

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from the CITY OF SARATOGA SPRINGS, dated December 5th, 2017, complying with Section 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 CITY OF SARATOGA SPRINGS, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 27th day of December, 2017 at Salt Lake City, Utah.

SPENCER J. COX
Lieutenant Governor



CITY OF
SARATOGA SPRINGS

NOTICE OF IMPENDING BOUNDARY ACTION

December 11, 2017

The Honorable Spencer J. Cox
Lieutenant Governor of the State of Utah
Utah State Capitol Complex
PO Box 142325
Salt Lake City, Utah 84114-2325

RE: Notice of Impending Boundary Action – Annexation of 1.94 Acres of Land

Dear Lieutenant Governor Cox,

On December 5, 2017, the City Council of the City of Saratoga Springs, Utah adopted Ordinance 17-36 (12-5-2017) to annex 1.94 acres of land situated outside of the current boundaries of the City of Saratoga Springs, Utah within portions of unincorporated Utah County, which property is contiguous to the boundaries of the City and identified in the City's Annexation Policy Plan. A copy of the Ordinance and supporting documents are provided with this Notice setting forth the revised boundaries of the City of Saratoga Springs, Utah. Also provided with this Notice is an Approved Final Local Entity Plat, as defined in Utah Code § 67-1a-6.5(1)(b), certified by the Utah County Surveyor.

In accordance with Utah Code § 67-1a-6.5(3)(e), I hereby certify that all requirements applicable to this annexation have been met. I also respectfully request that your office issue a Certificate of Annexation to the City of Saratoga Springs in accordance with Utah Code § 10-2-425.

If you have any questions or need additional information from me, please do not hesitate to contact me at any time.

Respectfully,

A handwritten signature in black ink, appearing to read "Jim Miller", is written over a horizontal line.

Jim Miller, Mayor

ORDINANCE NO. 17-36 (12-5-2017)

AN ORDINANCE ADOPTED PURSUANT TO SECTION 10-2-408(1)(b) OF THE UTAH CODE, APPROVING THE JOHANSEN ANNEXATION OF APPROXIMATELY 1.94 ACRES OF LAND; ANNEXING SUCH LAND INTO THE CITY; AND RELATED MATTERS.

WHEREAS, Michael Johansen, on behalf of property owner Louise Johansen, has submitted to the City Recorder a Petition for Annexation (such Annexation, together with all attached and related materials, is referred to herein as the "Petition"), requesting that the City annex Louise Johansen's property into the City, which property is located within portions of unincorporated Utah County contiguous to the boundaries of the City, and which is more particularly described in Exhibit A ("Johansen Property"); and

WHEREAS, the Johansen Property consists of approximately 1.94 acres; and

WHEREAS, the Johansen Property is situated within the portion of unincorporated Utah County included in the Annexation Policy Plan Map adopted by the City Council of the City of Saratoga Springs on June 19, 2012 as part of Ordinance No. 12-7 (6-19-12) and amended in 2016 and 2017; and

WHEREAS, on March 21, 2017 the City Council accepted the Petition for further consideration; and

WHEREAS, on April 20, 2017 the City Recorder (a) certified the Petition, and (b) mailed or delivered written notification of such certification to the City Council, contact sponsor, and the Utah County Commission, in satisfaction of Section 10-2-405(2)(c) of the Utah Code, a copy of which certification and notification is attached hereto as Exhibit B; and

WHEREAS, following receipt of notice of such certification from the City Recorder on April 20, 2017, the City Council caused notice of the proposed annexation to be published (a) for three consecutive weeks, 5/4/17, 5/11/17, and 5/18/17, in the Daily Herald, a newspaper of general circulation within (i) the area circumscribed by the Johansen Property, and (ii) the unincorporated area within ½ mile of the Johansen Property, and (b) at least three weeks starting on 5/4/17 on the website established pursuant to Section 45-1-101 of the Utah Code, which notices, together with affidavits of publication thereof, are attached hereto as Exhibit C; and

WHEREAS, following receipt of notice of such certification from the City Recorder on 4/20/17 the City Council caused a notice thereof to be mailed on April 20, 2017 to affected entities, copies of which notices are attached hereto as Exhibit D; and

WHEREAS, the notices attached as Exhibits C and D identified the deadline of May 23, 2017 (the "Protest Deadline"), for the filing of protests under Section 10-2-407 of the Utah Code; and

WHEREAS, a protest was filed by Lehi City on May 22, 2017 requiring review, a public hearing, and action by the Utah County Boundary Commission; and

WHEREAS, the Utah County Boundary Commission convened on September 13, 2017, heard testimony regarding the matter, admitted evidence submitted by the parties, held a public hearing, and denied the protest as demonstrated by the official written decision received by the City on October 10, 2017, a copy of which is attached as Exhibit E; and

WHEREAS, Utah Code § 10-2-408 allows the City Council, after receipt of the Utah County Boundary Commission's written decision, to deny or approve the Petition consistent with the Boundary Commission's decision; and

WHEREAS, the City Council, at a regular meeting on December 5, 2017, carefully reviewed and considered the Petition and all materials submitted by the petition sponsors in connection therewith and in support thereof, including materials required to be submitted pursuant to the City's Annexation Policy Plan; and

WHEREAS, in its December 5, 2017 meeting, the City Council discussed the Development and Annexation Agreement ("Agreement"), attached as Exhibit F, that specifies the short term and long term zoning on the Johansen Property and conditions under which Vehicle Storage can occur as a conditional use in the short term; and

WHEREAS, in light of the foregoing, and after due deliberation, the City Council desires to approve the Petition and Agreement and proceed with the proposed annexation and other related matters.

NOW THEREFORE, it is hereby ordained by the City Council of the City of Saratoga Springs, Utah, as follows:

SECTION 1. Findings. The City Council does hereby find and determine that the annexation of the Johansen Property, as proposed in the Petition furthers the health, safety, and general welfare of the City and its residents. The City Council also adopts herein by reference the findings and conditions contained in the staff reports attached hereto as Exhibit G.

SECTION 2. Approval of Annexation; Effective Date. The City Council approves the Petition, subject to entering into the Agreement, approves the annexation of the Johansen Property as described in the Petition, and does hereby annex the Johansen Property into the City. The effective date of such annexation shall be the date of issuance by the Utah Lieutenant Governor of the Certificate of Annexation, under Section 10-2-425 of the Utah Code.

SECTION 3. Zoning. The City Council hereby adopts the Development and Annexation Agreement ("Agreement") attached hereto as Exhibit F. Upon annexation and execution of the Agreement, the annexation shall be effective and the zoning designation of the Johansen Property shall be as specified in the Agreement. Specifically, the zoning shall be Industrial with the only permitted uses being Vehicle Storage (subject to issuance of a conditional use permit and compliance with all required conditions per City regulations) and the existing nonconforming uses on the Johansen Property. The Industrial designation shall continue

for 10 years from the effective date of the Agreement, or sooner as provided by the Agreement. At the end of the 10 years, the Vehicle Storage use shall automatically expire and no longer be permitted and the zoning designation for the property shall automatically change to Regional Commercial or equivalent.

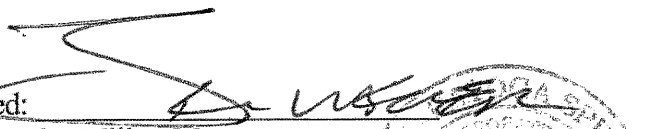
SECTION 4. Authorized Actions. The Mayor, the City Recorder, the City Manager, and all other officers and employees of the City are hereby authorized and directed to take, in a timely manner, any and all actions required or advisable to be taken to give effect to the annexation hereby approved; including, without limitation, the giving of all notices and the filing of all items required pursuant to Sections 10-2-401 et seq. of the Utah Code.

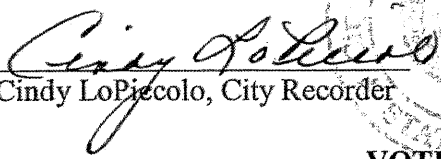
SECTION 5. Publication of Ordinance. A copy of this Ordinance shall be delivered to the City Recorder immediately upon execution by the Mayor, and the City Recorder is hereby authorized and directed to cause a summary thereof to be published on the earliest possible date in the Daily Herald. This Ordinance shall become effective immediately upon such publication.

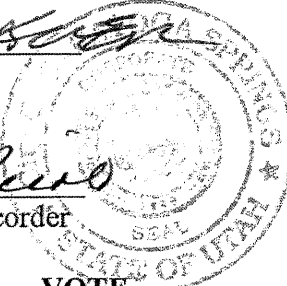
SECTION 6. Amendment of Conflicting Ordinances. If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 5th day of December, 2017.

Signed: 
Jim Miller, Mayor

Attest: 
Cindy LoPiccolo, City Recorder



Shellie Baertsch
Chris Porter
Michael McOmber
Stephen Willden
Ryan Poduska

VOTE
aye
excused
excused
aye
aye

EXHIBIT A

Map of Unincorporated Johansen Property

58-031:0003

MC LACHLAN, SCOTT COOPER and JULI...

Utah County Parcel Map

Johansen's RV Storage

MC LACHLAN, SCOTT COOPER and JUL...

Value: \$274,800 -- 4.58 acres

58-035:0078

UTAH DEPARTMENT OF TRANSPORTAT...

58-031:0003

UTAH DEPARTMENT OF TRANSPORTAT...

13-029:0114

JOHANSEN, M LOUISE...

Value: \$305,000 -- 1.94 acres

13-029:0114

JOHANSEN, M LOUISE...

Value: \$305,000 -- 1.94 acres

58-036:0022

DAHL, DOUGLAS I and DOUGLAS IRVI...

Value: \$161,400 -- 2.69 acres

58-036:0015

DAHL, DOUGLAS I and DOUGLAS IRVI...

Value: \$60,000 -- 1 acres

13-029:0020

SMITH, LEE J and JOY P...

- LEHI DIST

Value: \$1,161,600 -- 10.36 acres

55-561:0004

CORP OF THE PRES BISHOP OF THE...

Value: \$0 -- 3.54 acres

55-561:0004

UTAH DEPARTMENT OF TRANSPORTAT...

13-029:0083

GRAY, GAVILLE...

7844 N 9550 WEST - LEHI

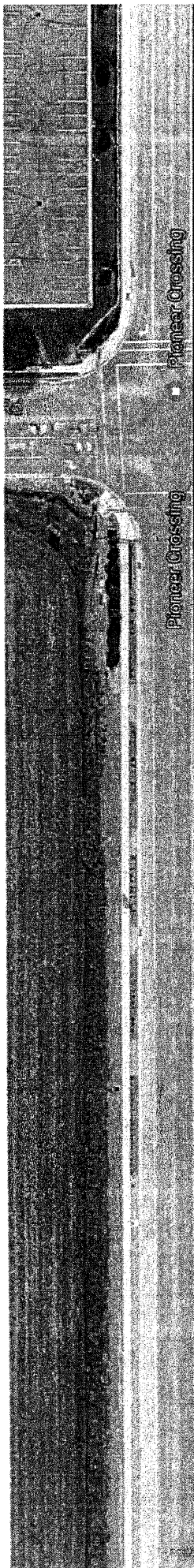
Value: \$341,500 -- 1.96 acres

W 4506 SOUTH ST

S 2220 WEST ST

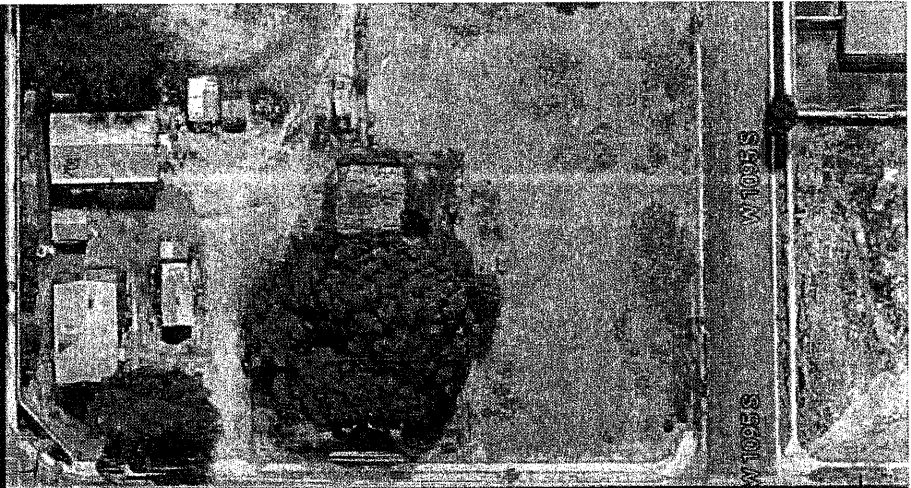
This plat is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

Date: 3/1/2017



Pioneer Crossing

Pioneer Crossing



W1095 S

W1095 S



Legal Description: COM S 388.8 FT & E 231.09 FT FR NW COR. SEC. 19, T5S, R1E, SLB&M.; S 0 DEG 3' 30" E 135.92 FT; N 89 DEG 42' 0" W 359.72 FT; N 0 DEG 22' 0" W 113.34 FT; S 89 DEG 31' 50" E 249.88 FT; N 19.16 FT; N 88 DEG 8' 30" E 110.48 FT TO BEG. AREA 0.986 AC. ALSO COM S 0 DEG 7' 46" E 524.79 FT & E 242.24 FT FR NW COR. SEC. 19, T5S, R1E, SLB&M.; S 0 DEG 28' 14" W 22.29 FT; N 89 DEG 30' 13" W 372.48 FT; N 0 DEG 28' 17" E 22.55 FT; S 89 DEG 27' 46" E 372.48 FT TO BEG. AREA 0.192 AC. ALSO COM S 308.69 FT & W 128.89 FT FR NW COR. SEC. 19, T5S, R1E, SLB&M.; S 89 DEG 16' 46" E 359.32 FT; S 49 DEG 8' 21" E 1.55 FT; N 89 DEG 36' 59" W .54 FT; S 0 DEG 3' 32" E 73.03 FT; S 88 DEG 8' 30" W 110.58 FT; S 19.16 FT; N 89 DEG 31' 50" W 249.89 FT; N 0 DEG 14' 0" E 99.26 FT TO BEG. AREA 0.760 AC. TOTAL AREA 1.938 AC.

EXHIBIT B

Notice of Certification



CITY OF SARATOGA SPRINGS

CITY OF SARATOGA SPRINGS

NOTICE OF CERTIFICATION OF ANNEXATION PETITION

Pursuant to UTAH CODE ANN. § 10-2-405, I, Cindy LoPiccolo, City Recorder for the City of Saratoga Springs ("Saratoga Springs") give the following notice:

1. A petition titled "Johansen's RV Storage" ("Petition") proposing annexation of an area has been filed with Saratoga Springs.
2. On March 21, 2017, the Saratoga Springs City Council accepted the petition for further consideration.
3. The area proposed for annexation in the Petition consists of approximately 1.938 acres of real property located in the vicinity of the southwest corner of Pioneer Crossing and 2300 West.
4. The complete Petition is available for inspection and copying at the office of the Saratoga Springs City Recorder, 1307 N. Commerce Drive, Suite 200, Saratoga Springs, Utah 84045.
5. I have reviewed the Petition and hereby certify that the Petition meets the requirements of Utah Code Subsections 10-2-403(3), (4), and (5).

Cindy LoPiccolo

Cindy LoPiccolo MMC, City Recorder
City of Saratoga Springs, Utah



EXHIBIT C

Published Notice of Proposed Annexation

Notice of Annexation Petition

A Petition for annexation has been filed in the office of the City Recorder of the City of Saratoga Springs, Utah for the purpose of requesting annexation of a parcel(s) of land belonging to M. Louise Johansen, which is more specifically described as follows:

A description of land, being comprised of the previous three (3) record descriptions that comprise parcel 13:029:0114, situate in the Northeast Quarter of the Northeast Quarter of Section 24, Township 5 South, Range 1 West and in, Northwest Quarter of the Northwest Quarter of Section 19, Township 5 South, Range 1 East, Salt Lake Base and Meridian, and more particularly described as follows:

Commencing at the Northwest Corner of said Section 19, thence 314.46 feet South 00°08'28" East along the section line, and 230.55 feet East to the **Point of Beginning**; thence South 00°04'04" East 210.58 feet; thence South 89°42'34" East 11.85 feet; thence South 00°28'14" West 21.97 feet; thence North 89°30'13" West 370.85 feet; thence North 00°27'17" East 20.70 feet; thence North 89°59'26" East 2.16 feet; thence North 00°22'34" West 213.13 feet; thence South 89°17'28" East 358.02 feet to the **Point of Beginning**.

Containing 1.92 acres, more or less.

The City of Saratoga Springs City Council received a Notice of Certification from the City Recorder of the City of Saratoga Springs on April 24, 2017. This notice as well as the complete annexation petition is available for inspection and copying at the office of the City Recorder.

The City of Saratoga Springs may grant the petition and annex the area described in the petition unless a written protest to the annexation is filed with the Boundary Commission at 100 East Center, Provo, Utah 84604 and a copy of the protest is delivered to the City Recorder of the City of Saratoga Springs by May 24, 2017. Legal Notice 6839 Published In The Daily Herald on May 4, 11, 18, 2017.

Notice of Annexation Petition

A Petition for annexation has been filed in the office of the City Recorder of the City of Saratoga Springs, Utah for the purpose of requesting annexation of a parcel(s) of land belonging to M. Louise Johansen, which is more specifically described as follows:

A description of land, being comprised of the previous three (3) record descriptions that comprise parcel 13:029:0114, situate in the Northeast Quarter of the Northeast Quarter of Section 24, Township 5 South, Range 1 West and in, Northwest Quarter of the Northwest Quarter of Section 19, Township 5 South, Range 1 East, Salt Lake Base and Meridian, and more particularly described as follows:

Commencing at the Northwest Corner of said Section 19, thence 314.46 feet South 00°08'28" East along the section line, and 230.55 feet East to the **Point of Beginning**; thence South 00°04'04" East 210.58 feet; thence South 89°42'34" East 11.85 feet; thence South 00°28'14" West 21.97 feet; thence North 89°30'13" West 370.85 feet; thence North 00°27'17" East 20.70 feet; thence North 89°59'26" East 2.16 feet; thence North 00°22'34" West 213.13 feet; thence South 89°17'28" East 358.02 feet to the **Point of Beginning**.

Containing 1.92 acres, more or less.

The City of Saratoga Springs City Council received a Notice of Certification from the City Recorder of the City of Saratoga Springs on April 24, 2017. This notice as well as the complete annexation petition is available for inspection and copying at the office of the City Recorder.

The City of Saratoga Springs may grant the petition and annex the area described in the petition unless a written protest to the annexation is filed with the Boundary Commission at 100 East Center, Provo, Utah 84604 and a copy of the protest is delivered to the City Recorder of the City of Saratoga Springs by May 24, 2017.

EXHIBIT D

Notice to Affected Entities

Notice of Annexation Petition

A Petition for annexation has been filed in the office of the City Recorder of the City of Saratoga Springs, Utah for the purpose of requesting annexation of a parcel(s) of land belonging to M. Louise Johansen, which is more specifically described as follows:

A description of land, being comprised of the previous three (3) record descriptions that comprise parcel 13:029:0114, situate in the Northeast Quarter of the Northeast Quarter of Section 24, Township 5 South, Range 1 West and in, Northwest Quarter of the Northwest Quarter of Section 19, Township 5 South, Range 1 East, Salt Lake Base and Meridian, and more particularly described as follows:

Commencing at the Northwest Corner of said Section 19, thence 314.46 feet South 00°08'28" East along the section line, and 230.55 feet East to the **Point of Beginning**; thence South 00°04'04" East 210.58 feet; thence South 89°42'34" East 11.85 feet; thence South 00°28'14" West 21.97 feet; thence North 89°30'13" West 370.85 feet; thence North 00°27'17" East 20.70 feet; thence North 89°59'26" East 2.16 feet; thence North 00°22'34" West 213.13 feet; thence South 89°17'28" East 358.02 feet to the **Point of Beginning**.

Containing 1.92 acres, more or less.

The City of Saratoga Springs City Council received a Notice of Certification from the City Recorder of the City of Saratoga Springs on April 24, 2017. This notice as well as the complete annexation petition is available for inspection and copying at the office of the City Recorder.

The City of Saratoga Springs may grant the petition and annex the area described in the petition unless a written protest to the annexation is filed with the Boundary Commission at 100 East Center, Provo, Utah 84604 and a copy of the protest is delivered to the City Recorder of the City of Saratoga Springs by May 24, 2017.

EXHIBIT E

Utah County Boundary Commission Decision

**BEFORE THE BOUNDARY COMMISSION IN AND FOR
UTAH COUNTY, STATE OF UTAH**

In re: Lehi City's Protest of a Petition of Annexation Filed with the City of Saratoga Springs and Commonly Referred to as the Johansen Annexation Which Contains 1.92 Acres More or Less.

**FINDINGS, CONCLUSIONS, AND
ORDER**

This matter came before the Utah County Boundary Commission ("Commission") for a public hearing on Lehi City's ("Lehi") Protest of a Petition of Annexation ("Protest") filed with the City of Saratoga Springs ("Saratoga Springs"). This Petition of Annexation ("Petition") is commonly referred to as the Johansen Annexation which contains 1.92 acres more or less. A copy of the Notice of Annexation Petition particularly describing the Johansen Annexation is attached hereto as Exhibit "A" and incorporated herein by this reference. Lehi made a presentation before the Commission. Saratoga Springs made a presentation before the Commission. A representative of the property owner also spoke in favor of the Johansen Annexation into Saratoga Springs.

The Commission having received the documents and presentations of both Lehi and Saratoga Springs, having heard from a representative of the property owner, having held a public hearing, having reviewed the file and submitted materials, and upon being advised in the premises, now makes the following Findings, Conclusions, and Order.

FINDINGS

The Commission having reviewed the evidence presented both before and during the public hearing now makes the following findings:

1. According to the Petition, Saratoga Springs received a Notice of Certification from their City Recorder for the Johansen Annexation on April 24, 2017. *See* Exhibit "A" attached.
2. That on May 22, 2017, Lehi filed the Protest to the Johansen Annexation.
3. That on July 3, 2017, Saratoga Springs filed a letter in response to Lehi's Protest of the Johansen Annexation.
4. That on September 13, 2017, the Commission held a duly noticed public hearing to consider Lehi's Protest of the Johansen Annexation.
5. That both Saratoga Springs and Lehi have included the real properties within the Johansen Annexation within their respective annexation policy plans.
6. That both Saratoga Springs and Lehi have been currently providing at least some level of municipal type services to the real properties within the Johansen Annexation.
7. That both Saratoga Springs and Lehi can provide municipal type services to the real properties in the Johansen Annexation on an ongoing basis.
8. That a representative of the real property owners in the Johansen Annexation spoke at the public hearing in favor of annexation of the Johansen Annexation into Saratoga Springs.
9. That since both Saratoga Springs and Lehi have included the real properties within the Johansen Annexation within their respective annexation policy plans, that both Saratoga Springs and Lehi have been currently providing at least some level of municipal type

services to the real properties within the Johansen Annexation, and that a representative of the real property owners in the Johansen Annexation spoke at the public hearing in favor of annexation of the Johansen Annexation into Saratoga Springs; then this matter should be resolved in favor of the rights of the real property owners in the Johansen Annexation.

10. That the Johansen Annexation may leave or create an unincorporated island or unincorporated peninsula potentially in violation of Utah Code § 10-2-402(1)(b)(iii), but the Johansen annexation would not be in violation of that statutory provision if both Utah County and Saratoga Springs have otherwise agreed.
11. That the Commission may approve the Johansen Annexation with the condition that Saratoga Springs and Utah County have otherwise agreed to the Johansen Annexation before it can proceed, pursuant to Utah Code § 10-2-416(1)(a).
12. That the Commission considered the criteria found in Utah Code §§ 10-2-401.5, 10-2-402, 10-2-403, 10-2-407, 10-2-415 and 10-2-416 in making their decision regarding the Johansen Annexation.
13. That the Commission having duly considered the evidence presented both before and during the public hearing decided by a 5-0 vote to deny Lehi's Protest to the Johansen Annexation and to approve with conditions the annexation of the Johansen Annexation into Saratoga Springs. This decision was made subject to the condition that Saratoga Springs and Utah County have otherwise agreed in writing to the Johansen Annexation and Saratoga Springs may not move forward on the Johansen Annexation until receipt of that document. This decision was also made subject to the condition that the attorney for the

Commission prepare a written decision which is supported by findings and is to be circulated amongst the Commission participants for the public hearing and then signed by the Commission Chair.

CONCLUSIONS

The Commission having reviewed the evidence presented both before and during the public hearing hereby makes the following Conclusions relying in whole or in part upon the foregoing Findings:

1. That Lehi did not protest the form of the Petition for the Johansen Annexation.
2. That since both Saratoga Springs and Lehi have included the real properties within the Johansen Annexation within their respective annexation policy plans, that both Saratoga Springs and Lehi have been currently providing at least some level of municipal type services to the real properties within the Johansen Annexation, and that a representative of the real property owners in the Johansen Annexation spoke at the public hearing in favor of annexation of the Johansen Annexation into Saratoga Springs; then this matter should be resolved in favor of the rights of the real property owners in the Johansen Annexation.
3. That the Johansen Annexation may leave or create an unincorporated island or unincorporated peninsula potentially in violation of Utah Code § 10-2-402(1)(b)(iii), but the Johansen annexation would not be in violation of that statutory provision if both Utah County and Saratoga Springs have otherwise agreed.

4. That the Commission may approve the Johansen Annexation with the condition that Saratoga Springs and Utah County have otherwise agreed to the Johansen Annexation before it can proceed, pursuant to Utah Code § 10-2-416(1)(a).
5. That the Johansen Annexation complies with Utah Code §§ 10-2-402 and 10-2-403 and the annexation policy plan of Saratoga Springs if the conditions stated herein are met.
6. That the Johansen Annexation conflicts with the annexation policy plan of Lehi, but the Commission resolves that conflict in favor of the rights of the real property owners in the Johansen Annexation.
7. That the Commission considered the criteria found in Utah Code §§ 10-2-401.5, 10-2-402, 10-2-403, 10-2-407, 10-2-415 and 10-2-416 in making their decision regarding the Johansen Annexation
8. That the Johansen Annexation meets the requirements of Utah Code §§ 10-2-401.5, 10-2-402, 10-2-403, 10-2-407, 10-2-415 and 10-2-416 with conditions.
9. That the Commission having duly considered the evidence presented both before and during the public hearing decided by a 5-0 vote to deny Lehi's Protest to the Johansen Annexation and to approve with conditions the annexation of the Johansen Annexation into Saratoga Springs. This decision was made subject to the condition that Saratoga Springs and Utah County have otherwise agreed in writing to the Johansen Annexation and Saratoga Springs may not move forward on the Johansen Annexation until receipt of that document. This decision was also made subject to the condition that the attorney for the Commission prepare a written decision which is supported by findings and is to be

circulated amongst the Commission participants for the public hearing and then signed by the Commission Chair.

10. That the annexation of the Johansen Annexation is, at a minimum, supported by substantial evidence.

ORDER

Based on the foregoing Findings and Conclusions, it is hereby ordered, adjudged, and decreed as follows:

1. That the Lehi's protest to the Johansen Annexation is hereby **DENIED**.
2. That the Johansen Annexation into Saratoga Springs is hereby **APPROVED WITH CONDITIONS**. This approval is subject to the condition that Saratoga Springs and Utah County have otherwise agreed in writing to the Johansen Annexation and Saratoga Springs may not move forward on the Johansen Annexation until receipt of that document.

DATED this 6th day of ^{October}~~September~~, 2017.

UTAH COUNTY BOUNDARY COMMISSION



GARY RATCLIFFE, CHAIR

CERTIFICATE OF SERVICE

I hereby certify that I mailed and a true and correct copy of this **FINDINGS, CONCLUSIONS, AND ORDER**, postage prepaid, on this 10 day of ~~September~~ ^{October}, 2017, to the

following:

William C. Lee, Chair
Utah County Commission
100 East Center Street, Ste. 2300
Provo, Utah 84606

Jim Miller, Mayor
City of Saratoga Springs
1307 N. Commerce Dr. #200
Saratoga Springs, Utah 84045

Michael Johansen
7927 North 9550 West
Lehi, Utah 84043-3139

Bert Wilson, Mayor
Lehi City
153 North 100 East
Lehi, Utah 84043

Kim Struthers, AICP
Community Development Director
Lehi City
153 North 100 East
Lehi, Utah 84043

Aileen Ponder

Exhibit "A"