

VERNAL CITY ORDINANCE NO. 2026-10

AN ORDINANCE OF THE VERNAL CITY COUNCIL APPROVING THE ANNEXATION OF PROPERTIES IN THE "VERNAL CITY — BRIAR CREEK SUBDIVISION, N & E PROPERTIES LLC ETAL PARCEL, AND JOSEPH PARCEL ANNEXATION" PETITION INTO THE BOUNDARIES OF VERNAL CITY AND AMENDING THE VERNAL CITY ZONING MAP TO DESIGNATE AND ZONE THE ANNEXED AREA AS "RA-1", RESIDENTIAL AGRICULTURAL ZONE 1, UPON ITS ANNEXATION IN THE THE CITY OF VERNAL.

WHEREAS, Vernal City (hereinafter the "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, Utah Code Ann. §10-2-403 authorizes the City to annex contiguous unincorporated property upon receiving a petition from the property owners; and

WHEREAS, the "Vernal City — Briar Creek Subdivision, N & E Properties LLC Etal Parcel, and Joseph Parcel Annexation" Annexation Petition ("Petition") was submitted to the City on January 12, 2026 by Michael Eskelson and includes 33 different parcels within the City's Future Annexation Area. The properties proposed for annexation ("Annexation Area") in the Petition are identified and attached hereto as Exhibit A; and,

WHEREAS, the Vernal City Recorder issued the Notice of Certification on February 5, 2026, after determining that the Petition met the statutory requirements outlined in Utah Code § 10-9a-403(3)&(4); and

WHEREAS, Notice of the Petition and protest information was provided in accordance with Utah Code § 10-2-406; and

WHEREAS, two valid protests to the Petition were filed within the protest period; and

WHEREAS, the Boundary Commission convened a public hearing on March 27, 2026 to consider the protests filed; and

WHEREAS, the Boundary Commission issued a written decision dated March 30, 2026 with the recommendation for approval with conditions; and

WHEREAS, Vernal City Council has thoroughly reviewed the petition and all relevant documents concerning the annexation; and

WHEREAS, the Vernal City Council finds that the Petition satisfies all the requirements of Utah Law.

WHEREAS, the Vernal City Council held a public hearing concerning the Petition on May 6, 2026; and

WHEREAS, all legal requirements for annexation as per Utah Code Ann. §§ 10-2-401 et seq., including proper filing, notice, and public hearings, have been duly met.

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

SECTION 1. Acknowledgment of Petition: The City Council hereby acknowledges the receipt and sufficiency of the annexation petition filed by Michael Eskelson.

SECTION 2. Plat Accepted and Approved: The City Council hereby accepts and approves the copy of the local entity plat ("Plat Map") as prepared and certified by Paul Hawkes, a Licensed Professional Land Surveyor in the State of Utah, holding License No. 348473, and finds that it is an accurate and recordable map of said Annexation Area, as identified in Exhibit A.

SECTION 3. Compliance with Legal Requirements: The City Council confirms that the annexation process has complied with all legal requirements as described under Utah Code Ann. § 10-2-401.

SECTION 4. Finding of Best Interests: The Vernal City Council hereby finds and determines that the annexation of the Annexed Property as proposed in the Petition is in the best interests of the City and its residents.

SECTION 5. Description of the Annexed Properties: The properties subject to annexation is as described in Exhibit B attached hereto.

SECTION 6. Approval of Annexation: The City Council hereby approves the annexation of the properties as described in Exhibit A and Exhibit B, into Vernal City, upon completion of contingent events, and does hereby annex the Annexed Property into the City of Vernal upon execution of this document.

SECTION 7. Zoning: The Annexed Property is zoned "RA-1" (Residential Agricultural Zone 1), and the Vernal City zoning map is hereby amended to reflect such annexation and zoning.

SECTION 8. Annexation Date: The City confirms that, pursuant to Utah Code Ann. § 10-2-425, this Annexation is completed and takes effect upon the date of the Lieutenant Governor's issuance of a Certification of Annexation.

SECTION 9. Authorization to Execute: The Mayor and City Recorder are authorized to execute this Ordinance upon completion of contingent events as required by the City Council upon its approval on May 6, 2026.

SECTION 10. Effective Date: This Ordinance shall become effective immediately upon publication and/or posting as required by law.

SECTION 11. Instructions for City Recorder after Execution of Ordinance:

- a) Following the annexation, the City Recorder is hereby directed to notify the office of the Lieutenant Governor of the State about the annexation of the properties described in Exhibit B.
- b) The City Recorder shall submit all necessary documents as required by the office of the Lieutenant Governor within 60 days of the execution and enactment of this ordinance. This includes a certified copy of the ordinance, maps of the annexed area, and any other relevant documentation.
- c) The City Recorder shall work with the City Attorney to ensure that all procedures are in compliance with state laws and regulations regarding the annexation process.
- d) The City Recorder shall maintain a record of all communications and submissions made to the Lieutenant Governor's office in relation to this annexation.
- e) The City Recorder shall finally provide a report to the City Council upon completion of all actions related to the office of the Lieutenant Governor, confirming the fulfillment of these duties.

EXECUTED and ENACTED this 20 day of May, 2026.

Mayor Corey Foley

ATTEST:

Sara Bell, City Recorder

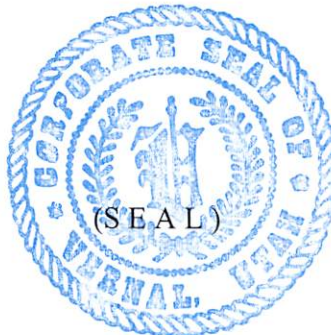


EXHIBIT B - DESCRIPTION OF THE ANNEXED PROPERTIES

051020028, 655 W 1500 S: BEG AT A PT ON THE N LN OF THE NE/4 OF SEC 34, T4S, R21E, SLB&M WHICH BEARS S 88°09'26" W 148.50 FT FROM THE NE COR OF THE W/4NE/4NE/4 OF SD SEC; TH N 88°09'26" E ALG SD N LN OF THE NE/4 155.03 FT TO THE A PT IN LN WITH A S RUNNING FENCE; TH S 02°12'51" E ALG SD FENCE AND THE EXTENSION THEREOF 288.10 FT TO A CORNER FENCE POST; TH S 88°01'30" W ALG AN EXISTING FENCE AND EXTENSION THEREOF 155.66 FT TO A PT WHICH BEARS S 02°05'23" E PAR WITH THE E LN OF SD W/4NE/4NE/4 FROM THE POB; TH N 02°05'23" W 288.46 FT TO THE POB. CONT 1.03 AC M/L BASIS OF BEARINGS IS S N LN OF THE NE/4 WHICH IS CALCULATED FROM THE COUNTY SURVEYORS CONTROL MAP (TITLED ASHLEY VALLEY CONTROL SURVEY, DATED NOV. 3, 2004) TO BEAR N 88°09'26" E.

051020043, 1640 S 500 W: BEG AT A PT ON THE E LN OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E 946.00 FT FROM THE NE COR OF SD SEC; TH S 87°45'35"W 33.00 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 4 CALLS: S 85°50'00"W 415.07 FT, N 41°00'27"W 116.64 FT, N 88°11'43"W 112.56 FT, N 46°27'20"W 49.96 FT; N 2°14'25"W PAR WITH THE SD E LN OF THE NE/4 271.76 FT; TH N 88°01'30"E 668.00 FT TO THE SD E LN OF THE NE/4; TH S 2°14'25"E ALG THE SD E LN OF THE NE/4 389.41 FT TO THE POB. CONT 5.718 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD NE/4 WHICH WAS TAKEN FROM THE UTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88°09'23"E.

051020044, 1710 S 500 W: BEG AT A PT ON THE E LN OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E 946.00 FT FROM THE NE COR OF SD SEC; TH S 2°14'25"E ALG THE SD E LN OF THE NE/4 384.00 FT TO THE N 1/16TH COR OF SD SEC; TH S 88°07'31"W ALG THE S LN OF THE N/2 NE/4 668.00 FT; TH N 2°14'25"W PAR WITH THE SD E LN OF THE NE/4 500.47 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 4 CALLS: S 46°27'20"E 49.96 FT; S 88°11'43"E 112.56 FT; S 41°00'27"E 116.64 FT; N 85°50'00"E 415.07 FT; TH N 87°45'35" E 33.00 FT TO THE POB. CONT 6.133 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD NE/4 WHICH WAS TAKEN FROM THE UTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88°09'23"E.

051020045, 687 W 1684 S: BEG AT PT ON THE S LN OF THE N/2 NE/4 OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E ALG THE E LN OF THE NE/4 OF SD SEC 1330.00 FT TO THE N 1/16TH COR OF SD SEC AND S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 OF SEC 1320.93 FT; TH 2°14'25"W PAR WITH THE SD E LN OF THE NE/4 735.38 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 4 CALLS: N 74°28'26"E 25.26 FT, N 83°17'30"E 178.46 FT, S 66°59'50"E 404.67 FT, S 46°27'20"E 120.40 FT; TH S 2°14'25"E PAR WITH THE SD E LN OF THE NE/4 500.47 FT TO THE SD S LN OF THE N/2 NE/4; TH S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 652.93 FT TO THE POB. CONT 10.172 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD N/4 WHICH WAS TAKEN FROM THE UTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88°09'23"E.

051020046, 811 W 1690 S: BEG AT PT ON THE S LN OF THE N/2 NE/4 OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E ALG THE E LN OF THE NE/4 OF SD SEC 1330.00 FT TO THE N 1/16TH COR OF SD SEC AND S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 OF SEC 1320.93 FT; TH S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 674.38 FT TO THE CENTERLINE OF THE ASHLEY CENTRAL CANAL; TH THE FOLLOWING 10 CALLS ALG THE SD CENTERLINE OF THE ASHLEY CENTRAL CANAL: N 29°58'35"W 113.15 FT, N 66°06'45"W 56.88 FT, N 47°59'38"W 31.07 FT, N 22°36'51"E 41.55 FT, N

43°34'00"E 176.01 FT, N 24°21'06"E 128.35 FT, N 0°57'25"W 125.67 FT, N 14°47'10"W 63.44 FT, N 41°21'54"W 133.78 FT, N 4°03'19"W 72.76 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 3 CALLS: S 60°52'06"E 180.85 FT, S 85°22'30"E 251.41 FT, N 74°28'26"E 300.96 FT; TH S2°14'25"E PAR WITH THE SD E LN OF THE NE/4 735.38 FT TO THE POB. CONT 10.740 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD NE/4 WHICH WAS TAKEN FROM THE UINTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88°09'23"E.

051020401, 516 W 1550 S: LOT 1 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.728 AC M/L.

051020402, 529 W 1500 S: LOT 2 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.367 AC M/L.

051020403, 541 W 1500 S: LOT 3 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.367 AC M/L.

051020404, 553 W 1500 S: LOT 4 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.367 AC M/L.

051020405, 565 W 1500 S: LOT 5 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.366 AC M/L.

051020406, 564 W 1550 S: LOT 6 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.363 AC M/L.

051020407, 552 W 1550 S: LOT 7 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.363 AC M/L.

051020408, 540 W 1550 S: LOT 8 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.363 AC M/L.

051020409, 538 W 1550 S: LOT 9 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.362 AC M/L.

051020410, 521 W 1550 S: LOT 10 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.638 AC M/L.

051020411, 543 W 1550 S: LOT 11 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020412, 567 W 1550 S: LOT 12 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020413, 591 W 1550 S: LOT 13 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020414, 613 W 1550 S: LOT 14 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020415, 639 W 1550 S: LOT 15 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 1.457 ACRES, M/L.

051020416, 671 W 1550 S: LOT 16 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 1.171 ACRES, M/L.

051020417, 701 W 1550 S: LOT 17 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.930 ACRES, M/L.

051020418, 696 W 1500 S: LOT 18 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.464 ACRES, M/L.

051020419, 668 W 1150 S: LOT 19 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.462 ACRES, M/L.

051020420, 669 W 1500 S: LOT 20 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.465 ACRES, M/L.

051020421, 695 W 1500 S: LOT 21 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.464 ACRES, M/L.

051020422, Address Not Assigned: LOT 22 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.485 ACRES, M/L.

051020423, Address Not Assigned: LOT 23 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.486 ACRES, M/L.

051020424, 727 W 1550 S: LOT 24 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.987 ACRES, M/L.

051020425, 1588 S 750 W: LOT 25 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 1.088 ACRES, M/L.

051020426, 1566 S 750 W: LOT 26 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.658 ACRES, M/L.

051020427, 1542 S 750 W: LOT 27 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.658 ACRES, M/L.

051020428, Address Not Assigned: LOT 28 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.655 ACRES, M/L.