



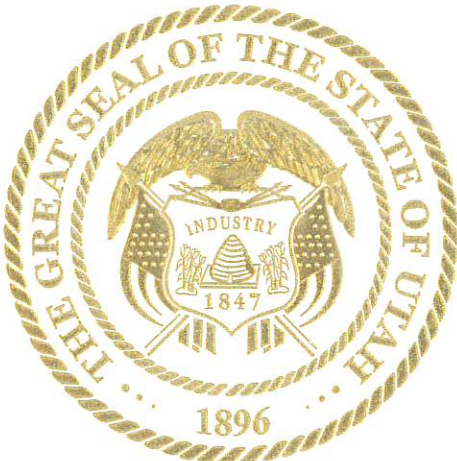
OFFICE OF THE LIEUTENANT GOVERNOR

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 PHIL E. SCHMIDT FAMILY LLC ANNEXATION, located in CEDAR CITY, dated APRIL 23, 2025, complying with §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 PHIL E. SCHMIDT FAMILY LLC ANNEXATION, located in IRON COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 5th day of May, 2025 at Salt Lake City, Utah.



A handwritten signature in black ink, reading "Deidre M. Henderson".

DEIDRE M. HENDERSON
Lieutenant Governor

Joining the Petition for the Annexation filed with Cedar City, January 14, 2025

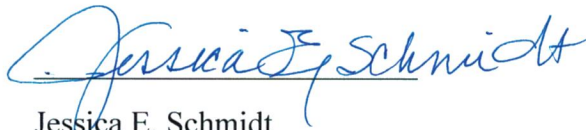
Re: See attached Warranty Deed

P and J Development

Owners:



Phil E. Schmidt



Jessica E. Schmidt

Notice:

- There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.
- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Cedar City. If you choose to withdraw your signature, you shall do so no later than 30 days after Cedar City receives notice that the petition has been certified.

STATE OF UTAH

COUNTY OF IRON

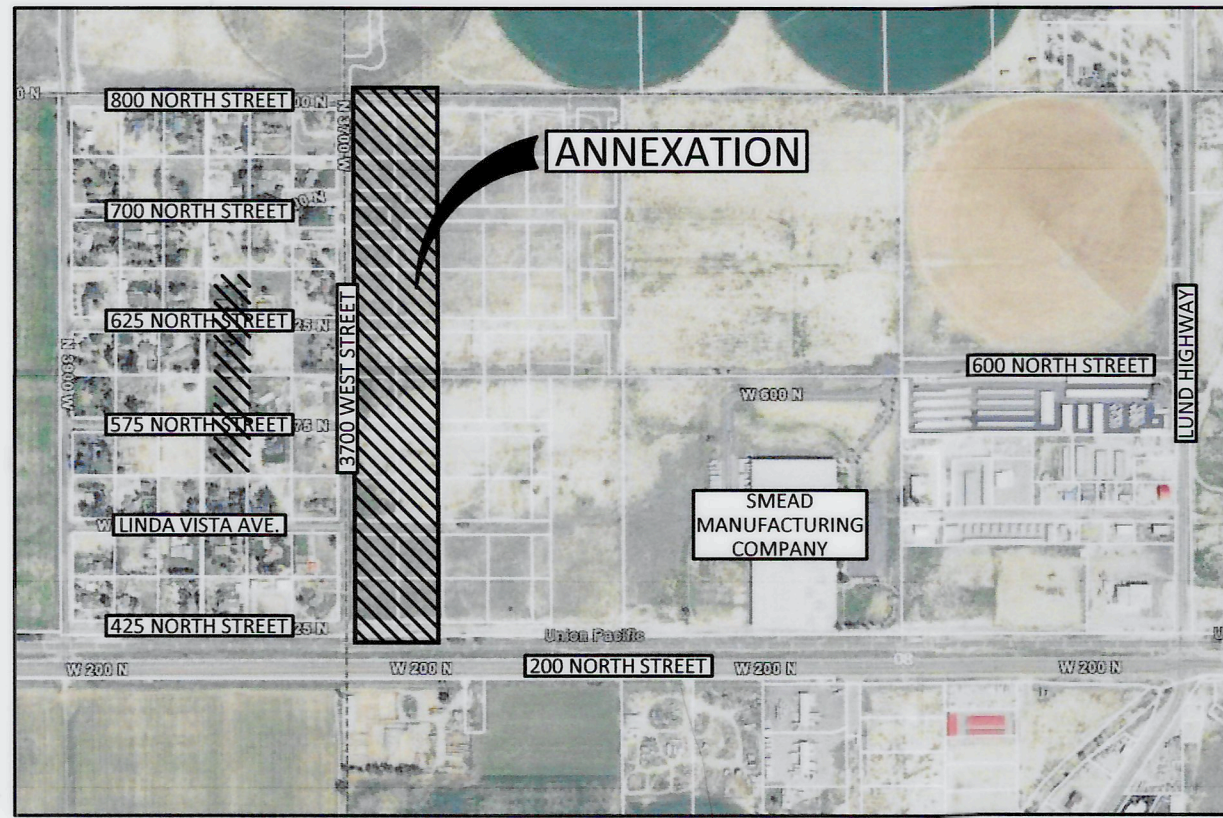
On this 31 of January, 2025, personally appeared Phil E. Schmidt and Jessica E. Schmidt, Managers of P and J Development, LLC, a Utah Limited Liability Company whose identity is personally known to me or proved on the basis of satisfactory evidence and who by me duly sworn or affirm, did say they are Managers of P and J Development, LLC a Utah Limited Liability Company and said document was signed by them on behalf of said Limited Liability Company by Authority of its Bylaws or Resolution of its Board of Directors, and said Managers acknowledged to me said Limited Liability Company executed the same.

Witness my hand and official seal



Notary Public





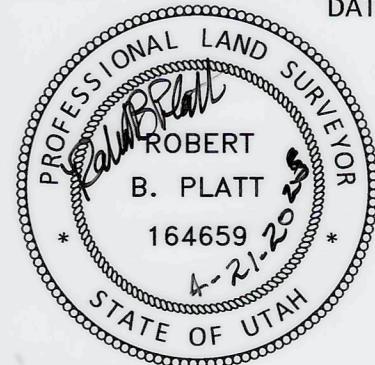
VICINITY MAP
N.T.S.

SURVEYOR'S CERTIFICATE:

I, ROBERT B. PLATT PROFESSIONAL UTAH LAND SURVEYOR NUMBER 164659, CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED UNDER MY DIRECTION AND THAT THIS PLAT PORTRAYS THE PHIL E. SCHMIDT FAMILY LLC PROPERTY TO BE ANNEXED TO CEDAR CITY CORPORATION.

Robert B. Platt
ROBERT B. PLATT
UTAH P.L.S. #164659

4-21-2025
DATE:



ANNEXATION BOUNDARY:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SLB&M; THENCE N.89°59'25"E. ALONG THE SECTION LINE 585.32 FEET, THENCE S.0°01'57"E. 2643.20 FEET TO THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 8, THENCE S.89°47'26"W. ALONG SAID QUARTER SECTION LINE 536.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 3700 WEST STREET, THENCE N.0°23'09"W. ALONG SAID RIGHT-OF-WAY LINE 2579.12 FEET, THENCE S.89°59'25"W. 33.12 FEET TO THE WEST LINE OF SAID SECTION 8, THENCE N.0°16'41"W. ALONG SAID SECTION LINE 66.00 FEET TO THE POINT OF BEGINNING.
CONTAINS 33.08 ACRES OF LAND.

LIST OF PROPERTY OWNERS & ACREAGE:

- PHIL E. SCHMIDT FAMILY LLC - 33.08 ACRES

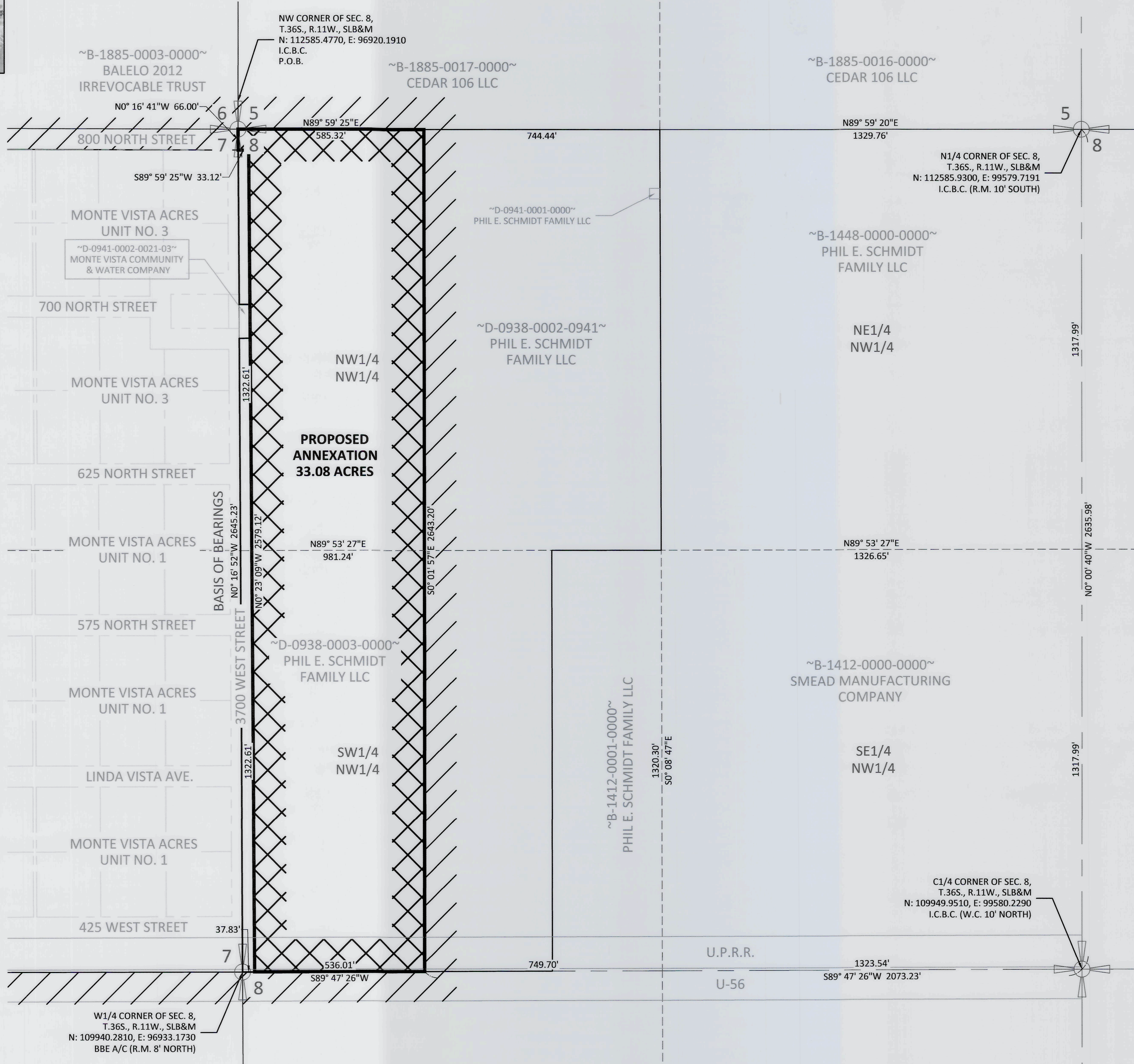
FLOOD PLAIN:

PROPERTY IS LOCATED IN FLOOD ZONE C, AREA OF MINIMAL FLOODING, SOURCE OF INFORMATION: FLOOD INSURANCE RATE MAP, CEDAR CITY, IRON COUNTY, UTAH, COMMUNITY PANEL NUMBER 490073 0725 B, EFFECTIVE DATE: JULY 17, 1986.

SERVICES AVAILABILITY:

- WATER: THERE IS NO WATER ACCESSIBLE TO THIS PROPERTY.
- SEWER: THERE IS SEWER ACCESSIBLE TO THIS PROPERTY (EXISTING SEWER MAIN ALONG U.P.R.R., NORTH SIDE OF U-56)
- DRAINAGE: THIS PROPERTY SLOPES WESTERLY.
- PROPOSED IMPROVEMENT UPGRADES: THESE WILL COME WITH THE PROPERTY DEVELOPMENT AND WILL BE UNDER THE REVIEW OF CEDAR CITY CORP.

ANNEXATION MAP FOR PHIL E. SCHMIDT FAMILY LLC WITHIN THE NW1/4 OF SECTION 8, T. 36 S., R. 11 W., SLB&M IRON COUNTY, UTAH



DEPUTY IRON COUNTY SURVEYOR APPROVAL:

I, HEREBY CERTIFY THAT I HAVE EXAMINED AND APPROVE THIS ANNEXATION PLAT.

4/22/2025
DATE: *Cheryl Folbert*
DEPUTY IRON COUNTY SURVEYOR

CEDAR CITY ENGINEER'S APPROVAL:

I, HEREBY CERTIFY THAT I HAVE EXAMINED AND APPROVE THIS ANNEXATION PLAT.

4/22/2025
DATE: *Mark R. [Signature]*
CITY ENGINEER

PLANNING COMMISSION APPROVAL:

THIS ANNEXATION PLAT HAS BEEN APPROVED BY THE CEDAR CITY PLANNING COMMISSION AND IS HEREBY RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL ON THIS THE 23 DAY OF April, 2025.

Adam H. [Signature]
CHAIRPERSON

CEDAR CITY COUNCIL APPROVAL:

THIS ANNEXATION PLAT HAS BEEN APPROVED BY THE CEDAR CITY COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE IRON COUNTY RECORDER THIS 23 DAY OF April, 2025.

Mayor [Signature]
MAYOR
Renon Savage
ATTEST CITY RECORDER
RENON SAVAGE



LEGEND:

- ANNEXATION AREA
- CEDAR CITY CORP. BOUNDARY

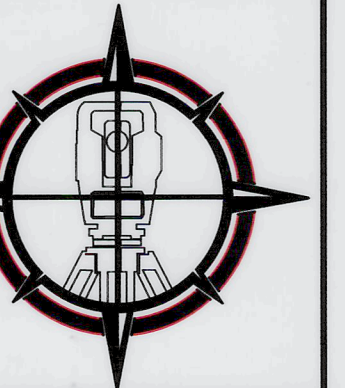
CERTIFICATE OF RECORDING:

I, CARRI JEFFRIES, COUNTY RECORDER OF IRON COUNTY, UTAH, DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS THE _____ DAY OF _____, 2025.

IRON COUNTY RECORDER
BOOK: _____ PAGE: _____
ENTRY NO. _____ FEE: _____

RECORDED AT THE REQUEST OF: _____

PLATT & PLATT, INC.
CONSULTING
CIVIL ENGINEERS
&
LAND SURVEYORS
195 N. 100 E.
CEDAR CITY, UT 84720
TEL: (435) 586-6151
FAX: (435) 586-8567
EMAIL: PLATT@INFOWEST.COM



REVISION	DATE	DESCRIPTION

ANNEXATION MAP FOR
PHIL E. SCHMIDT FAMILY LLC
WITHIN THE NW1/4 OF SECTION 8, T. 36 S., R. 11 W., SLB&M
IRON COUNTY, UTAH

DRAWN BY:
H.K. HULET
CHECKED BY:
R.B. PLATT
DATE: Dec 12, 2024
SCALE: 1" = 200'

Received. 1/14/2025
RB.

PETITION FOR ANNEXATION

TO THE CITY RECORDER OF CEDAR CITY, MUNICIPAL CORPORATION OF THE
STATE OF UTAH:

The Petition of the undersigned owners of real property hereinafter more particularly described, do hereby present this Petition for Annexation of the said real property into the corporate limits of the City of Cedar City, Utah, and respectfully represent as follows:

1. That they are the owners of the real property in the territory lying contiguous to the present corporate limits of the city of Cedar City, in Iron County, State of Utah.
2. That the undersigned Petitioners constitute a majority of the owners of the said real property, and at least 1/3 of the value of all private real property within the area proposed for annexation, and that they desire to have such property annexed to the City of Cedar City, Utah and become a part thereof.
3. That attached hereto is an accurate plat or map of such territory to be so annexed, showing that such territory to be so annexed does actually lie contiguous to such existing boundaries of the city of Cedar City, Utah, and which plat or map has been prepared by Platt and Platt, Inc.

, competent and duly licensed engineers and surveyors.
4. That the territory to be so annexed is shown on the annexation plat attached hereto and is more particularly described as follows:

(MUST ATTACH LEGAL DESCRIPTION AS EXHIBIT "A")

5. The petitioner designated as the contact sponsor is Phil Schmidt
, at 1009 Tamarisk Circle, Cedar City, Utah.

WHEREFORE, your Petitioners request that the members of the City Council of the city of Cedar City, Utah accept the petition for further consideration and take appropriate action thereby declaring the annexation of such territory and real property and the extension of the corporate limits of the city of Cedar City, Utah, accordingly.

DATED this 9th day of January, 2025.

Zachary Schmidt

(Please sign your name)

Zachary Schmidt

(Please print your name and the capacity in which you sign)

(Please sign your name)

(Please print your name and the capacity in which you sign)

"Notice"

- There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified."

EXHIBIT A

BEGINNING AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SLB&M; THENCE N.89°59'25"E. ALONG THE SECTION LINE 585.32 FEET, THENCE S.0°01'57"E. 2643.20 FEET TO THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 8, THENCE S.89°47'26"W. ALONG SAID QUARTER SECTION LINE 536.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 3700 WEST STREET, THENCE N.0°23'09"W. ALONG SAID RIGHT-OF-WAY LINE 2579.12 FEET, THENCE S.89°59'25"W. 33.12 FEET TO THE WEST LINE OF SAID SECTION 8, THENCE N.0°16'41"W. ALONG SAID SECTION LINE 66.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 33.08 ACRES OF LAND.

EXHIBIT A

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CONTAINS 33.08 ACRES OF LAND.



CEDAR CITY ORDINANCE NO. 0409-25-3

AN ORDINANCE OF THE CEDAR CITY COUNCIL ANNEXING APPROXIMATELY 33.08 ACRES OF PROPERTY LOCATED IN THE VICINITY OF 600 NORTH AND 3700 WEST INTO THE CORPORATE LIMITS OF CEDAR CITY, UTAH.

WHEREAS, a petition to annex property being duly filed and after being amended, the property owners in the petition having been duly verified. Public hearings having been duly published and held and Cedar City having received input from neighboring property owners. A map showing the property proposed for annexation is attached as Exhibit A; and

WHEREAS, the Property is approximately 33.08 acres in size and is located in the vicinity of 600 North and 3700 West. The legal description of the property is attached as Exhibit B; and

WHEREAS, the Property is included within the Cedar City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, the Planning Commission, after proper notice, conducted a public hearing, and voted to forward a positive recommendation for this proposed annexation to the City Council; and

WHEREAS, the annexation application and submittal documents are deemed complete; and

WHEREAS, the Cedar City Council previously accepted the petition for annexation; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403(2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, the City Recorder had public notice posted pursuant to Utah State law, giving notice that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests were received as defined by Utah Code Annotated 10-2-407(1) within the 30-day protest period; and

WHEREAS, an Annexation Memorandum of Understanding for the Availability and Providing of City Services, sets forth further terms and conditions of the Annexation, is herein included as Exhibit C; and

NOW THEREFORE BE IT ORDAINED by the City Council of Cedar City, State of Utah, that the Property is hereby annexed into the corporate limits of Cedar City, Utah. The Property so annexed shall enjoy the privileges of Cedar City and shall be subject to all City levies and assessments. The Property shall be subject to all City laws, rules and regulations upon the effective date of this ordinance, or as may be lawfully amended. The property shall be zone Industrial and Manufacturing (I&M-1).

This ordinance, Cedar City Ordinance No. 0409-25-3, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Phillips – Aye

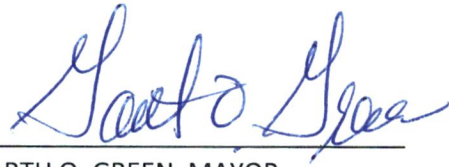
Melling – Aye

Riddle – Aye

Cox – Aye

Wilkey – Aye

Dated this 15 day of April 2025.



GARTH O. GREEN, MAYOR

[SEAL]



ATTEST:


RENON SAVAGE, RECORDER

Exhibit A

Cedar City Ordinance 0409-25

- Annexation Ordinance 600 N 3700 W -

Exhibit B

Cedar City Ordinance 0409-25

- Annexation Ordinance 600 N 3700 W -

LEGAL DESCRIPTION - GENERAL PLAN & ZONE CHANGE BOUNDARY:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SLB&M; THENCE N.89°59'25"E. ALONG THE SECTION LINE 585.32 FEET, THENCE S.0°01'57"E. 2643.20 FEET TO THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 8, THENCE S.89°47'26"W. ALONG SAID QUARTER SECTION LINE 536.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 3700 WEST STREET, THENCE N.0°23'09"W. ALONG SAID RIGHT-OF-WAY LINE 2579.12 FEET, THENCE S.89°59'25"W. 33.12 FEET TO THE WEST LINE OF SAID SECTION 8, THENCE N.0°16'41"W. ALONG SAID SECTION LINE 66.00 FEET TO THE POINT OF BEGINNING.
CONTAINS 33.08 ACRES OF LAND.

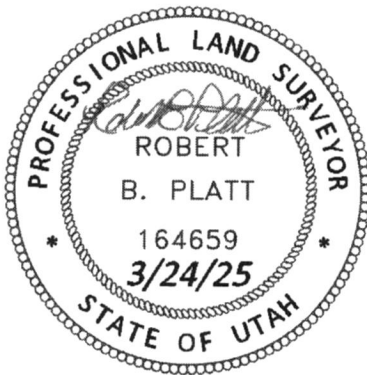


Exhibit C

Cedar City Ordinance 0409-25

- Annexation Ordinance 600 N 3700 W -

ANNEXATION
MEMORANDUM OF UNDERSTANDING
FOR
THE AVAILABILITY AND PROVIDING OF CITY SERVICES

ANNEXATION NAME: Schmidt Annexation

ANNEXATION AREA: 600 North and 3700 West

ANNEXATION LOCATION: Located in the NW $\frac{1}{4}$, Section 8, Township 36 South, Range 11 West, Salt Lake Base & Meridian.

This memorandum of understanding describes the availability and requirements to provide the basic City services to the Annexation Area. It is clearly understood that this is a general statement of the availability and requirements to provide services relative to this annexation area. Cedar City Corporation may require additional improvements in the process of the development and reserves the right to do so.

DESCRIPTION OF SERVICES

1. WATER: There is an existing 8-inch City water main in 800 North Street. The developer will extend this water line to the annexation area.
2. SEWER: There is a 8-inch sewer line in 600 North Street. Future development will likely need to connect to the sewer in 600 North to a manhole located at approximately 425 North and 3700 West.
3. DRAINAGE: The developer will install a storm drain line and construction a retention pond at approximately 425 North and 3700 West.

ACCESS: The annexed property will have direct access to 600 North Street.

- 4.
5. FIRE: All development shall conform to the currently adopted International Fire Code and International Building Code. Fire apparatus access roads shall be provided and maintained. Required access roads shall extend to within 150 feet of all portions of buildings and all exterior walls as measured by an approved route around the exterior of buildings hereafter constructed. Security gates across fire department access roads shall be approved by the fire code official and shall have an approved means of emergency operation. The grade of fire department access roads shall not exceed 10 percent. An approved water supply capable of supplying the required fire flow shall be provided.

Developments within Cedar City's designated Wildland Urban Interface areas shall conform to the Utah Wildland Urban Interface Code as adopted by Cedar City Corporation.

Developments located outside of a 5-mile radius from a City fire station may be classified as class 10-unprotected, by the Insurance Services Office (ISO).

While the fire department will provide fire protection in such areas, insurance rates are likely to be greater than those located within the city's ISO class 4 protection classification.

6. POLICE: The annexed property is within the area presently served by the Cedar City Police Department.

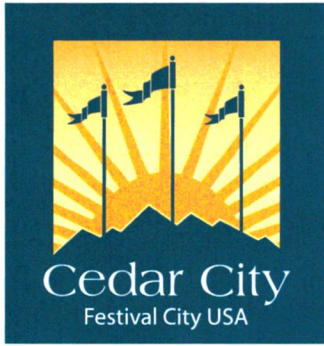
APPROVALS:

Mike Shurtz
CEDAR CITY FIRE DEPARTMENT

Darin M. Adams
CEDAR CITY POLICE DEPARTMENT

A. J. Benson
CEDAR CITY ENGINEERING DEPARTMENT

Robert E. Schmitt
PROPERTY OWNER



Cedar City

10 North Main Street • Cedar City, UT 84720
435-586-2950 • FAX 435-586-4362
www.cedarcity.org

Mayor

Garth O. Green

Council Members

Robert Cox
W. Tyler Melling
R. Scott Phillips
Ronald Riddle
Carter Wilkey

City Manager

Paul Bittmenn

April 23, 2025

The Honorable Deidre M. Henderson
Utah Lieutenant Governor
Utah State Capital Complex
Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action – Phil E. Schmidt Family LLC(2) (600 North 3700 West)

Dear Lt. Governor Henderson:

In accordance with the terms of UCA §10-2-425 and UCA §67-1a-6.5 please accept this notice that Cedar City has passed an ordinance annexing approximately 33.08 acres of land into its municipal boundaries. Included herewith are duly executed copies of Cedar City's annexation ordinance and a copy of the final plat map. Please note that a previous annexation under the same name was approved by your office on September 30, 2024. This annexation is for additional property directly to the west of the previously approved annexation.

Please accept this signed and verified statement certifying that all requirements applicable to this annexation have been completed. Please issue to Cedar City the appropriate certificate regarding this annexation.

If you have any questions or need anything, please contact me.

Sincerely,

Randall K McUne
Cedar City Attorney