

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 known as the ROPER SUBDIVISION ANNEXATION located in FILLMORE CITY, dated FEBRUARY 24, 2026, complying with §67-1a-6.5, 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 ROPER SUBDIVISION ANNEXATION located in MILLARD COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 24<sup>th</sup> day of MARCH, 2026 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON  
Lieutenant Governor



City Recorder, KEVIN W. ORTON, being sworn, says that the facts set forth in the above Notice of Impending Boundary Action are true, accurate, and complete to the best of his knowledge and belief.

A handwritten signature in black ink, appearing to read "K. W. Orton". The signature is fluid and cursive, with the first name "K." and last name "Orton" clearly distinguishable.

Attest: \_\_\_\_\_  
KEVIN W. ORTON, City Recorder

## ORDINANCE 26-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FILLMORE, UTAH, PROVIDING FOR APPROVAL OF ANNEXATION OF CERTAIN TERRITORY, REFERRED TO AS THE ROPER SUBDIVISION ANNEXATION, INTO THE CORPORATE LIMITS OF FILLMORE CITY, WITH THE PLAT TO BE IDENTIFIED AS PLAT EE IN THE RECORDS OF FILLMORE CITY.

### RECITALS

The City Council of the City of Fillmore, Utah (referred to herein as the “City Council”), recites the following as the basis for adopting the following ordinance:

A. Fillmore City (the “City”) has adopted an Annexation Policy Plan in accordance with the provisions of Part 4, Chapter 2, Title 10, Utah Code Annotated (1953), *as amended*, setting forth the specific criteria that will guide the City’s decision as to whether it will favor the annexation of territory into the corporate limits of Fillmore and whether to grant future annexation petitions.

B. On March 21, 2025, an Annexation Petition to Extend the Corporate Boundaries of Fillmore, Utah (the “Petition”) was filed, signed by Alan Roper individually and on behalf of G.A. Roper Investments, LLC, designating Alan Roper as Sponsor.

C. The Petition for Annexation, which seeks to annex approximately 118.08 acres, has been identified as the Roper Subdivision Annexation (the “Petition”), and has also been referred to as the Fillmore Plat EE Annexation.

D. The Petition contains the signatures of the owners of private real property that covers a majority of the private land area within the area proposed for annexation and the signatures of owners of private real property that 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, to wit, Alan Roper and/or G.A. Roper Investments, LLC.

E. The real property in the Petition is a contiguous, unincorporated area contiguous to the boundaries of Fillmore, and the annexation thereof will not leave or create an unincorporated island or peninsula.

F. On April 15, 2025, the Petition was accepted for further consideration pursuant to Utah Code Ann. § 10-2-405.

G. On or about August 28, 2025, the City Recorder certified the Petition and mailed or delivered written notification thereof to the Fillmore City Council, who received it the same day, the contact sponsor, and the Millard County Commission certifying that the Petition met the requirements of state law, pursuant to Utah Code Ann. 10-2-405.

H. The City Council published Notice of Petition Proposing Annexation of Area to Fillmore City, pursuant to Utah Code Ann. § 10-2-406, and no timely protests have been filed in accordance with the provisions of Utah Code Ann. § 10-2-407.

I. On September 16, 2025, the City Council held a public hearing after providing notice pursuant to Utah Code Ann. § 10-2-407(7), for the Roper Subdivision Annexation. The City Council has determined the referenced annexation is in the best interest of the City and a need exists to annex the territory described in the Petition.

J. The City Council has determined that the annexation territory should be zoned Residential-2 in accordance with the Fillmore City Zoning Expansion Map.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fillmore, Utah:

Section 1. Adoption. This Ordinance 26-01 is adopted by the City of Fillmore in order to approve the Roper Subdivision Annexation, such map marked and attached as Exhibit 1.

Section 2. Territory Annexed. The real property, more particularly described in paragraph 3, below, is hereby annexed to Fillmore, Utah, and the corporate limits of Fillmore are hereby extended accordingly.

Section 3. Property Description. The real property, which is the subject of this annexation Ordinance, is described as follows:

BEG W1/4 COR SEC 27, T21S, R4W, SLM, S 89°07.2' E ALG 1/4 SEC LN 1324.04 FT, S 0°09.9' E ALG FNC LN 1335.22 FT, N 88°53.7' W ALG FNC LN 1336.88 FT, N 0°23' E ALG SEC LN 1329.8 FT TO BEG. (AKA NW1/4 SW1/4 SD SEC) ALSO BEG S 89°07'12" E ALG 1/4 SEC LN 47.35 FT FR W1/4 COR SEC 27, N 43°24'36" E 169.67 FT, N 59°21'36" W 150.34 FT, E 129.35 FT, S 201.67 FT, N 89°07'12" W ALG 1/4 SEC LN 116.61 FT TO BEG.

CONTAINING 40.28 ACRES, MORE OR LESS.

And

BEG E1/4 COR SEC 28, T21S, R4W, SLM, S 0°23' W ALG SEC LN 1329.8 FT, N 89°39' W ALG FNC LN 985.25 FT TO PT WHICH IS S 89°47'20" E 1650 FT OF E1/4 SEC LN, N 0°21'E 1653 FT, (=N 0°07'50" W), N 89°18'30" W 300 FT, (=N 89°47'20" W), N 5°46.2' E 17.21 FT, TH ALG E BDRY FILLMORE HIGHLANDS SUB ON CRV TO L 212.94 FT (DELTA 47°55'40". RAD = 254.56 FT), N 48°08'20" W ALG SD BDRY 308.33 FT, TH ON CRV TO R ALG SD BDRY 140.44 FT (DELTA= 37°51.5", RAD = 216.5 FT), N 10°17'15" W ALG SD BDRY 964.21 FT, S 77°27' E ALG FNC LN 182.36 FT, S 71°28' E ALG FNC LN 283.12 FT, S 71°34.1' E ALG FNC LN 234.63 FT, S 71°33.6' E ALG FNC LN 280.97 FT, S 72°02.8' E ALG FNC LN 260.81 FT, S 70°29.7' E ALG FNC LN 211.87 FT, S 66°16.3' E ALG FNC LN 468.24 FT, S 3°24.5' E ALG FNC LN 160.99 FT, E ALG FNC LN 4.51 FT, S 3°11.3' E ALG FNC LN 824.74 FT, S 59°21.6' E ALG FNC LN 150.34 FT, S 43°24.6' W ALG FNC LN 169.67 FT, N 89°07.2' W ALG

1/4 SEC LN 47.35 FT TO BEG. LESS BEG N 204 FT M/L & E 32.02 FT M/L TO COR CHN LK FNC FR E1/4 COR SEC 28, S 89°21'27" W ALG FNC LN 244.79 FT, N 2°33'25" ALG FNC LN 388.01 FT, S 85°08'52" E ALG FNC LN 240.50 FT, S 3°28'16" E ALG FNC LN 370.70 FT M/L TO BEG. LESS N 1549 FT & W 978.64 FT FR E1/4 COR SEC 28, TH ALG CRV TO R 314.16 FT (DELTA=108°,RAD=100 FT), S 71°33' E 200 FT TO BEG. LESS BEG N 575.76 FT & E 13.63 FT FR W1/4 SD SEC 27, W 38.98 FT, N 607.75 FT, S 3°24'30" E 160.99 FT, E 4.51 FT, S 3°11'18" E 447.74 FT TO BEG, LESS BEG N 575.71 FT & W 25.35 FT TO N BDRY PROP OF FILLMORE WATER USERS ASSN (7029-1) FR W1/4 COR SEC 27, N 607.75 FT M/L, TO S BDRY EXST CO RD, NW'LY ALG S BDRY SD RD 20 FT, S 607.75 FT M/L, SE'LY 20 FT ALG FNC LN TO BEG. LESS BEG N 82°17'25" E 1705.81 FT SE COR NE1/4 NW1/4 SEC 28, N 72°33' W 269.36 FT, S 17°27' W 173.10 FT, S 72°33' E 269.36 FT, N 17°27' E 173.10 FT TO BEG.

CONTAINING 77.8 ACRES, MORE OR LESS.

Section 4. Filing with Lt. Governor. Pursuant to Utah Code Ann. § 10-2-425(1)(a), within sixty (60) days after enacting this ordinance, Fillmore shall file with the Lt. Governor of the State of Utah:

- (a) A notice of impending boundary action meeting the requirements of Utah Code Ann. §67-1a-6.5; and
- (b) A copy of an approved final local entity plat, as defined in Utah Code Ann. §67-1a-6.5.

Section 5. Filing with Millard County Recorder. Pursuant to Utah Code Ann. § 10-2-425(1)(b), upon the Lt. Governor's issuance of a certificate of annexation under Utah Code Ann. §67-1a-6.5, Fillmore shall submit to the Millard County Recorder:

- (a) The original notice of an impending boundary action;
- (b) Certificate of annexation;
- (c) The approved final local entity plat; and
- (d) A certified copy of this Ordinance.

Section 6. Notice to Affected Entities and Health Department. Pursuant to Utah Code Ann. § 10-2-425(1)(c), upon the Lt. Governor's issuance of a certificate of annexation under Utah Code Ann. §67-1a-6.5, Fillmore shall send notice of the annexation to each affected entity, and file with the Department of Health, a certified copy of this Ordinance and a copy of an approved final local entity plat.

Section 7. Effect of Annexation on Annexed Territory. Upon recordation of the annexation plat provided for in Section 3 above, the residents of the annexed territory shall be extended all rights and privileges of the City of Fillmore. Also, the residents of the annexed territory shall then be subject to and required to comply with all ordinances, resolutions, policies, rules and regulations of the City of Fillmore, including the imposition of exactions. At the time this annexation becomes effective, the annexation areas will be entitled to municipal services rendered by the City of Fillmore and to the protections offered by Fillmore ordinances and other benefits generally enjoyed by the present residents of City of Fillmore, Utah. This annexation

will not affect any local district that may have been established in Millard County under Title 17B, Chapter 2, Utah Code Annotated.

Section 8. Statement of Compliance with Statutory Annexation Criteria. The annexation provided for herein complies with the statutory requirements set out in Part 4, Chapter 2, Title 10, Utah Code Annotated (1953), *as amended*.

Section 9. Zone Classification of Annexed Territory. Upon completion of the annexation of the territory described in this Ordinance into the City of Fillmore, Utah, the annexed territory shall be classified and included as being in the Rural residential zoning district, as reflected on the Fillmore City Zoning Expansion Map.

Section 10. Development Restrictions. All future development must be made in compliance with Fillmore City ordinances, resolutions, policies, rules, and regulations, including the imposition of exactions. Street access to the property annexed shall follow the grid pattern layout of existing streets where possible. Development of the real property annexed by this ordinance shall require recorded easement conveyances for all utility services and dedication of land as appropriate under Fillmore ordinances to the City for necessary streets. Any requirements of this paragraph or the municipal regulations incorporated herein not permissible under the laws of the state of Utah are deemed waived.

Section 11. Exhibits. Exhibit 1 referred to in this Ordinance shall be deemed incorporated herein by reference to the same effect as though fully set forth herein.

Section 12. Severability. If any section, paragraph, subsection or any portion of this Ordinance less than the entire ordinance, or the application thereof, is held to be invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.


Section 13. Effective Date of Annexation and Ordinance. This Ordinance and the annexation provided thereby is completed and takes effect upon the publication of this Ordinance or a summary thereof and on the date the Lt. Governor of the State of Utah issues to Fillmore a Certification of Annexation.

Section 14. Publication. This Ordinance, or a summary of this Ordinance, is ordered published in accordance with Utah Code Annotated § 10-3-711.

Section 15. Effect on Related Ordinances. Any ordinance, resolution or policy of the City of Fillmore in conflict with this ordinance shall hereby be deemed amended to the extent necessary to conform to the provisions of this ordinance as they relate to the annexed territory.

PASSED AND ADOPTED this 24<sup>th</sup> day of February, 2026.



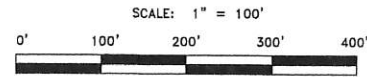
  
CURT HARE, Mayor

Attest:   
KEVIN ORTON, City Recorder

VOTING:

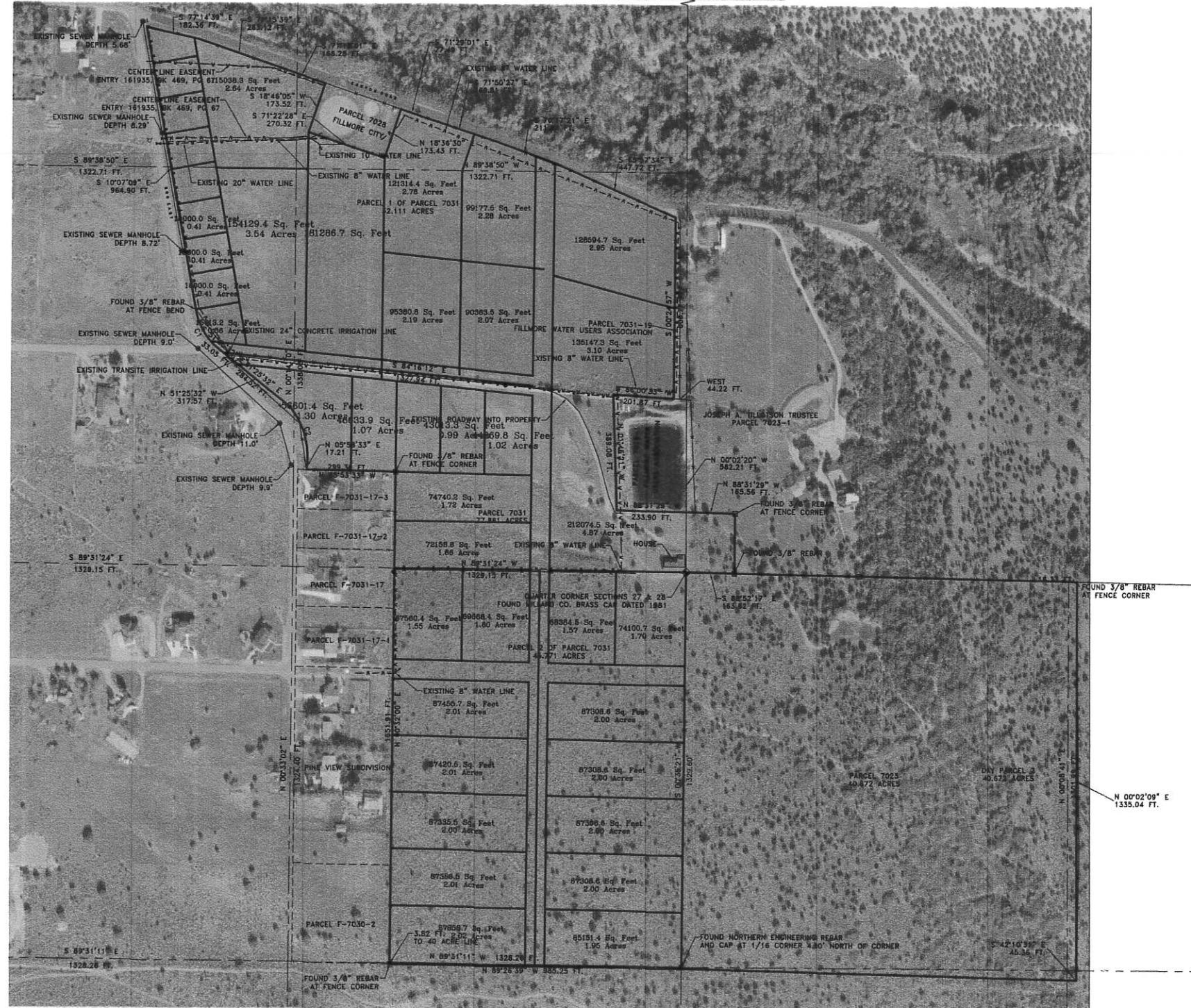
Dennis Alldredge	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input checked="" type="checkbox"/> Absent
Amber Rausch	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Gene Larsen	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Kyle Stevens	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Michael Winget	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent

**ROPER SUBDIVISION**  
**SECTION 27 & 28, T. 21 S., R. 4 W., S.L.B.&M.**  
**MILLARD COUNTY, UTAH**  
**OCTOBER, 2025**



**LEGEND**

- ◆ FOUND SECTION CORNER
- ◇ CALCULATED SECTION CORNER
- SET MONUMENT(5/8" REBAR W/PLASTIC CAP MARKED R.W. FRIANT L.S. 154652)
- EXISTING PROPERTY CORNER MONUMENT
- PROPERTY LINE
- - - SECTION LINE
- - - QUARTER SECTION LINE
- - - SIXTEENTH SECTION LINE
- - - EXISTING FENCE



**SURVEYOR'S CERTIFICATE**

I, REX FRIANT, OF ANNABELLA, UTAH, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT A SURVEY WAS COMPLETED, UNDER MY SUPERVISION, OF THE PROPERTY SHOWN HEREON; AND THAT THIS DRAWING CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES AND MONUMENTS, BOTH FOUND AND SET WITHIN REASONABLE TOLERANCES TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT DETAILS OF FIELD WORK ARE IN ACCORDANCE WITH GENERALLY ACCEPTED PROCEDURES AND STANDARDS AND ARE AVAILABLE FOR INSPECTION BY THE CLIENT AND OTHERS AS AUTHORIZED BY THE CLIENT.

REX W. FRIANT LS 154652      DATE \_\_\_\_\_

**BOUNDARY DESCRIPTION**

**OWNER'S CERTIFICATE**

KNOW ALL MEN BY THESE PRESENT THAT ALAN ROPER IS THE OWNER OF RECORD OF FEE SIMPLE TITLE OF THE HEREIN DESCRIBED TRACT OF LAND AND HAS CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, DEDICATED ROADS AND EASEMENTS AS SHOWN ON THIS PLAT TO BE HEREAFTER KNOWN AS ROPER SUBDIVISION IN WITNESS WHEREOF I HAVE SET MY HAND.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2025

ALAN ROPER

**ACKNOWLEDGEMENT**

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2025, ALAN ROPER PERSONALLY APPEARED BEFORE ME THE SIGNER OF THE FOREGOING OWNER'S CERTIFICATE WHO DULY ACKNOWLEDGE TO ME THAT ALAN ROPER SIGNED SAID OWNER'S CERTIFICATE FREELY AND VOLUNTARILY FOR THE PURPOSE MENTIONED HEREON.

STATE OF UTAH )  
 COUNTY OF \_\_\_\_\_ )  
 RESIDING AT \_\_\_\_\_  
 MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

**FILLMORE CITY APPROVAL**

WE DO HEREBY CERTIFY THAT THIS PLAT FOR THE DEARDEN MINOR SUBDIVISION, WAS DULY APPROVED AND ACCEPTED BY FILLMORE CITY ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017

MAYOR _____	COUNCIL MEMBER _____
COUNCIL MEMBER _____	COUNCIL MEMBER _____
COUNCIL MEMBER _____	COUNCIL MEMBER _____
PUBLIC WORKS DIRECTOR _____	CITY ENGINEER _____
	ATTEST - CITY RECORDER _____

**RECOMMENDATION FOR APPROVAL**

CHAIRMAN, PLANNING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_

**ROPER SUBDIVISION**  
**MILLARD COUNTY**  
**UTAH**

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CLERK/RECORDER SEAL
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JOB IDENTIFIER: ROPER SUBPLAT  
 DRAWN BY: DARYL FRIANT      DATE: OCTOBER, 2025  
 CHECKED BY: REX FRIANT      DATE: OCTOBER, 2025

REVISED: \_\_\_\_\_ DATE: \_\_\_\_\_

NOTES:

FRIANT & ASSOCIATES  
 LAND SURVEYORS  
 ANNABELLA, UTAH 84711  
 PHONE: (435) 896-4604

SECTION 27 & 28, TOWNSHIP 21 SOUTH,  
 RANGE 4 WEST, S.L.B.&M.  
 MILLARD COUNTY

SURVEY LOCATION:

SURVEYED FOR ALAN ROPER  
 FILLMORE, UTAH

SURVEYED FOR:

