

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 PLEASANT GROVE CITY, dated April 18th, 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 PLEASANT GROVE CITY, 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 10th day of May, 2017 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor

Pleasant Grove

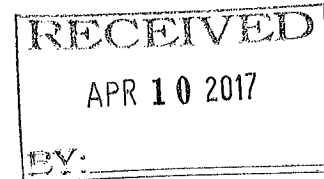


Utah's City of Trees

*****NOTICE OF IMPENDING BOUNDARY ADJUSTMENT*****

April 5, 2017

Lt. Governor's Office
Utah State Capitol Complex
P.O. Box 142325
Salt Lake City, Utah 84114-2325



Emailed to: annexations@utah.gov

RE: Anderson Property Annexation

To Whom It May Concern:

At the January 17, 2017 City Council meeting, the Mayor and City Council adopted Ordinance 2017-5 amending the Pleasant Grove City Annexation Policy Plan and Ordinance 2017-6 amending common boundaries by annexing a portion of a parcel (0.194 Acres) designated in the Annexation Policy Plan, on property located at approximately 899 East 1190 North which approved the annexation.

Enclosed you will find a copy of our Ordinances of Annexation, which includes the boundary description of the annexation, and a copy of the annexation map. The above referenced annexation meets the requirements of annexation.

If approved, please send the Certificate of Annexation to:

Pleasant Grove City
Kathy T. Kresser
City Recorder
70 South 100 East
Pleasant Grove, UT 84062

If you have any questions or need further information, please call me at 801-922-4528.

Sincerely,

Kathy T. Kresser
City Recorder

enclosures

Slanned

WHEN RECORDED RETURN TO:

Pleasant Grove City
Kathy Kresser
70 South 100 East
Pleasant Grove, Utah 84062

ORDINANCE NO. 2017-6

AN ORDINANCE OF THE CITY COUNCIL OF PLEASANT GROVE, UTAH COUNTY, UTAH, AMENDING THE COMMON BOUNDARIES BY ANNEXING A PORTION OF A PARCEL (.194) ACRES INTO PLEASANT GROVE CITY AS DESIGNATED IN THE ANNEXATION POLICY PLAN ON PROPERTY LOCATED AT APPROXIMATELY 899 EAST 1190 NORTH IN THE R1-9 ZONE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Donald Anderson owner of certain real property described below, desires to annex such real property to Pleasant Grove, Utah, owner Donald Anderson being the owner of at least one-third (1/3) in value of said real property as shown by the last assessment roll; and

WHEREAS, said real property is in a Sensitive Area and consists of .194 acres and lies contiguous to the corporate boundaries of Pleasant Grove, Utah; and

WHEREAS, said owners have caused a petition to be filed with the City Recorder together with an accurate plat of the real property which was made under the supervision of a licensed surveyor; and

WHEREAS, Pleasant Grove City Council accepted the petition for annexation; and within 30 days the City Recorder reviewed the petition and certified that the petition meets the requirements for annexation as provided by Utah State Law (Subsections 10-2-403 (2), (3), and (4)); and

WHEREAS, on November 14, 2016 the Pleasant Grove City Council received the required Notice of Certification from the City Recorder certifying that the annexation petition meets the requirements of State law; and

WHEREAS, a notice was published once a week for three successive weeks, beginning no later than ten days after receipt of the notice of certification, in a newspaper of general circulation within the area proposed for annexation and the unincorporated area within 1/2 mile of the area proposed for annexation as provided by Utah State Law (Subsection 10-2-406) ; and

WHEREAS, within 20 days of receipt of the notice of certification, written notices were mailed to the affected entities as provided by Utah State Law (Subsections 10-2-406 (1) (b)); and

WHEREAS, no protests to the annexation petition were filed during the period specified;

NOW, THEREFORE, pursuant to Section 10-2-407, Utah Code, the City Council of Pleasant

Grove City, Utah, hereby adopts and passes the following:

BE IT ORDAINED BY THE CITY COUNCIL OF PLEASANT GROVE, UTAH AS FOLLOWS:

ORDINANCE ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF PLEASANT GROVE CITY, UTAH.

1. The real property more particularly described in Paragraph 2, below, is hereby annexed to Pleasant Grove, Utah, and the corporate limits of Pleasant Grove, Utah, are hereby extended accordingly.
2. The real property which is the subject of this ordinance, located at approximately 899 East 1190 North, Pleasant Grove Utah. is more particularly described as follows:

COM N 290.33 FT & W 1393.7 FT FR SE COR. SEC. 16, T5S, R2E, SLB&M.; N 59 DEG 6' 13" W 194.28 FT; N 30 DEG 53' 47" E 43.54 FT; S 59 DEG 6' 13" E 194.28 FT; S 30 DEG 53' 47" W 43.54 FT TO BEG. AREA 0.194 AC. Serial No. 14.010.0041


3. The zoning map of Pleasant Grove City shall be amended to include the real property described above in Paragraph 2.
4. The real property described in Paragraph 2, above, shall be classified as being in the R1-9 (Single Family Residential, 9,000 sq ft lot) zone.
2. A certified copy of this Ordinance and an original plat setting forth the property so annexed shall be filed with the County Recorder of Utah County, Utah, by the City Recorder.
5. This Ordinance shall become effective upon adoption and passage by the City Council. A copy of the Ordinance and plat shall be deposited in the Office of the City Recorder.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect upon its passage and shall be posted or published as required by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 18th day of April, 2017

PLEASANT GROVE CITY CORPORATION


Michael W. Daniels, Mayor

ATTEST:

Kathy T. Kresser
Kathy T. Kresser, City Recorder, MMC

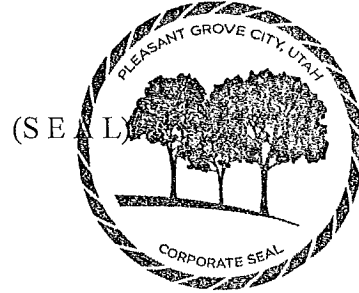
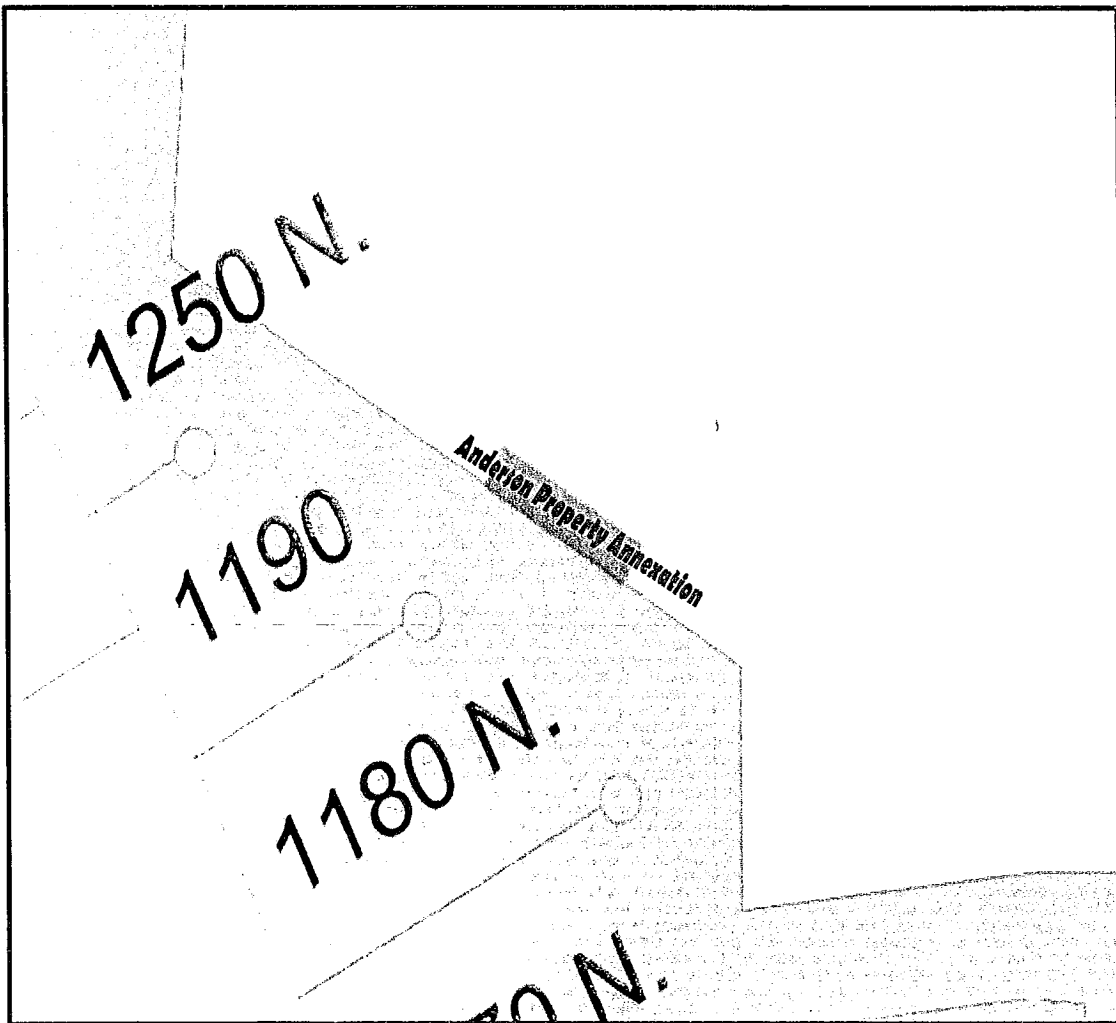


Exhibit "A"

The property is more particularly described as follows:

COM N 290.33 FT & W 1393.7 FT FR SE COR. SEC. 16, T5S, R2E, SLB&M.; N 59 DEG 6' 13"
W 194.28 FT; N 30 DEG 53' 47" E 43.54 FT; S 59 DEG 6' 13" E 194.28 FT; S 30 DEG 53' 47" W
43.54 FT TO BEG. AREA 0.194 AC. Serial No. 14.010.0041



ROLL CALL

VOTING	YES	NO
Mayor Michael W. Daniels (votes only in case of tie)		
Dianna Andersen (Council Member)	✓	
Eric Jensen (Council Member)	✓	
Cyd LeMone (Council Member)	✓	
Ben Stanley (Council Member)	✓	
Lynn Walker (Council Member)	✓	

Date Approved: Jan 17, 2017

Motion by: Ben Stanley

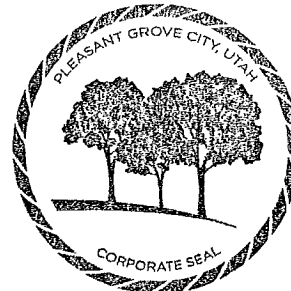
Seconded by: Dianna Andersen

CERTIFICATE OF POSTING ORDINANCE
Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that copies of the foregoing Ordinance No. 2017-6 was posted in the Daily Herald Newspaper on this 22 day of Jan, 2017.

Dated this 18 day of January, 2017.

Kathy T. Kresser
Kathy T. Kresser, City Recorder, MMC



ORDINANCE NO. 2017-5

AN ORDINANCE OF PLEASANT GROVE CITY CORPORATION AMENDING THE PLEASANT GROVE ANNEXATION POLICY PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, provisions of 10-2-400 of the Utah Code Annotated require municipalities to adopt an Annexation Policy Plan which sets forth the criteria which is to be taken into consideration for future annexations; and

WHEREAS, an Annexation Policy Plan was prepared and adopted in 2002 with the intent of incorporating by reference all of the criteria required and suggested by Section 10-2-400 et seq., Utah Code Annotated; and

WHEREAS, applicant Dan Van Woerkom has requested that a .194 acre property at approximately 899 East 1190 North adjacent to City boundaries be added into the potential annexation areas of the city, and

WHEREAS, additional updates have been prepared to the plan document to reflect the current situations in Pleasant Grove, and

WHEREAS, a copy of the proposed amended Annexation Policy Plan was made available for public inspection during regular business hours at the Community Development Offices, 86 East 100 South, Pleasant Grove, Utah; and

WHEREAS, notice of the proposed Annexation Policy Plan was mailed to all affected entities; and

WHEREAS, on December 12, 2017 the Pleasant Grove City Council held a duly noticed public hearing to consider adoption of the proposed Annexation Policy Plan and has considered all written and oral statements.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah, that the Pleasant Grove Annexation Policy Plan is hereby adopted as follows:

PART 1.

Contact: ~~Amanda R. Fraughton~~ Kathy T. Kresser, 801-785-5045

PLEASANT GROVE ANNEXATION POLICY PLAN

Introduction

In accordance with the provisions of 10-2-400, Utah Code Annotated, all municipalities within the State, except in Salt Lake County, are required to adopt an Annexation Policy Plan. In this Annexation Policy Plan, the cities are required to develop an expansion area map or plan for the future growth of the community. The annexation area plan shall incorporate the long range planning objectives contained in the land use plan of the community and shall represent a graphic illustration/ representation of the areas that the city intends to provide services to.

The Annexation Policy Plan is created by the City to guide decision making regarding future annexations. It also helps the City plan for future expansion in conjunction with neighboring political entities. Open communication between the City and other political entities, particularly the County, is a priority in the process of developing the Annexation Policy Plan.

As part of its ongoing effort to plan and prepare for responsible growth, Pleasant Grove has identified territory adjacent to its present city boundaries that could at some time in the future be a part of the city of Pleasant Grove. The areas proposed for future annexation must fall within the areas designated for future annexation in the Annexation Policy Plan of Pleasant Grove and shown on the attached expansion area map. Even though property proposed for annexation is located within the annexation expansion area, there is no guarantee that the annexation request will be approved by Pleasant Grove City.

Expansion Area Map

The City shall adopt and maintain an expansion area map (Exhibit A) that represents the growth boundary which includes territories outside, but adjacent to, the community that may be annexed into the City. ~~These areas may experience boundary overlap with other municipalities. Other potential annexation areas include those areas of land in which the slope of the land directs into Pleasant Grove City.~~ Even though the proposed properties may lie within the expansion area, there is no guarantee that the annexation request will be approved by the City. The petition for annexation may require additional requirements than those contained in the current Annexation Policy Plan.

Annexation Policy

The following is a statement of the criteria Pleasant Grove City will use in determining whether or not to approve future annexation petitions.

A. Character of the community

~~Pleasant Grove City is tucked away at the foot of Mount Timpanogos, and continues steady growth. The city was founded in 1847 and incorporated in 1855. Like most Utah County cities Pleasant Grove's population is young: The median age is 23.6. The Census shows the city gained 9992 new residents over the past decade.~~

~~In 2000, the city issued building permits for 170 new homes, 23 commercial buildings. Average household income in Pleasant Grove in 2000 was \$40,000. Seventy seven point eight percent (77.8%) of Pleasant Grove residents own their homes.~~

~~The opening of the new freeway off-ramp for I-15 at Pleasant Grove Boulevard has opened a new opportunity of development within Pleasant Grove City known as at the Gateway Area. Pleasant Grove Boulevard passes through over 500 acres of farm lands and rural residential property before connecting with State Street and Center Street at the new Macey's store. The extension of 2000 West is also planned through this area to connect with Pleasant Grove Boulevard and a future 700 North in Lindon. Extensive commercial and mixed use development is anticipated within this area.~~

Pleasant Grove City is tucked away at the foot of Mount Timpanogos, and continues steady growth. The city was founded in 1847 and incorporated in 1855. The 2010 Census showed the median age to be 2.6, and the median household income was \$63,421. The estimated population in January 2017 is 36,185, showing an increase of approximately 4,100 people over the last ten years.

In 2016, the City issued building permits for 117 new homes and 15 commercial buildings. Approximately 66% of Pleasant Grove residents live in single family homes, while 34% live in various types of multi-family residences.

Much of Pleasant Grove's new development has occurred in the area near I-15 at Pleasant Grove Boulevard known as The Grove. Many commercial and mixed use developments are continuing to be developed within this area.

B. The need for municipal services in developed and undeveloped unincorporated areas.

All areas included in the Annexation Policy Plan will need municipal services. All of the services for

streets, water, sewer, storm drainage, parks and trails and pressurized irrigation are either existing or will be constructed by Pleasant Grove City and/or the developers when needed for the development areas. Utah County Policy is that municipal services should be provided by the city and not by the county.

C. The municipality's plans for extension of municipal services.

Pleasant Grove City has developed Capital Facilities Master Plans for water, sewer, streets, and storm drainage. These plans provide the services necessary for the proposed annexation areas in the Annexation Policy Plan.

D. How the services will be financed.

The services will be financed by the developer installing the improvements and by the approved impact fees.

E. An estimate of the tax consequences to residents both currently within the municipal boundaries and the expansion area.

The current area of Pleasant Grove City is 9.17 square miles or 5,869 acres. The proposed annexation areas ~~contains~~ 50.67 acres and represents a .086 percent increase in the area of the city.

The annexation areas include (See Exhibit A):

1. <u>Parcel # 140050126</u>	<u>35.02 acres</u>
2. <u>Parcel # 140050034</u>	<u>.71 acres</u>
3. <u>Parcel # 140100041</u>	<u>.194 acres</u>
4. <u>Parcel # 130630099</u>	<u>1.27 acres</u>
5. <u>Parcel # 130630091</u>	<u>1.99 acres</u>
6. <u>Parcel # 140540142</u>	<u>11.49 acres</u>
<u>Total</u>	<u>50.67 acres</u>

The zoning in these areas range from rural residential (1/2 acre) zoning to mixed use and commercial zoning. The tax consequences may be insignificant or significant to the expansion area, depending upon the type of developments proposed, but since the area involved is very small, the actual impact to the general residents of the city is insignificant.

F. The interest of all affected entities.

Lindon City. No impacts are anticipated.

Cedar Hills City. No impacts are anticipated.

American Fork City. There are several properties that are claimed by both three properties adjacent to American Fork and Pleasant Grove, near I-15. Our engineering analysis has shown that the topography and services can best be handled by Pleasant Grove City.

Alpine School District. Alpine School District is involved in the boundaries of the annexation area. Most of the proposed annexation parcels are already serviced by Alpine School District and any changes in the number of students would represent a very small increase in the current school population. Any increases in the student population from the annexation areas ~~located near the Pleasant Grove City Gateway area near Pleasant Grove Boulevard~~ will be handled with the normal growth anticipated by the ~~sections of the Gateway area~~ already within the City boundaries.

Timpanogos Special Services District. Provides sewage treatment for Alpine, Lehi, Pleasant Grove, Highland, Cedar Hills, and American Fork. District facilities have been sized to accommodate the growth of the member cities.

G. Justification for excluding from the expansion area any area containing urban development within 1 mile of the municipality' s boundary.

Pleasant Grove City is landlocked. No more growth is possible on the Lindon or Cedar Hills sides of the city. There is ~~significant~~ some unincorporated land between American Fork and Pleasant Grove, but American Fork is providing services to those areas. The areas included in Pleasant Grove City Annexation Map are those parcels best served by Pleasant Grove City. There is also land located east of Pleasant Grove in the mountain area, but most of these lands are listed as sensitive lands that may not be developed without significant impacts. There are no urban areas within 1 mile of Pleasant Grove City that have not been included within an incorporated city.

H. Statements received from affected communities.

The Community Development Department has not received any comments or letters from the affected parties since noticing was sent for the public hearing held at within the 10 days following the January 12, 2017 Planning Commission meeting.

I. General Annexation Criteria of Pleasant Grove City

The following is the text of the current Annexation requirements found in Chapter 15.18 of the Pleasant Grove City Municipal Code.

15.18.010 General Requirements

In order to assure orderly growth and development of the community and protect the general interest of the taxpaying public as well as the rights of individual property owners who wish to annex to the city, the following specific guidelines are established:

- (1) Pleasant Grove City's policy of requiring subdividers and developers to provide for improvements through a bond procedure or through a special improvement district makes it unnecessary for the city to assess general impact fees at the time of annexation. Developers will, however, be subject to appropriate fees to offset the cost to the city or planning and supervision of subdividing, and the providing of utilities as those fees are provided for throughout the ordinances of the city or by resolution duly passed. A party annexing property will likewise be charged for services of the city for preparation of the annexation plat if that work is done by the city rather than by a private engineer or surveyor.
- (2) That every annexation include the greatest amount of property possible.
 - (a) That piecemeal annexation of individual small properties not be allowed if contiguous parcels, soon to be developed, are available, in order to avoid repetitious annexation.
 - (b) That no pocket or islands of county jurisdiction be allowed, and that peninsulas and irregular boundaries be minimized.
 - (c) That annexation generally follow existing roads, utilities and property lines in order to minimize the public expense for extension of main or service lines and streets.
- (3) That city utilities and services not be extended to unincorporated properties on the fringes of the city nor to islands of unincorporated property. In order to provide for orderly growth and development in the city and to avoid confusion and undue cost to the taxpayers, all utility and service

hookons shall be limited to incorporated areas of the city and shall not be made available extraterritorially. The only exception shall be to those extensions which are made pursuant to agreements with other units of government under the Interlocal Government Cooperation Act, or by specific approval of the municipal council on request of the City Council.

- (4) That utilities be extended to annexed areas as soon as practicable after annexation.
 - (a) Each annexation should require a disclosure by the developer of anticipated needs of utilities and street improvements and a timetable of anticipated development.
 - (b) That needs utilities be extended into the annexed area as soon as practicable subject to budgetary limitations and that extensions of main and service lines be chargeable to the property development rather than to the public generally.

15.18.020 Annexation Procedures

Whichever of the following annexation procedures are followed will be determined by whether the property owner, or the city exercises the prerogative of initiating the annexation:

- (1) Annexation by property owner. It is hereby recognized that Pleasant Grove City's policy shall be to allow the property owner contiguous to the city boundaries, absent some reasonable public interest, to be and remain in control of both the discretion as to whether to be annexed into the city and the timing in conjunction with such annexation.
- (2) When initiated by the property owner, the city petition for annexation shall be as followed:
 - (a) The property owner or owners shall submit to the city a petition for annexation the form and meeting the criteria established by state law.
 - (b) Attached to and as part of the petition shall be an accurate survey plat of the property to be annexed accurately describing the existing city boundaries and each individual ownership sought to be annexed including an accurate legal description of the property to be annexed.
 - (c) There shall be attached a statement as to the anticipated timetable for development of the property being annexed.

15.18.030 Municipal Initiation of Annexation

It shall be the policy of the city to annexed unincorporated area without a petition if:

- (1) The annexation is an island within or a peninsula contiguous to the municipality.
- (2) The majority of the area consists of residential or commercial development.
- (3) The area proposed for annexation requires the delivery of municipal type services.
- (4) The municipality has provided most or all of the municipal type services to the area for more than one year.

15.18.040 Procedure for Petitions and Plats

The procedure for processing annexation petitions and plats shall be as follows:

- (1) A petition and proper plat certified by a licensed engineer or surveyor shall be submitted to the city recorder as set forth in the state law.
- (2) The petition and plat shall be forwarded to the Community Development Director who shall determine the feasibility of expanding the annexation boundaries. The plat and description shall also be returned to the City Recorder to prepare the Notice of Certification.
- (3) The annexation proposal shall be reviewed by the staff review committee at a meeting called by the Community Development Director.
- (4) The staff review committee shall prepare an impact report and recommendation on the proposed annexation to be reviewed by the Planning Commission and City Council at their regular meeting.
- (5) The Planning Commission, upon referral from the Community Development Director, shall hold a public hearing and make a recommendation on the annexation proposal to the City Council.

15.18.050 Annexation Petition Review

General annexation procedure shall be that provided by state law; provided, however, that the City Council shall not take final action on any petition until the same has been reviewed by the Pleasant Grove City staff review committee. The staff review committee, for purposes of this review, shall be composed of the following, or their designees:

1. The City Engineer.
2. The Public Works Director.

3. The Fire Chief.
4. The Police Chief.
5. The Zoning Administrator.
6. The Community Development Director.

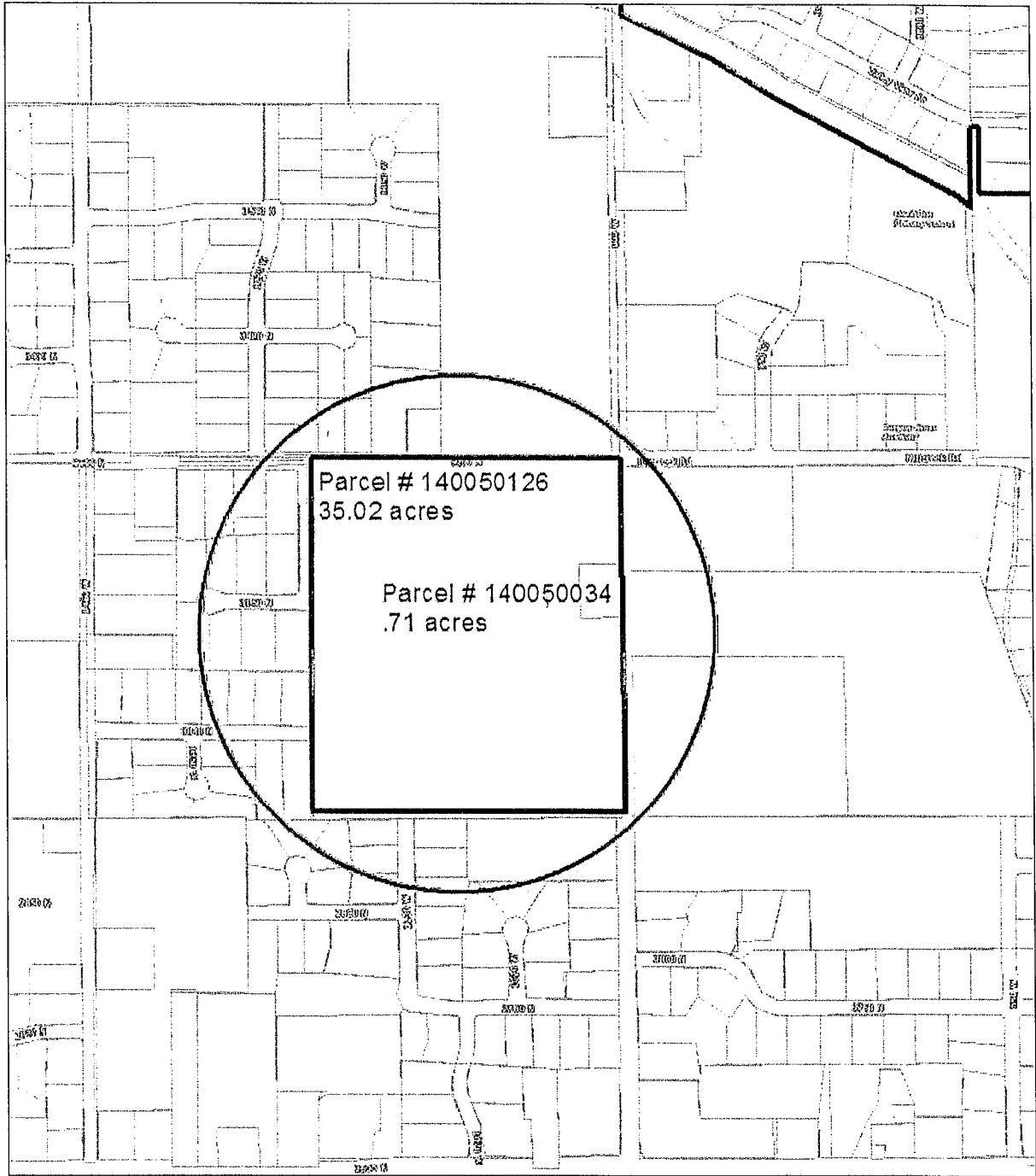
The staff review committee will review each annexation requirement and prepare a staff report with consideration and a recommendation for the for the city council and planning commission indicating an evaluation of the following information:

- (1) The ability to meet annexation policy criteria.
- (2) An accurate map of the proposed annexation area showing the boundaries and property ownership within the area, the topography of the area and major natural features (e.g., drainage, channels, wooded areas, areas of high water table etc.)
- (3) Current and potential population of the area and the current residential densities.
- (4) Land uses presently excising and those proposed.
- (5) Statement as to how the proposed area, or its potential land use, would contribute to the achievement of the goals and policies of the city general plan.
- (6) Assessed valuation of the current properties.
- (7) Potential demand for various city services, and the need for land use regulation in the area.
 - (a) Distance from existing utility lines.
 - (b) Special requirements (e.g., flood plain, hillside ordinances, etc.)
 - (c) Distance to public schools, parks, and shopping centers.
 - (d) Traffic generated by expected land uses.
- (8) The effect that the annexation will have upon city boundaries and whether the annexation will ultimately create potential for islands, undesirable boundaries, and difficult service areas.
- (9) Specific timetable for extending services would be financed.
- (10) Potential revenue versus service costs.
- (11) An estimate of the tax consequences to residents of the area to the annexed in the city and

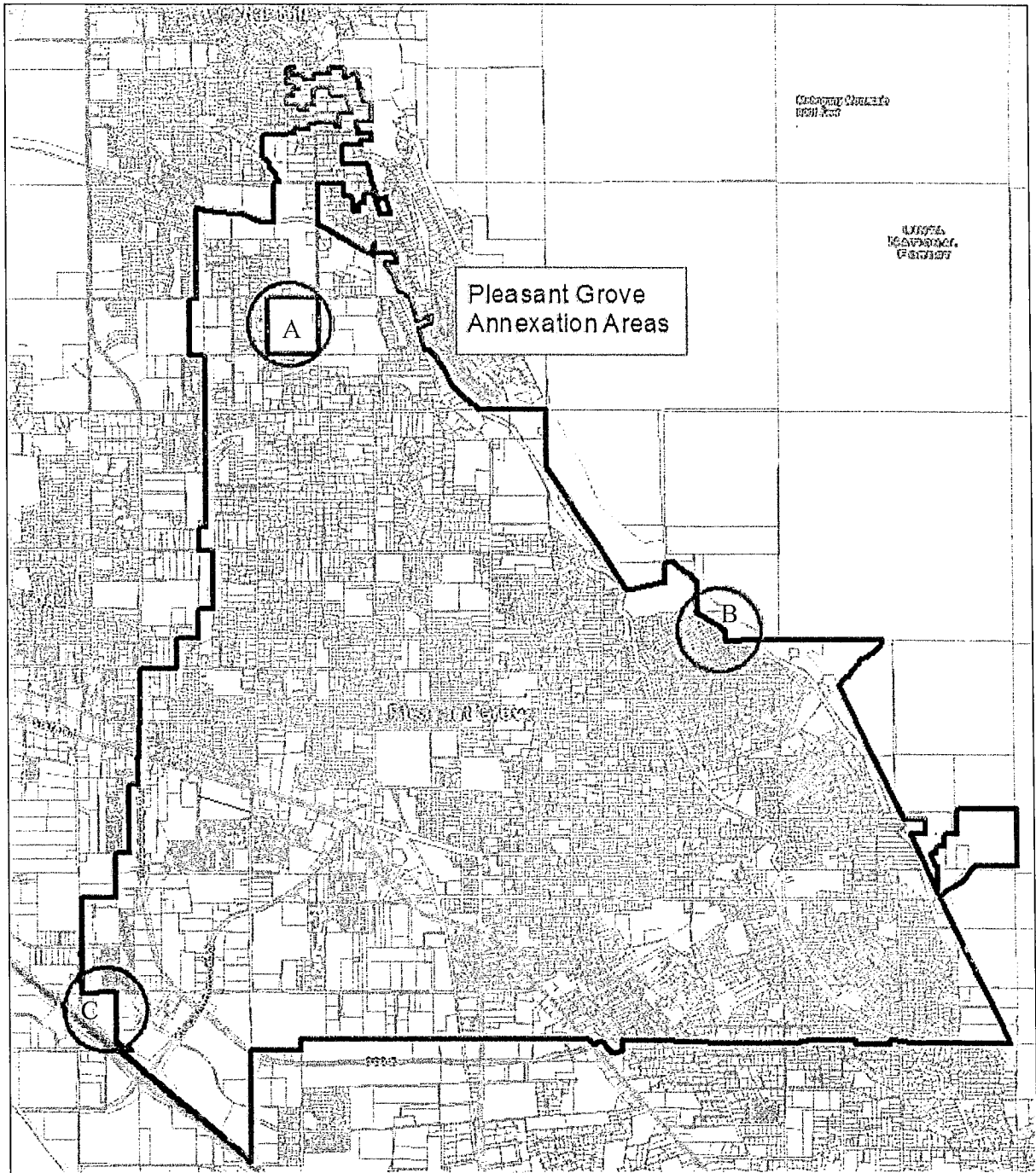
county.

(12) Recommendation or attitudes of the other local government jurisdictions regarding the proposal and potential impact of the annexation on general county economic needs, goals, or objectives.

EXHIBIT A – ANNEXATION POLICY PLAN MAP (including maps A, B and C)



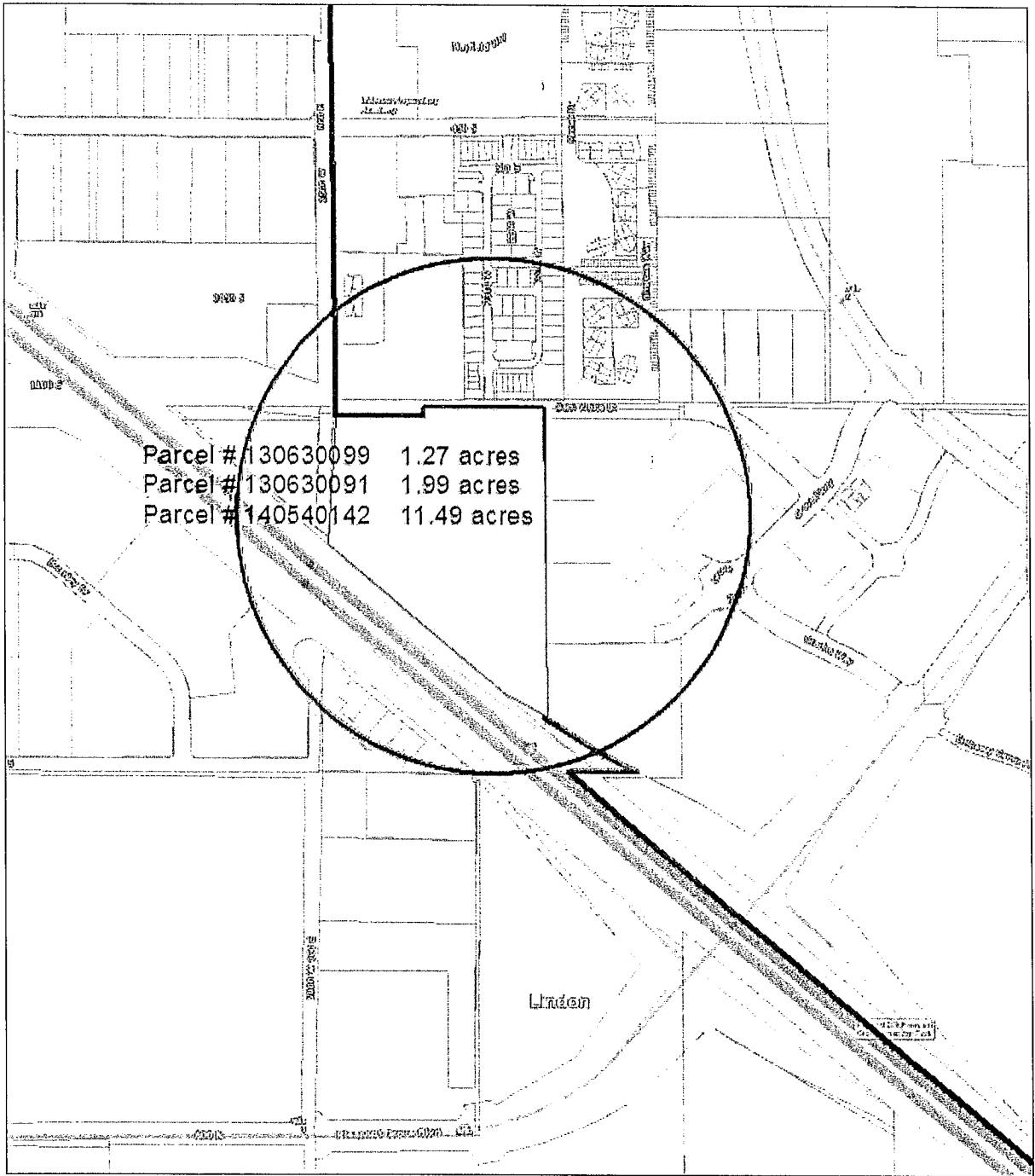
Map B



Map A



Map C



PART II.

Severability.

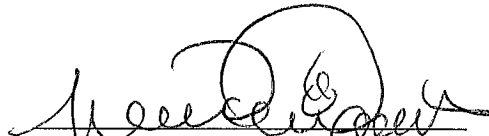
Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

PART III.

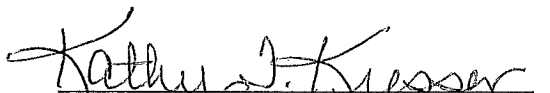
Effective Date.

This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah, this 17th day of January, 2017.


Michael W. Daniels, Mayor

ATTEST:


Kathy T. Kresser, City Recorder, MMC



