitioners agree to deposit with the City, underground water equal to one (1) acre-foot per acre of underground water as defined in the annexation policy of Richfield City.

WHEREFORE, the petitioners(s) hereby request that this petition be considered by the governing body at its 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 herein petitioned.

DATED this 19th day of October, 2020.

PETITIONER(S): (name(s) as it/they appear(s) on county tax roles):

CS: Smith's Loft Properties LLC.

Printed name of Owner(s)

S: Darrell H. Smith

S: _____

S: _____

S: _____

ADDRESS / TELEPHONE NO (contact sponsor only):

x 13576 S. Ivy Manor Ln - Draper UT.

Signature of Owner(s) B4030

x Darrell H. Smith

CS - Contact Sponsor

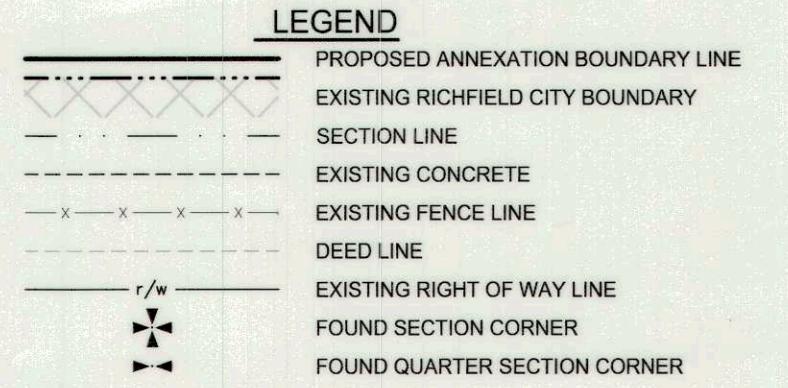
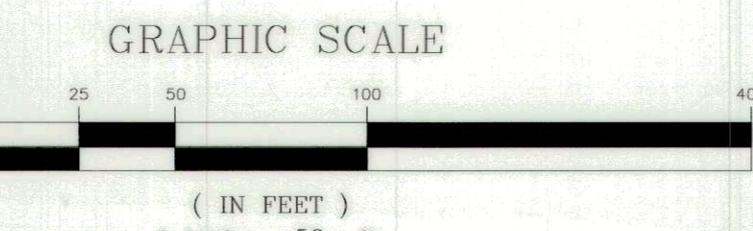
S - Sponsor

(Attach additional sheets if necessary)

RECORD OWNER	NO. OF ACRES	ASSESSED VALUE	SEVIER CO. TAX NUMBER
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Richfield City Annexation - Smith's Loft Properties

Located in Section 1, T.24 S., R.3 W., S.L.B. & M.
Sevier County, Utah
2021



NOTES
1. THE PURPOSE OF THIS SURVEY IS TO ANNEX THE PROPERTY IDENTIFIED AS TAX PARCELS 4-292-8 AND 4-292-44 INTO THE CORPORATE BOUNDARY OF RICHLFIELD CITY, UTAH.

2. BASIS OF BEARINGS USED HEREON WERE BASED ON UTAH STATE PLANE COORDINATES, CENTRAL ZONE, NAD1983 DATUM BASED ON GPS OBSERVATIONS BEING (N89°49'23"E) BETWEEN THE NORTHWEST CORNER AND THE NORTH QUARTER CORNER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M.

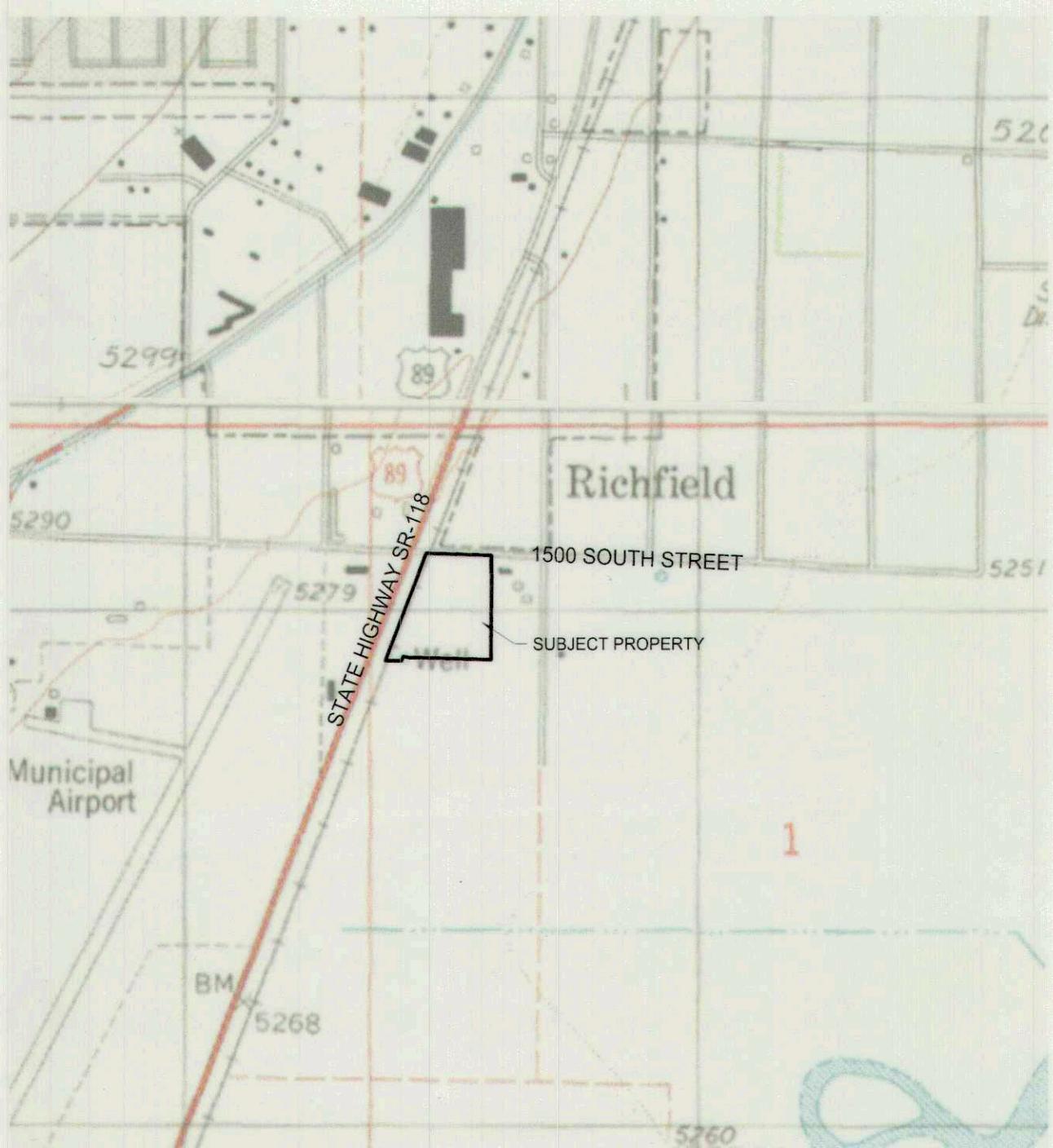
ANNEXATION BOUNDARY DESCRIPTION

TAX PARCELS 4-292-8 & 4-292-44 (INCLUDING 1500 SOUTH ROAD RIGHT OF WAY)

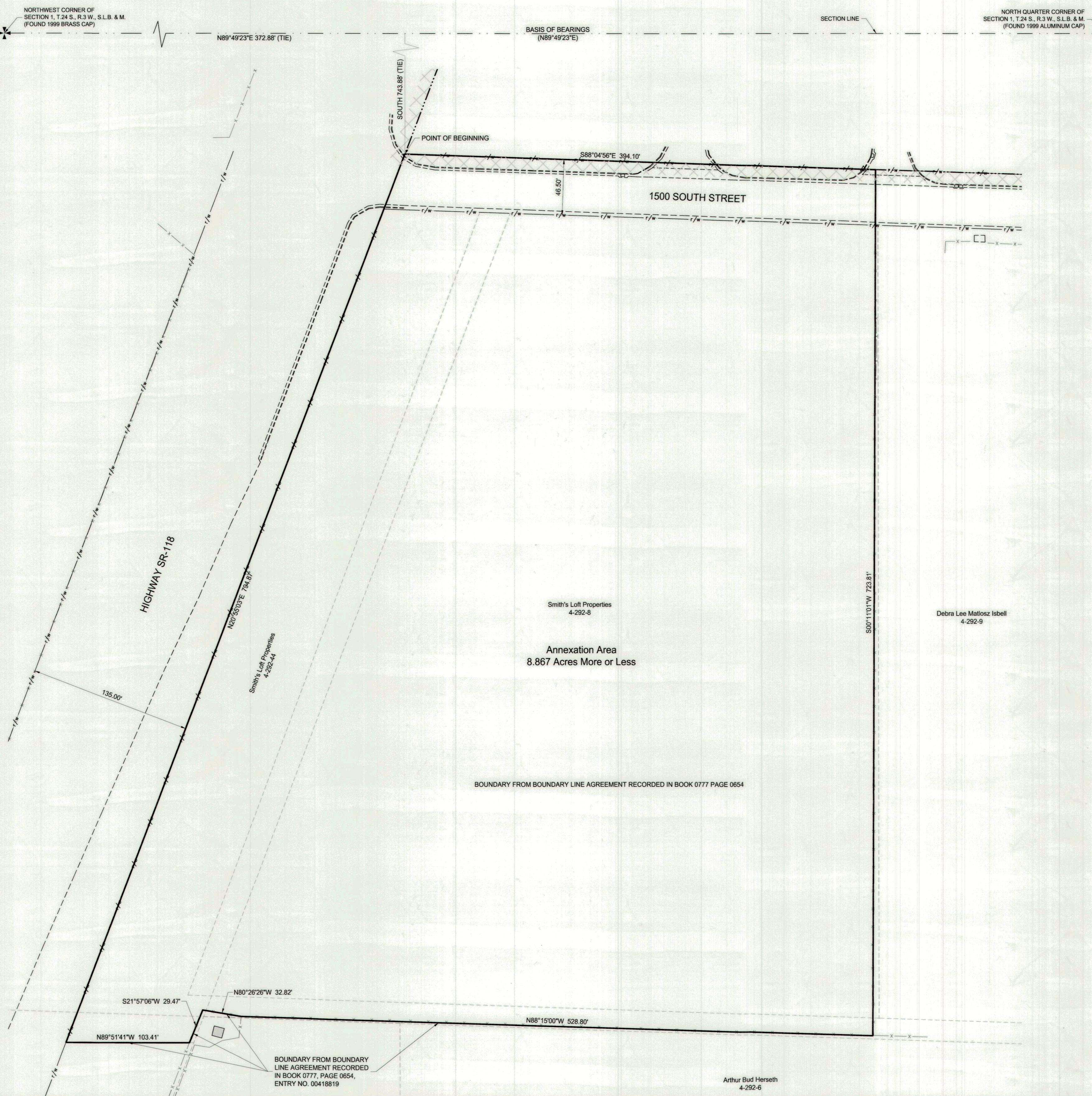
A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. SAID PARCEL IS LOCATED IN SEVIER COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY SR-118 AND THE NORTH RIGHT OF WAY LINE OF 1500 SOUTH STREET BEING N89°49'23"E 372.88' FEET AND SOUTH 74°38' FEET FROM THE NORTHWEST CORNER OF SECTION 1, T.24 S., R.3 W., S.L.B. & M. THENCE ALONG SAID NORTH LINE OF 1500 SOUTH STREET RIGHT OF WAY AND THE EXISTING CITY BOUNDARY S88°04'56"E 394.10 FEET; THENCE LEAVING SAID CITY BOUNDARY AND ALONG AN EXISTING FENCE LINE AND THE EXISTING FENCE LINE N80°26'26"E 723.81 FEET TO THE POINT WHERE SAID FENCE LINE AND A REBAR AND CABLE STAMPED FRANT; THENCE ALONG SAID EXISTING FENCE LINE N80°15'07"W 529.80 FEET; THENCE N80°26'26"W 32.82 FEET; THENCE S21°57'06"W 24.47 FEET; THENCE N89°14'17"W 103.41 FEET TO THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY SR-118; THENCE ALONG SAID RIGHT OF WAY OF SR-118 N20°55'03"E 794.87 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 8.867 ACRES MORE OR LESS



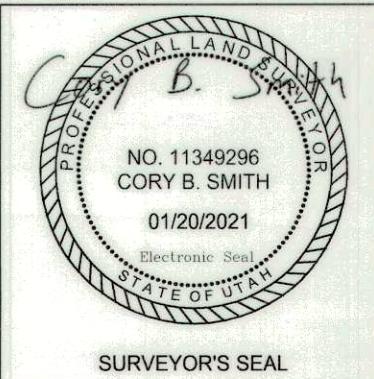
VICINITY MAP
NOT TO SCALE



BOUNDARY FROM BOUNDARY
LINE AGREEMENT RECORDED
IN BOOK 0777 PAGE 0654,
ENTRY NO. 00418819

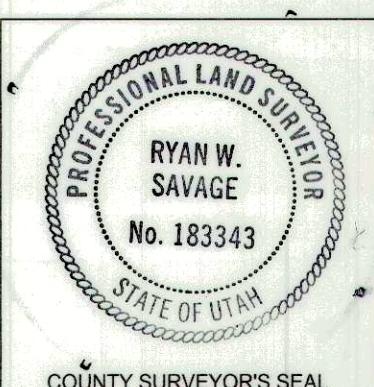
Arthur Bud Herseth
4-292-6

SURVEYOR'S CERTIFICATE
I, CORY B. SMITH, A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING CERTIFICATE #11349296, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION.



COUNTY SURVEYOR APPROVAL
I, RYAN W. SAVAGE, A REGISTERED LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING CERTIFICATE #183343, ACTING AS THE SEVIER COUNTY SURVEYOR, CERTIFY THAT THE PLAT SHOWN HEREON MEETS ALL APPLICABLE REQUIREMENTS TO THE BOUNDARY ACTION AND HEREBY APPROVE THIS PLAT AS A FINAL LOCAL ENTITY PLAT.

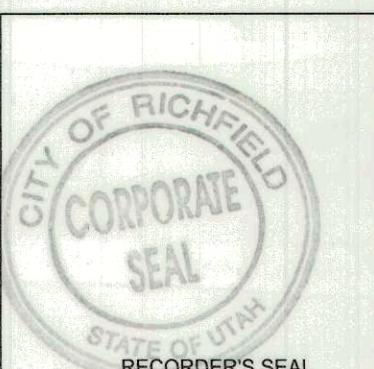
Ryan W. Savage
RYAN W. SAVAGE
DEPUTY COUNTY SURVEYOR
1/21/21
DATE



ACCEPTANCE BY LEGISLATIVE BODY
THIS IS TO CERTIFY THAT WE, RICHLFIELD CITY, HAVE RECEIVED A PETITION SIGNED BY THE MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF RICHLFIELD AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HEREWITH ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED (1953) 10-3-1 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS "SMITH'S LOFT PROPERTIES" ANNEXATION.

ACCEPTED THE 12 DAY OF January, A.D. 2021
Rich C. Ogden *Kathy Christensen*
MAYOR COUNCIL MEMBER
Carmie Nader *Bob C. Homan*
COUNCIL MEMBER COUNCIL MEMBER
Bryan J. Benson *Tallie M.*
COUNCIL MEMBER COUNCIL MEMBER

ATTEST *Michael J. Day*
CITY RECORDER



PREPARED BY:
Jones & DeMille Engineering, Inc.
CIVIL ENGINEERING - SURVEYING - TESTING - GIS - ENVIRONMENTAL
- infrastructure professionals -
1.800.748.5275 www.jonesanddemille.com

PROJECT NUMBER: 2004-039 FILE NAME: h:\jd\proj\2004-039\dwg\2004-039_annexation.dwg
SURVEYED BY: JDE DRAWN BY: KDB UPDATED: 1/20/2021 PLOTTED: 1/20/2021

**Smith's Loft Properties
Addition to Richfield City**

Sevier County, Utah
Scale: 1" = 50'