

When Recorded, Return to:  
Herriman City  
Attn: Kristi Peterson  
13011 South Pioneer Street  
Herriman, UT 84096

10708690  
05/21/2009 12:01 PM \$0.00  
Book - 9725 Pg - 7878-7885  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
HERRIMAN  
13011 S PIONEER ST  
HERRIMAN UT 84096

**HERRIMAN, UTAH**  
**ORDINANCE NO. 09-16**

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE ROSE BASIN ANNEXATION**

By: KLD  
8 p.

**WHEREAS**, the Herriman City Council ("*Council*") met in special session on May 7, 2009, to consider, among other things, annexing certain real property commonly known as the Rose Basin Annexation, and more particularly described on attached exhibit "A" ("*Property*"); and

**WHEREAS**, the owners of a majority and one-third of the value of the Property desire to annex the Property to the corporate limits of Herriman; and

**WHEREAS**, the owners constitute a majority of the private land area within the area proposed for annexation; and

**WHEREAS**, the owners constitute at least one-third of the value of all private real property within the area proposed for annexation; and

**WHEREAS**, the Property is an unincorporated area contiguous to the border of Herriman, and the annexation thereof will not leave or create an unincorporated island or peninsula; and

**WHEREAS**, the persons intending to file a petition for annexation filed a Notice of Intent with the City Recorder and sent a copy of the Notice of Intent to affected entities and submitted a written request to Salt Lake County to mail the "required notice."

**WHEREAS**, Salt Lake County mailed the required notice, and on or about March 13, 2009, Salt Lake County sent Herriman notice and certified that it had mailed the required notice to each owner of real property located within the area proposed to be annexed and to each owner of real property located within 300 feet of the area proposed to be annexed; and

**WHEREAS**, the owners of the Property submitted petitions for annexation ("*Petitions*") together with an accurate plat of the Property that was prepared by a licensed surveyor, copies of which were delivered to the Salt Lake County Clerk; and

**WHEREAS**, on or about April 3, 2009, the Council accepted the Petitions for further consideration; and

**WHEREAS**, on or about April 9, 2009, the City Recorder certified that the Petitions satisfied the statutory requirements and sent certificates of such to the Council, contact sponsors, and the Salt Lake County Commission.

**WHEREAS**, on or about April 30, 2009, the Council caused notice of the proposed annexation to be sent to all affected entities as required by state law; and

**WHEREAS**, on or about April 14, 2009, April 21, 2009 and April 28, 2009, the Council caused notice of the proposed annexation to be published in *The Salt Lake Tribune* and *Deseret Morning News*; and

**WHEREAS**, no protest were filed with the Salt Lake County Boundary Commission; and

**WHEREAS**, on or about May 8, 2009, notice of a public hearing regarding the proposed annexation was published in *The Salt Lake Tribune* and *Deseret Morning News*;

**WHEREAS**, on or about May 21, 2009, at 5:30 p.m., the Council held the required public hearing regarding the proposed annexation; and

**WHEREAS**, after public comment and careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the inhabitants of Herriman to annex the Property and to grant the Petitions.

**NOW, THEREFORE, BE IT ORDAINED** by the Council as follows:

1. Pursuant to UTAH CODE ANN. § 10-2-408, the Property is hereby annexed to Herriman, and the corporate limits of Herriman are hereby extended accordingly.
2. Notice of this enactment shall be given as required by law, including notice to affected entities indicating the effective date of the annexation.
3. A plat or map prepared by the licensed surveyor shall be filed with the County Surveyor.
4. A certified copy of this Ordinance and an original plat describing the Property so annexed shall be filed with the Salt Lake County Recorder's Office.
5. A certified copy of this Ordinance and plat or map and the documents required by UTAH CODE ANN. § 10-2-425 shall be filed with the Lieutenant Governor.
6. The documents required by UTAH CODE ANN. § 10-1-116 and 117 shall be filed with the Utah State Tax Commission.

The Property shall be zoned as equivalent to the Salt Lake County zones which is A.25 and A-1 and with the appropriate zoning conditions.

This Ordinance, assigned Ordinance No. 09-16, shall take effect immediately.

**PASSED AND APPROVED** this 21<sup>st</sup> day of May 2009.

HERRIMAN COUNCIL

By: *Michelle Facer-Baguley*  
Michelle Facer-Baguley, Mayor Pro Tempore

ATTEST:

*Kristi Peterson*  
Kristi Peterson, CMC  
City Recorder



VOTING:

J. Lynn Crane	ABSENT	
Jerry Walker	X Yea	___ Nay
Mike Day	X Yea	___ Nay
Michelle Facer-Baguley	X Yea	___ Nay
Matt Robinson	ABSENT	

926-1 (Doc. 29886)



## Annexation Description

Part of the Southeast Quarter of Section 33, T.3S., R.2W., S.L.B.M. and part of Sections 3 and 4, T.4S., R.2W., S.L.B.M. Beginning at the North Quarter Corner of said Section 4; thence as follows:

S 89°36'13" E 165.71 feet along the boundary of Hi - Country Estates Subdivision; thence  
N 00°01'12" W 578.95 feet along the boundary of Hi - Country Estates Subdivision to the South line  
of High Country Road; thence  
S 89°36'47" E 470.44 feet along said South line; thence  
N 00°14'52" E 50.00 feet to the North line of High Country Road; thence the following 5 courses  
being along said North line:  
S 89°36'47" E 685.78 feet;  
N 81°14'40" E 132.58 feet to a curve to the left;  
Northeasterly 50.61 feet along said curve (R=50.00', T=27.72', CH=48.48, CHB=N 52°14'40" E);  
N 23°14'40" E 28.94 feet to a curve to the left; Northerly 23.56 feet along said curve (R=15.00',  
T=15.00', CH=21.21, CHB= N 21°45'20" W) to the Southerly line of Herriman Highway  
also know as State Highway U-111; thence the following 2 courses being along said  
Southerly line:  
N 66°45'20" W 37.89 feet;  
N 58°00'20" W 154.01 feet; thence  
N 01°02'15" E 497.40 feet; thence  
S 89°46'45" E 1312.92 feet to the East line of said Section 33; thence  
S 00°00'40" E 1323.30 feet along said East line to the Southeast corner of said section 33; thence  
S 00°34'14" W 1349.95 feet along the East line of said section 4 to the South line of the North Half of  
the Northwest Quarter of said Section 3; thence  
S 89°25'46" E 990.00 feet along the said South line of the North Half of the Northwest Quarter of  
said Section 3 to the Northwest corner of Sedona Estates Annexation; thence  
S 00°34'14" W 629.86 feet along the West line of said Annexation to a point on the Herriman  
Highlands Annexation; thence the following 11 courses being along said Annexation:  
N 89°25'46" W 165.00 feet;  
S 00°34'14" W 264.00 feet;  
N 89°25'46" W 165.00 feet;  
S 00°31'14" W 17.50 feet;  
N 89°25'46" W 330.00 feet;  
N 00°34'14" E 23.68 feet;  
S 77°46'17" W 225.60 feet;  
S 00°34'14" W 376.87 feet;  
N 77°46'17" E 225.58 feet;  
S 00°34'14" W 25.31 feet;  
S 89°25'46" E 164.51 feet to the Northwest corner of Mascaro Annexation; thence  
S 07°53'08" W 769.20 feet along said Annexation to a point on the Southwest Annexation; thence  
the following 2 courses being along said Annexation:  
N 89°42'46" W 396.54 feet; thence  
S 00°34'07" W 1175.39 feet to the Northeast corner of the Herriman Rose Canyon Annexation;  
thence  
N 89°25'12" W 1309.25 feet along said Annexation; thence  
N 00°21'41" E 544.67 feet; thence  
N 89°47'47" W 1334.20 feet to a point on the extension of the East line of Hi - Country Estates  
Subdivision; thence  
N 00°28'53" E 4035.70 feet along said line to the point of beginning.

Area: 15,092,935 sq. ft. 346.49 acres



**Certification of Attached Ordinance**

Pursuant to UTAH CODE ANN. §10-2-425, I hereby certify that the attached ordinance with respect to annexation (together with the plat or map) is true and correct and was duly adopted by the Herriman City Council.

DATED this 21<sup>st</sup> day of May 2009.



HERRIMAN

By Kristi Peterson  
 Kristi Peterson, CMC  
 City Recorder

STATE OF UTAH            )  
   )ss.  
 COUNTY OF SALT LAKE )

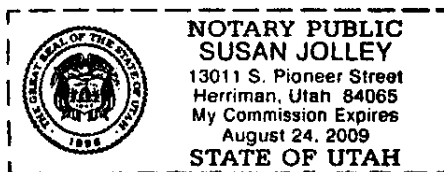
Personally appeared before me, the undersigned notary public, Kristi Peterson, City Recorder for Herriman, who signed the foregoing in my presence on the 20<sup>th</sup> day of May, 2009.

Susan Jolley  
 Notary Public  
 Residing at: \_\_\_\_\_

My Commission Expires:

August 24, 2009

JNB\H946






**Articles of Amendment  
to the  
Articles of Incorporation of Herriman**

The undersigned, as the mayor of Herriman, and pursuant to UTAH CODE ANN. § 10-2-425, hereby verifies and submits these Articles of Amendment to the Articles of Incorporation of Herriman.

The areas described on exhibit "A" attached hereto and by this reference incorporated herein have been annexed to Herriman and are included in the corporate boundaries of Herriman.

The undersigned hereby certifies that the amended articles have been approved by the municipal legislative body of Herriman.

Signed this 21<sup>st</sup> day of May 2009.

  
\_\_\_\_\_  
Mayor J. Lynn Crane

ATTEST:

  
\_\_\_\_\_  
Kristi Peterson, CMC  
City Recorder



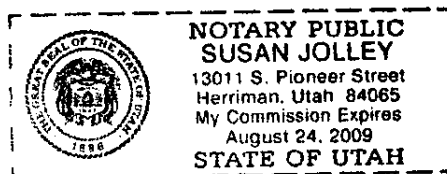
SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of May, 2009.

  
\_\_\_\_\_  
Notary Public  
Residing in: Salt Lake County, UT

My Commission Expires:

August 24, 2009

JNB/H951 (SW)





**Notice of Annexation Pursuant to  
UTAH CODE ANN. §10-1-116**


Pursuant to UTAH CODE ANN. §10-1-116, notice is hereby given of an annexation to the City of Herriman. The attached ordinance and plat delineates a metes and bounds description of the area annexed to the City of Herriman. Further, I hereby certify that all necessary legal requirements relating to the annexation have been completed.

DATED this 21<sup>st</sup> day of May 2009.

HERRIMAN

By   
Mayor J. Lynn Crane

ATTEST:

  
Kristi Peterson, CMC  
City Recorder



JNB/H948