

Criteria for Evaluating Proposal for a CIMPA

The County Advisory Board has submitted its report and recommendation, a copy of which is attached, regarding Interstate Rock's request for approval of a Critical Infrastructure Materials Protection Area (CIMPA). This report and recommendation will be on the agenda of the next city council meeting on June 18, 2025 for review and discussion. Also on that same meeting agenda for review and discussion will be the report and recommendation from the Planning Commission, which will not be finalized until June 17, 2025.

Before making a final determination, the city council will need to hold a public hearing, provide notice of the date, time and place of a public hearing on the matter. That public hearing is tentatively set for July 16, 2025. At the public hearing, the city council will continue its review of the recommendations and also receive input from the public. Following the public hearing, the city council will then make a final determination as to whether the CIMPA should be approved, approved with changes, or rejected.

In order to withstand any challenge in court, any decision made by the City Council must be "reasonably debatable" and not "arbitrary, capricious or illegal" as determined from all relevant information contained in the record/minutes of our meetings. What that means in practical terms is that city council members should begin building a good record by having discussions that center on each of the following points. After all discussion is completed, both pro and con, a motion to approve, approve with modifications, or reject the application, together with "findings" supporting the motion, should be articulated and made a part of the record.

Here are the 5 criteria, or points, as set forth in the Utah Code, that the city council should discuss in making its final determination:

1. Whether or not the land is currently being used for critical infrastructure materials operations,
2. Whether or not the land is zoned for critical infrastructure materials operations,
3. Whether or not the land is viable for critical infrastructure materials operations,
4. The extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations, and
5. Anticipated trends in technological conditions applicable to the critical infrastructure materials operations of the land in question.

Critical Infrastructure Materials Protection Areas

(UCA 17-41-101 et. seq.)

Vested Critical Infrastructure Materials Use

(HB 355 / UCA 10-9a-901 et. seq.)

<u>17-41-301(b)</u>: creation of CIMPA is a legislative act <u>17-41-304(3)</u>: City Council can approve, modify and approve, or deny application <u>17-41-304</u>: After receiving recommendations from Planning Commission and County Advisory Board, City Council must give 7 days public notice and hold a public hearing before taking final action on application for CIMPA <u>17-41-304</u>: City Council must approve, modify and approve, or deny application for CIMPA within 120 days after receipt of application (4/4/25) <u>17-41-305</u>: Criteria to be applied in evaluating a proposal for the creation of a protection area: In evaluating a proposal and in determining whether or not to create or recommend the creation of a critical infrastructure materials protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria: (1) whether or not the land is currently being used for critical infrastructure materials operations; (2) whether or not the land is zoned for critical infrastructure materials operations; (3) whether or not the land is viable for critical infrastructure materials operations; (4) the extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations; and (5) anticipated trends in technological conditions applicable to the critical infrastructure materials operations of the land in question <u>17-41-402, 403 and 405</u>: Protections accompanying CIMPA approval 1. The City is required to encourage the continuity, development, and viability of critical infrastructure materials operations by not enacting a local law, ordinance, or regulation that would unreasonably restrict	<u>10-9a-901(8)</u>: To qualify as a vested critical infrastructure materials use, the use must be an "existing legal use." <u>10-9a-903</u>: Rights granted to critical infrastructure material operators with respect to vested critical infrastructure materials uses, <u>regardless of whether a CIMPA is approved or not</u>, include: Notwithstanding a political subdivision's prohibition, restriction, or other limitation on a critical infrastructure materials use adopted after the establishment of the critical infrastructure materials use, including with respect to that existing legal use, the right to: 1. progress, extend, enlarge, grow, or expand the vested critical infrastructure materials use to any contiguous land that the critical infrastructure materials operator owns or controls before May 7, 2025 2. expand, after notice and hearing, the vested critical infrastructure materials use to new land that is contiguous land to the surface or subsurface land on which the critical infrastructure materials operator has a vested critical infrastructure materials use, including the surface or subsurface land, unless the City finds by the preponderance of the evidence on the record that the expansion to new land will endanger the public health, safety and welfare 3. Use, operate, construct, reconstruct, restore, extend, expand, maintain, repair, alter, substitute, modernize, upgrade, and replace equipment, processes, facilities, and buildings on any surface or subsurface land that the critical infrastructure materials operator owns or controls before May 7, 2025. 4. On any surface or subsurface land that the critical infrastructure materials operator owns or controls before May 7, 2025: a. increase production or volume b. alter the method of extracting or processing, including with respect to the vested use, the right to stockpile or hold in reserve
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critical infrastructure materials extraction operations unless the law, ordinance, or regulation bears a direct relationship to public health or safety

2. The City may not adopt, enact, or amend an existing land use regulation, ordinance or regulation that would prohibit, restrict, regulate, or otherwise limit critical infrastructure materials operations, including vested critical infrastructure materials operations as defined in Utah Code 10-9a-903

3. The City shall ensure that any of the City's laws or ordinances that define or prohibit a public nuisance exclude from the definition or prohibition any critical infrastructure materials operations on the land within the critical infrastructure materials protection area that is consistent with sound practices applicable to the critical infrastructure materials operations, unless that use bears a direct relationship to public health or safety.

4. For any new subdivision development located in whole or in part within 1,000 feet of the boundary of a critical infrastructure materials protection area, the owner of the development shall provide notice on any plat filed with the county recorder the following notice:

"Critical Infrastructure Materials Protection Area.

This property is located in the vicinity of an established critical infrastructure materials protection area in which critical infrastructure materials operations have been afforded the highest priority use status. It can be anticipated that such operations may now or in the future be conducted on property included in the critical infrastructure materials protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal critical infrastructure materials operations."

5. Imposition of additional procedures before exercising the right of eminent domain with respect to property within a protection area.

6. No change in zoning of the area within a CIMPA without written consent of all critical infrastructure materials operators operating with the protection area

critical infrastructure materials, to recycle, and to batch and mix concrete and asphalt*, and

c. extract or process a different or additional critical infrastructure material

5. For any new subdivision development located in whole or in part within 1,000 feet of the boundary of a vested critical infrastructure materials operation, the owner of the development shall provide notice on any plat filed with the county recorder the following notice:

"Vested Critical Infrastructure Materials Operations

This property is located in the vicinity of an established vested critical infrastructure materials operations in which critical infrastructure materials operations have been afforded the highest priority use status. It can be anticipated that such operations may now or in the future be conducted on property included in the critical infrastructure materials protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience that may result from such normal critical infrastructure materials operations."

*Note that a concrete batch plant or asphalt plant are not vested uses because they are not an "existing legal use"

17-41-307: Twenty (20) Year Review.

In the 20th year after its creation, the City Council shall review a previously approved CIMPA, and, after receiving recommendations from Planning Commission and Advisory Board, hold a public hearing to determine if the CIMPA should be continued, modified or terminated.

Advisory Board Memorandum of Conclusions and Recommendations

Critical Infrastructure Materials Operation of Interstate Rock Products, Inc. (“Interstate”) Proposal to Create a Critical Infrastructure Materials Protection Area (the “Proposal”)

**La Verkin City, Washington County, Utah
Date: June 10, 2025**

Proposed CIMPA Properties Limited to: Parcel Nos. LV-160-A-N-SA, LV-3-1-13-4200, LV-174-A-4, and LV-174-A-5; totaling approximately 116.3 acres (the “CIMPA Property”)

I. Introduction

Interstate has submitted its Proposal for a Critical Infrastructure Materials Protection Area (CIMPA) to La Verkin City. Pursuant to Utah Code Ann. § 17-41-201(1), an Advisory Board has been created by Washington County, Utah to provide expert advice regarding the proposed CIMPA.

II. Advisory Board Members

Kirk Thornock
Victor Iverson
Todd Edwards
Phil Schmidt
Mark Owens

III. Duties of the Advisory Board

The duties of the Advisory Board are outlined in Utah Code Ann. § 17-41-201(3). The evaluation criteria used by the Advisory Board are outlined in Utah Code Ann. § 17-41-305. Additionally, the Advisory Board is tasked with analyzing and evaluating the objections to the Proposal in accordance with Utah Code Ann. § 17-41-303(2)(b).

IV. Evaluation Criteria Analysis to Determine Whether to Recommend Creation of a CIMPA

A. Current Use of the Land

The land proposed for inclusion in the CIMPA is **currently used for a critical infrastructure materials operation**. Interstate purchased the CIM area around August, 1994. Historical maps of the area also show Interstate had an active operation on the Property dating back prior to 2004 supported by historical maps in the area. See EX A, attached. The current operations include extraction, excavation, processing, and reprocessing of sand, gravel, rock aggregate, and landscape rock in commercial quantities (the "CIM operation"). Interstate has maintained continuous CIM operations on the site for decades supporting local infrastructure development, public works projects, private residential and commercial development projects, and roadway construction throughout Washington County and the surrounding areas.

B. Zoning Status

The CIMPA Property is **not currently zoned for industrial use or extraction of sand and gravel** under the current zoning regulations in the City of La Verkin because of its history. In 2003 the Property was disconnected from the Town of Toquerville and annexed into the City of La Verkin. See, EX B, attached. The area of the existing CIM operation was accepted into the City of La Verkin as an existing operation into a R-A-1 zone because La Verkin did not have an Industrial or Mining and Gravel zoning designation. The zoning designation is a residential agriculture zone with minimum lot sizes of ½ acre. **Due to the disconnection from Toquerville and annexation into La Verkin, the current use of the Property as a CIM operation is existing, nonconforming in the R-A-1 zone.**

C. Viability for Critical Infrastructure Materials Operations

Based on subsurface exploration performed by Interstate, and its operational history, the CIMPA Property is **highly viable for continued and future critical infrastructure materials operations**. Studies indicate sand layers 20-30 feet deep, and gravel deposits in excess of 60-100 feet deep. The sand, gravel, rock aggregate, and landscape rock at the site are commercially valuable and accessible with current technology and practices. The topography and proximity to transportation corridors, including nearby access to State Road 17, Interstate 15, and other local, state federal roadways, support efficient operation and distribution. There is no known impediment to the long-term viability of the site for these purposes.

D. Existing and Proposed Improvements

The site currently includes extraction equipment, material handling, processing equipment, crushers, conveyors, screens, haul roads, and administrative facilities supporting the CIM operations. Interstate has proposed additional improvements to enhance the CIM operation and increase efficiency. It has not proposed changing the type or nature of the CIM operation.

Additionally, Interstate proposes to continue to comply with local, state, and federal law regarding:

- Dust control and mitigation
- Full time water truck and sprayers by aggregate production
- Storm water management (Storm Water Pollution Prevention Plan and Best Management Practices)
- Hours of operation

Interstate has expressed a commitment to long-term operational stability, environmental mitigations, and compatibility with surrounding land uses. Interstate shall continue to meet all legal requirements including State DEQ, Federal EPA, and MSHA silica testing standards.

V. Evaluation of Proposal for Establishment of Critical Infrastructure Materials Protection Area and Recommendations of the Advisory Board

After comprehensive evaluation, the Advisory Board submits this recommendation concerning the proposal to designate the Property as a Critical Infrastructure Materials Protection Area. The Advisory Board recommends granting the CIMPA over the following properties: Parcel Nos. LV-160-A-N-SA, LV-3-1-13-4200, LV-174-A-4, and LV-174-A-5; totaling 116.3 acres, as proposed by Interstate. See EX C, attached.

The Advisory Board **recommends approval** of the proposed CIMPA, with the conditions set forth herein, for the following reasons:

- The CIM operation provides essential materials for regional roadways, residential and commercial development, and it supports construction of large, underground utility and infrastructure projects.
- The site's geological suitability, transportation access, and location relative to projected growth corridors in Washington County enhance its strategic value.
- There are limited aggregate resources in Washington County, and this site provides a much needed resource.
- The site is centrally located to serve the needs of critical infrastructure materials in the eastern part of Washington County.
- Establishing a CIMPA will allow long-term continuity of this critical use, and the recommended conditions will mitigate the impacts on residential and other development nearby.
- The property is suitable for reclamation as future housing. This matches the existing zoning for the property.

A. Desirability of the Proposal

The proposal is highly desirable, particularly due to its critical role in supporting key sectors in Washington County:

- **Transportation Infrastructure:** Aggregates produced by this operation are used in borrow materials, road base, concrete production, and asphalt production. With major transportation expansions planned in the county (e.g., SR-7, SR-9, Sheep Bridge Road, Big Plains Road, Kolob Terrace Road, and SR-59 corridors), local supply reduces cost and transport time to sites in Washington County and adjacent jurisdictions. This also reduces wear and tear on existing roads by reducing the length that materials need to be transported.
- **Residential and Commercial Development:** As Washington County experiences rapid population growth, sand, gravel, rock aggregate, and landscape rock are necessary for concrete foundations, grading, utility trenching, and landscaping.
- **Public Utilities and Pipelines:** Local gravel supports trench backfill, pipeline bedding, and access road development for water, water storage, sewer, gas, and broadband infrastructure.
- **Suitability:** Aggregate suitability of this source for construction materials is unique in Washington County.

Approving the CIMPA ensures a stable, long-term source of these critical materials, reducing haul distances, lowering environmental impact, and supporting cost-effective development.

B. Nature of Critical Infrastructure Materials Operations Within the Proposed CIMPA Property

The operation includes:

- Open-pit extraction of naturally occurring sand, gravel, aggregate, and rock deposits.
- Processing involving screening, crushing, washing, and stockpiling.
- On-site logistics including weigh scales, loading, haul routes, fuel and equipment storage, and office.
- Environmental controls to manage overburden, storm water runoff, dust, and emissions.

C. Relation of Operation to the County as a Whole

The operation's contributions to Washington County and the region include:

- Supporting regional infrastructure including transportation, water, sewer, and communications projects.
- Reducing trucking costs associated with importing materials from other counties in Utah or other jurisdictions like Arizona or Nevada.
- Supplying public and private development sectors amid sustained growth in St. George, Hurricane, and surrounding communities in the eastern portion of Washington County. Multiple large development projects are currently in the planning and development stages proximate in location to the CIMPA, including Firelight in Toquerville, Grapevine in Leeds, Solara in Washington County, and many others.

According to the Kem C. Gardner Policy Institute the annual growth rate in Washington County in 2021 equaled 4.02% with a total population of 189,432. If projected growth rates are realized,

Washington County will gain 65,018 new residents between 2020 and 2030, and 282,212 new residents between 2020 and 2060. The projected population increase of 65,018 new residents between 2020 and 2030 is significant because it will require additional construction and infrastructure capacity. The 95,990 additional households will need a place to live.

Failure to approve this CIMPA could place significant strain on future development timelines and public budgets by increasing dependence on long-haul sourcing of critical infrastructure materials. Long-haul sourcing contributes to project costs, increased traffic, roadway wear and tear, and increased emissions.

D. Permitted Operations Within the CIMPA

The Advisory Board recommends the following activities be continued and authorized within the CIMPA:

1. Extraction and processing of sand, gravel, associated aggregates, and landscape rocks.
2. Material stockpiling, crushing, and washing facilities.
3. Transportation and access infrastructure, including internal haul routes and staging areas.
4. Water and environmental management systems, including sediment ponds, storm water systems, and dust suppression mechanisms.
5. Administrative and office facilities, including safety and training areas.
6. Material and overburden storage.
7. Progressive reclamation and site reclamation activities.

To ensure protection of nearby uses, the Advisory Board also recommends adoption of its conditions as part of approval of the CIMPA, as set forth herein, to mitigate the impact of the CIM operation on the residents and the public.

VI. Recommended Conditions of the CIMPA

While the CIM operation is essential, care must be taken to protect nearby longstanding, newly constructed, and planned residential areas. It is the responsibility and duty of Interstate to show compliance with the CIMPA conditions, and allow periodic inspections, or as deemed necessary by the City during reasonable hours, to verify compliance. The Advisory Board recommends that the following conditions be incorporated as part of approval of the CIMPA:

A. Dust Suppression

- Full time use of water trucks and sprinklers on haul roads and material stockpiles during operations and as needed to prevent fugitive dust.
- Chemically stabilizing access roads to reduce airborne particulates as needed.
- Increasing dust monitoring and mitigation with necessary staff on non-operational days.
- Future upgrades by enclosing or spraying of conveyors or processing points to limit dust spread. By 2030, all conveyor belts shall have conveyor enclosures, or water or chemical spray bars in operation during processing.

- Use track pads or other methods to track all dust, dirt, and mud on the CIMPA and not on public roadways. Promptly clean track events on public roadways if they occur.

B. Noise Control

- Current use of natural topography to block sound transmission toward neighborhoods, acknowledging sound-blocking topography will change in the CIMPA over time especially to the west.
- Routine maintenance of equipment to ensure mufflers and sound-dampening components are functioning.
- Future equipment upgrades with noise mitigation features in accordance with sound business practices in this region for the industry as equipment technology becomes more efficient and quieter.

C. Visual Buffers, Operational Hours, and Safety

- Interstate to maintain a 2:1 slope or flatter with all adjacent properties during CIM operations and at cessation of CIM operations. Maintain natural topography, or a relatively flat five-foot setback area before beginning the engineered and designed slope. This will protect fencing, natural topography, and other structures on adjacent properties from becoming unstable due to the CIM operations. Provide engineering analysis for slope stability, and comply with all MSHA requirements regarding berming and cut and fill slopes.
- Operational hours limited to 7:00 a.m. to 7:00 p.m. and limited to weekdays (no holidays).
- Rockfall netting or barriers at vulnerable boundary areas is required.
- All unused or inoperable equipment or vehicles shall be removed from the CIMPA on an ongoing basis. No onsite storage or disposal of inoperable equipment or vehicles, junk, trash, or construction debris.
- Maintain the natural terrain and vegetation in the existing wash to provide a visual feature and buffer to the CIM operation currently enjoyed by the proximate residents.

D. Prepare, Obtain Approval from La Verkin City, and Comply with a Reclamation and Rehabilitation Plan

- The Reclamation and Rehabilitation Plan (the "Plan") shall provide for responsible phasing of extraction using sound business practices to limit the exposed surface area of the CIM operation at any one time. Disturbance shall be limited by the phases in the Plan with reclamation and rehabilitation required by phase. A new phase may begin while the old phase is being rehabilitated (for a total of two phases being disturbed at one time). Rehabilitation and reclamation of a phase shall not take longer than two years.
- Comply with details in the Plan, which may include, but not be limited to, stabilizing of slopes, regrading of stockpiles and overburdens, removal of all waste or contamination, controlling erosion, storm water pollution prevention, topsoil replacement, revegetation, dust control, or any other management to keep the site from becoming a nuisance.

- The Plan shall require removal of any water or drainage that could pool, stagnate, flood onsite or offsite, or contaminate ground water.
- Natural topography, drainage, and vegetation in the existing natural wash running adjacent to the south and southwest of the CIM Property (EX C) shall be maintained throughout the CIM operation and during the reclamation and rehabilitation phases.
- Provide a bond or cash escrow to assure performance of each phase of the Plan satisfactory to La Verkin City. As one phase of the reclamation and rehabilitation is complete, the performance assurance can be used for the next phase. The amount of the performance assurance shall be 100% of the total estimated cost of rehabilitation, reclamation, and post-closure upon satisfactory City inspections. The cost estimate shall be submitted by Interstate and verified as accurate by La Verkin City.
- Failure to comply with the Plan in each phase is grounds for denial or non-renewal of any City permit or business license, and other remedies per City ordinances.

E. No Asphalt Mixing or Batch Plant

- Due to the proximity of the CIMPA to longstanding, new, and planned residential development, the Property is not suitable for asphalt production, mixing, or batching. Other facilities of this type exist in the region and are proximate to this CIMPA.

F. Roadways and Access

- Maintain existing access to the CIMPA Property with the primary access being on Main Street in La Verkin to SR 9. This access was constructed to a standard that is better able to withstand the truck traffic. Avoid roadway accesses through other subdivisions or residential developments on 740 North or Grand Teton Street. Public roadway connections shall be constructed and/or repaired at the property owner's expense, or as provided by an agreement of the property owners, to the standards of the appropriate jurisdiction and built to withstand the truck weights and traffic volumes of the CIM operation.
- All vehicles entering the public rights-of-way shall have weight distribution properties that prevent damage to the public rights-of-way. If damage occurs, the owner and authorized operator are responsible for the cost of repairs.
- Continuous emergency access shall be provided through the CIMPA property from Main Street in La Verkin to Grand Canyon Parkway in Toquerville. The access may be gated and locked, but emergency service providers may cut the locks or gate at owner's expense in the event of an emergency.

G. CIMPA Expansion

- No future expansion of the CIMPA to adjacent or contiguous properties owned by Interstate due to longstanding, new, and anticipated residential development including the following properties: Parcel Nos. LV-154-A, LV-159-A, LV-3-1-13-3401, LV-3-1-13-3420, and LV-3-1-13-3431. Grading on these and other parcels in the vicinity for development is required to be in compliance with city hillside ordinances and grading permit requirements. Normal development is the appropriate method for development

approvals and use of these adjacent properties, not CIM operations. Also, any future property acquisitions would not be eligible for the CIMPA designation.

H. Community Notice

- Provide “doorknob notice” in advance of blasting or temporary extended hours of operation, with La Verkin City approval, that may temporarily affect traffic or noise levels to doors within 1,000 feet of the CIMPA. Preblast surveys are recommended for residential dwellings within 1,000 feet of the CIMPA boundary.
- Comply with Utah Code Ann. § 17-41-304(4) & (5) to provide statutorily required notice of the existence of the CIMPA to all people who have, may acquire, or may seek to acquire an interest in land adjacent to the CIMPA Property.

VII. Evaluation of Objections to the Proposal Received by La Verkin City

The Advisory Board is required to evaluate the objections of the community to the proposal for the CIMPA in accordance with Utah Code Ann. § 17-41-303. The Advisory Board has read, evaluated, and considered all of the objections. It is the conclusion of the Advisory Board that the conditions for approval of the CIMPA as listed herein address the concerns of the people and property owners that submitted objections. Compliance with the conditions is an essential component of the recommendation of the Advisory Board that the CIMPA be approved.

The CIMPA designation should be contingent on Interstate’s formal acceptance and implementation of the recommended conditions and mitigation measures outlined above. This dual approach will ensure that the region continues to benefit from a secure, local CIM operation and supplies while protecting the health, welfare, and property interests of neighboring residents.

VIII. Conclusion

The Advisory Board concludes that the proposal by Interstate Rock Products, Inc. for a CIMPA designation should be approved by the City of La Verkin subject to compliance with the recommendations and conditions set forth herein for the area outlined on EX C attached hereto and incorporated herein. This conclusion is based on the facts and findings herein, and as follows:

- The CIMPA fulfills a strategic need for critical infrastructure materials;
- It is appropriately located to minimize long-haul impacts and support regional growth;
- The CIM operation can be operated in a manner compatible with adjacent land uses through implementation of reasonable conditions, operational improvements, and mitigation procedures.

Submitted by:

Victor Iverson
Chair, Washington County Advisory Board
June 10, 2025

ATTACHMENTS

EX A – Historical Maps 1993 and 2004

EX B – La Verkin City Council Resolution Annexing Property

EX C - CIMPA Recommended Property Boundary

ORDINANCE No. 2003-01

INTERSTATE ROCK ANNEXATION ORDINANCE

WHEREAS, in September, 2002, various owners of certain real property lying contiguous to the present municipal limits of LaVerkin City submitted a Petition for Annexation to LaVerkin City pursuant to Utah Code Ann. §10-2-403; and

WHEREAS, the Petition came before the City Council for its approval, as required by Utah Code Ann. §10-2-405; and

WHEREAS, within thirty (30) days of the City Council's acceptance of the Petition, the City Recorder and County Clerk, Surveyor and Recorder reviewed the Petition to determine if it met the requirements set forth in Utah Code Ann. §10-2-405; and

WHEREAS, the City Recorder and County Clerk, Surveyor and Recorder determined that the requirements set forth in Utah Code Ann. §10-2-403 were satisfied and certified the Petition; and

WHEREAS, the City Recorder mailed written notification of certification to the City Council, contact sponsor, and County Commission pursuant to Utah Code Ann. §10-2-406; and

WHEREAS, within twenty (20) days after the Council received notice of certification, the City Recorder mailed notice to each affected entity pursuant to Utah Code Ann. §10-2-406 and notice was published for three (3) consecutive weeks beginning no later than ten (10) days after the City Council received notice of certification pursuant to Utah Code Ann. §10-2-406; and

WHEREAS, no valid protest to the Petition was filed pursuant to Utah Code Ann. §10-2-406; and

WHEREAS, the City Council set the matter for public hearing and proper notice was published at least seven (7) days prior to the scheduled public hearing pursuant to Utah Code Ann. §10-2-407; and

WHEREAS, the City Council held the public hearing to consider the ordinance to annex the proposed area; and

WHEREAS, LaVerkin City has complied with all requirements pertaining to annexation as required by Utah Law.

NOW THEREFORE, be it ordained by the City Council that LaVerkin City does hereby grant the Petition for Annexation and adopt this Interstate Rock Annexation Ordinance as follows:

The City hereby approves for annexation the following described real property:

existing fence; thence South 0°15'15" East 1271.64 feet; thence South 89°46' West 549.13 feet; thence North 0°15'15" West 770.70 feet, to the point of beginning.

GILBERT PROPERTY

That portion of Sections 13 and 24, Township 41 South, Range 13 West, Salt Lake Base and Meridian, described as follows:

BEGINNING at a point North 88°14'27" West, along the Section line 236.80 feet from the North Quarter Corner of Section 24, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence North 0°15'48" East 536.25 feet; thence South 89°43'57" East 282.95 feet to a point on the West Right of Way line of Highway U-15; thence along said Right of Way line thru the following courses: South 3°46'35" East 545.98 feet; South 88°14'27" East 150.70 feet; South right along the arc of said curve, 747.67 feet, through a central angle of 45°05'35"; thence departing said right of Way line and running North 0°04'57" West 330.50 feet; thence North 4°07'27" West 140.34 feet; thence North 41°02'12" West 389.90 feet; thence North 0°25'03" East 340.79 feet, to the point of beginning.

LESS and EXCEPTING therefrom that portion lying within the Southeast Quarter of said Section 13.

WILSON PROPERTY

Beginning at the West ¼ Corner Section 13 T41S R3W, Thence South 88°52'54" East along ¼ section line 725.09 feet; thence south 02°10'46" W 12.59 feet to the Point of Beginning; thence South 02°10'46" W 1284.28 feet; Thence North 87°57'20" W 17.70 feet; thence North 0°24'36" E 1290.29 Feet; Thence South 82°20'03" E 57.82 Feet to the Point of Beginning.

This ordinance shall take effect immediately upon passage.

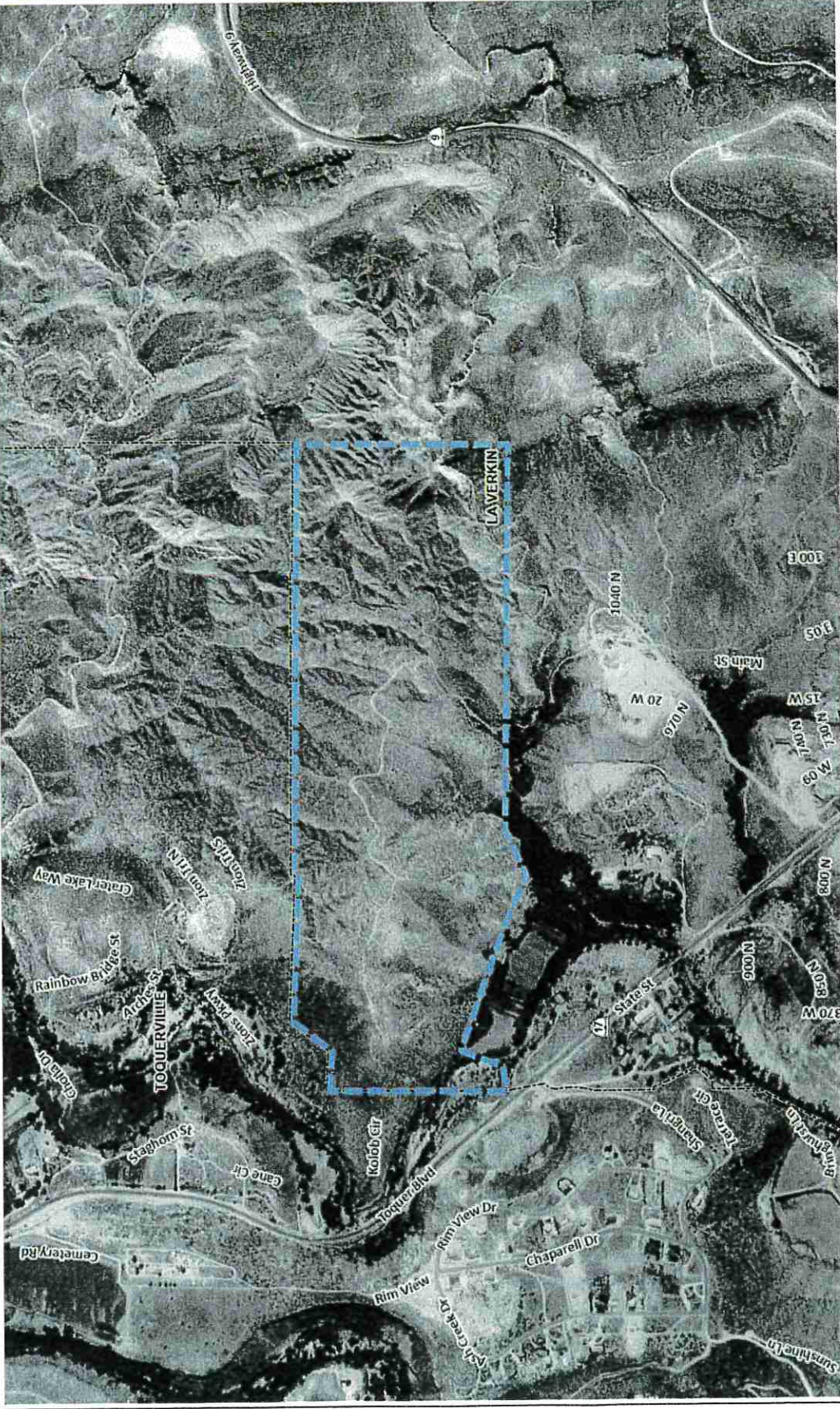
PASSED AND ADOPTED by the City Council of LaVerkin City, the 19th day of February, 2003.

Tom Stocks, Mayor

Attest:

Debi Groves, City Recorder

1993 Aerial



- Legend**
- Municipalities**
- U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - Bureau of Land Management Wild
 - National Park Service
 - Shoshone Reservation
 - Utah Division of Wildlife Resources
 - Utah Division of Transportation
 - State Park
 - State of Utah
 - Washington County
 - Municipally Owned
 - School District
 - Privately Owned
 - Water
 - Water Conservancy District
 - State Assessed Oil and Gas
 - Mining Claim



Notes

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

1,504.7 752.33 1,504.7 Feet

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Proposed CIMPA Boundary

