

STATE OF UTAH

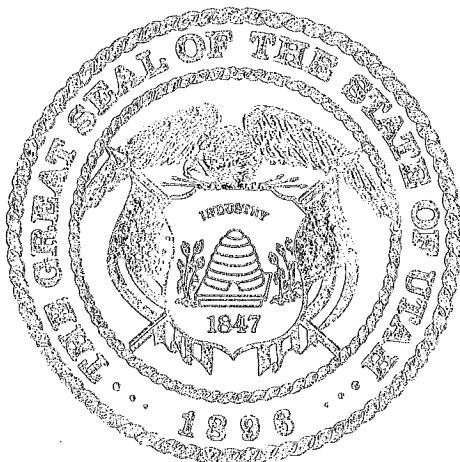


OFFICE OF THE LIEUTENANT GOVERNOR

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 PROVIDENCE CITY, dated March 14<sup>th</sup>, 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 PROVIDENCE CITY, located in Cache County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 13<sup>th</sup> day of April, 2017 at Salt Lake City, Utah.

SPENCER J. COX  
Lieutenant Governor



# Providence City

164 North Gateway Drive  
Providence, UT 84332  
(435) 752-9441 ! Fax: (435)753-1586  
www.providencacity.com

March 28, 2017

Lieutenant Governor's Office  
Utah State Capitol Complex  
Suite 220  
PO Box 142325  
Salt Lake City UT84114-2325

Lt. Governor Cox:

On March 14, 2017, the Providence City Council adopted Ordinance 2017-005, an ordinance granting a petition for annexation and annexing the property described below, which is generally located at 500 West 500 South, adjacent to the southwest boundary of Providence City. Legally described as follows:

Part of Lot 10 and 11, Block 3, Plat "D", Providence Farm Survey located in the Northwest Quarter of Section 15, Township 11 North, Range 1 East of the Salt Lake Base described as follows: Beginning at the Southwest Corner of Lot 11, Block 3, Plat "D" Providence Farm Survey and running along the Millville Corporate Boundary the next two courses:

- 1) thence N 01°11'19" E 363.56 feet along the west line of said Lot 11;
  - 2) thence N 89°02'34" W 660.01 feet along an existing fence line;
- thence N 00°37'08" E 299.86 feet to the Northwest Corner of Lot 10, Block 3, Plat "D" Providence Farm Survey;
- thence N 00°37'08" E 99.02 feet to the Southwest Corner of Lot 4, Block 4, Plat "D" Providence Farm Survey;
- thence S 88°17'42" E 645.53 feet along the south line of said Lot 4;
- thence along the Providence Corporate Boundary the next four courses:
- 1) thence S 00°36'53" W 49.50 feet;
  - 2) thence S 88°17'40" E 352.01 feet;
  - 3) thence S 00°40'26" W 49.51 feet to the Northwest Corner of Sunrise Acres Subdivision;
  - 4) thence S 00°40'26" W 656.01 feet along the west line of Sunrise Acres Subdivision;
- thence N 88°05'59" W 340.39 feet along the south line of Lot 11, Block 3, Plat "D" Providence Farm Survey to the point of beginning, containing 11.43 acres, more or less.

This statement certifies that all requirements applicable to the boundary action have been met.

Also included with this statement is a copy of the annexing ordinance, the associated annexation agreement, and the approved final local entity plat.

If you need additional information, please contact me, email: [sbankhead@providence.utah.gov](mailto:sbankhead@providence.utah.gov) or voice: 435-752-9441.

Sincerely,

  
Skarlet Bankhead  
City Recorder

Ordinance No. 2017-003

AN ORDINANCE GRANTING A PETITION FOR ANNEXATION, ANNEXING THE PROPERTY DESCRIBED IN THE PETITION AND LOCATED ADJACENT TO THE SOUTHWEST BOUNDARY OF PROVIDENCE CITY, AND ZONING THE PROPERTY AS SINGLE-FAMILY RESIDENTIAL (SFR); AN 11.43 ACRE PARCEL COMMONLY KNOWN AS APPROXIMATELY 500 WEST 500 SOUTH (COMPRISED OF PARCEL NO. 02-117-0005. THE PROPOSED ANNEXATION PLAT ALSO INCLUDES A PORTION OF CACHE COUNTY RIGHT-OF-WAY, COMMONLY KNOWN AS 500 SOUTH IN PROVIDENCE, WHICH IS ADJACENT TO THE NORTH LINE OF PARCEL NO. 02-117-0005); PETITIONED BY GINA AND MARK THOMPSON.

WHEREAS I, Skarlet Bankhead, the duly appointed and acting City Recorder of Providence City, Cache County, Utah did hereby receive a Petition for Annexation and Plat which was filed with the City by Gina and Mark Thompson, Petition Sponsor; and

WHEREAS the legal description for said property is as follows:

Part of Lot 10 and 11, Block 3, Plat "D", Providence Farm Survey located in the Northwest Quarter of Section 15, Township 11 North, Range 1 East of the Salt Lake Base described as follows:

Beginning at the Southwest Corner of Lot 11, Block 3, Plat "D" Providence Farm Survey and running along the Millville Corporate Boundary the next two courses:

1) thence N 01°11'19" E 363.56 feet along the west line of said Lot 11;

2) thence N 89°02'34" W 660.01 feet along an existing fence line;

thence N 00°37'08" E 299.86 feet to the Northwest Corner of Lot 10, Block 3, Plat "D" Providence Farm Survey;

thence N 00°37'08" E 99.02 feet to the Southwest Corner of Lot 4, Block 4, Plat "D" Providence Farm Survey;

thence S 88°17'42" E 645.53 feet along the south line of said Lot 4;

thence along the Providence Corporate Boundary the next four courses:

1) thence S 00°36'53" W 49.50 feet;

2) thence S 88°17'40" E 352.01 feet;

3) thence S 00°40'26" W 49.51 feet to the Northwest Corner of Sunrise Acres Subdivision;

4) thence S 00°40'26" W 656.01 feet along the west line of Sunrise Acres Subdivision;

thence N 88°05'59" W 340.39 feet along the south line of Lot 11, Block 3, Plat "D"

Providence Farm Survey to the point of beginning, containing 11.43 acres, more or less.

WHEREAS, the Petition was accepted by the Providence City Council for further consideration pursuant to Utah Code Section 10-2-405, by Resolution 044-2016 adopted and passed by the City Council on November 1, 2016; and

WHEREAS, pursuant to Utah Code Section 10-2-406, did give Notice of Certification of Annexation Petition; and

WHEREAS, the Notice of Annexation was published in the Herald Journal on December 24, and 31, 2016, and January 7, 2017; and

WHEREAS, a formal protest to the Petition was received; and

WHEREAS, the Cache County Boundary Commission met on February 21, 2017 to hear the protest. The Boundary Commission ruled in favor of the annexation.

WHEREAS the Providence City Council advertised and held a public hearing, in accordance with Utah Code 10-2-407(3)(b), on March 14, 2017; and

Ordinance No. 2017-003

Annex: approximately 500 West 500 South

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WHEREAS, Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values in areas that may be considered sensitive, including but not limited to fire danger, slope, soil content, by following its Annexation Policy Plan and its General Plan; and

WHEREAS, Providence City Master Plan Sheet No. 5-C Zone Districts of Future Annexations, shows the above described property as within the Future Providence Corporation Limits.

WHEREAS, the Petitioner has asked that the parcel be annexed as Single-Family Residential (SFR). The Providence City Planning Commission held a public hearing to hear the request on December 14, 2016 and recommended that if the property was annexed the Zone be SFR.

THEREFORE, BE IT ORDAINED that the Providence City Council:

- Grants the Petition for Annexation filed by Gina and Mark Thompson; and
- The Providence City Corporate limits will be modified to include said property as described above; and
- The Providence City Zoning Map will be revised to include the property as Single-Family Residential (SFR).
- This Ordinance will become effective immediately upon passage and certification from the Lt. Governor's Office.

Ordinance adopted by vote of the Providence City Council this 14 day of March 2017.

Council Vote:

Allen, Kirk	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Baldwin, Jeff	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Drew, John	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Giles, Dennis	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Sneddon, Roy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent

Signed by Mayor Don W Calderwood this 28 day of March 2017

Providence City

*Don W. Calderwood*

Don W. Calderwood, Mayor

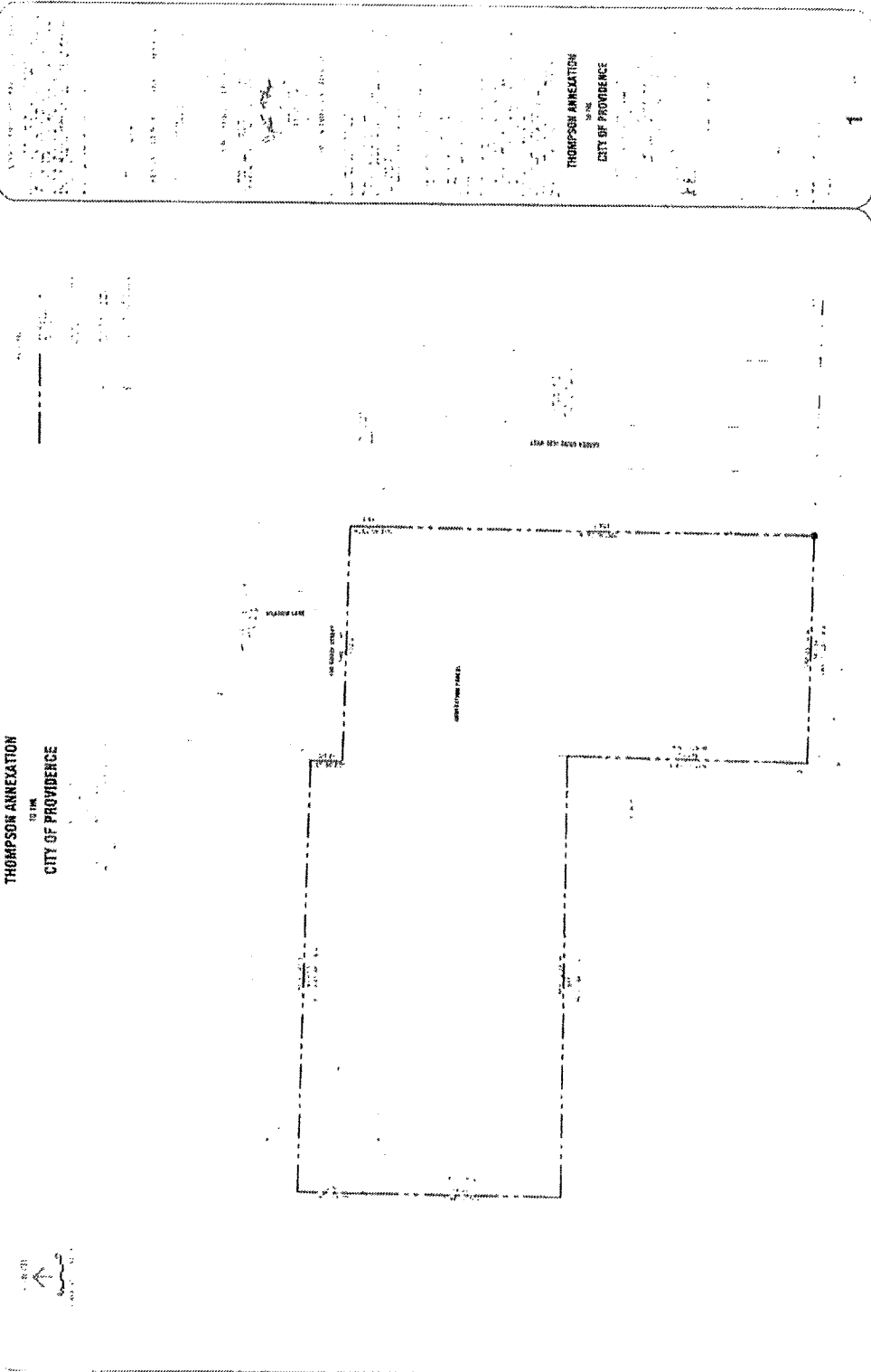
Attest:

*Skarlet Bankhead*  
Skarlet Bankhead, Recorder



THOMPSON ANNEXATION  
TO THE  
CITY OF PROVIDENCE

APR 21 1904  
*[Signature]*



THOMPSON ANNEXATION  
TO THE  
CITY OF PROVIDENCE

**ACCEPTANCE BY LEGISLATIVE BODY**  
 HAS BEEN MADE BY THE LEGISLATIVE BODY OF THE STATE OF IOWA AND THE CITY OF PROVIDENCE HAS BEEN ADVISED BY THE CITY CLERK OF THE CITY OF PROVIDENCE THAT THE CITY OF PROVIDENCE HAS ACCEPTED THE ANNEXATION OF THE CITY OF PROVIDENCE TO THE CITY OF PROVIDENCE AND THE CITY OF PROVIDENCE HAS ACCEPTED THE ANNEXATION OF THE CITY OF PROVIDENCE TO THE CITY OF PROVIDENCE.

**DEPUTY COUNTY SUPERVISOR'S CERTIFICATE**  
 I, \_\_\_\_\_, Deputy County Supervisor of Cache County, Iowa, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

**SURVEYOR'S CERTIFICATE**  
 I, \_\_\_\_\_, Surveyor of Cache County, Iowa, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

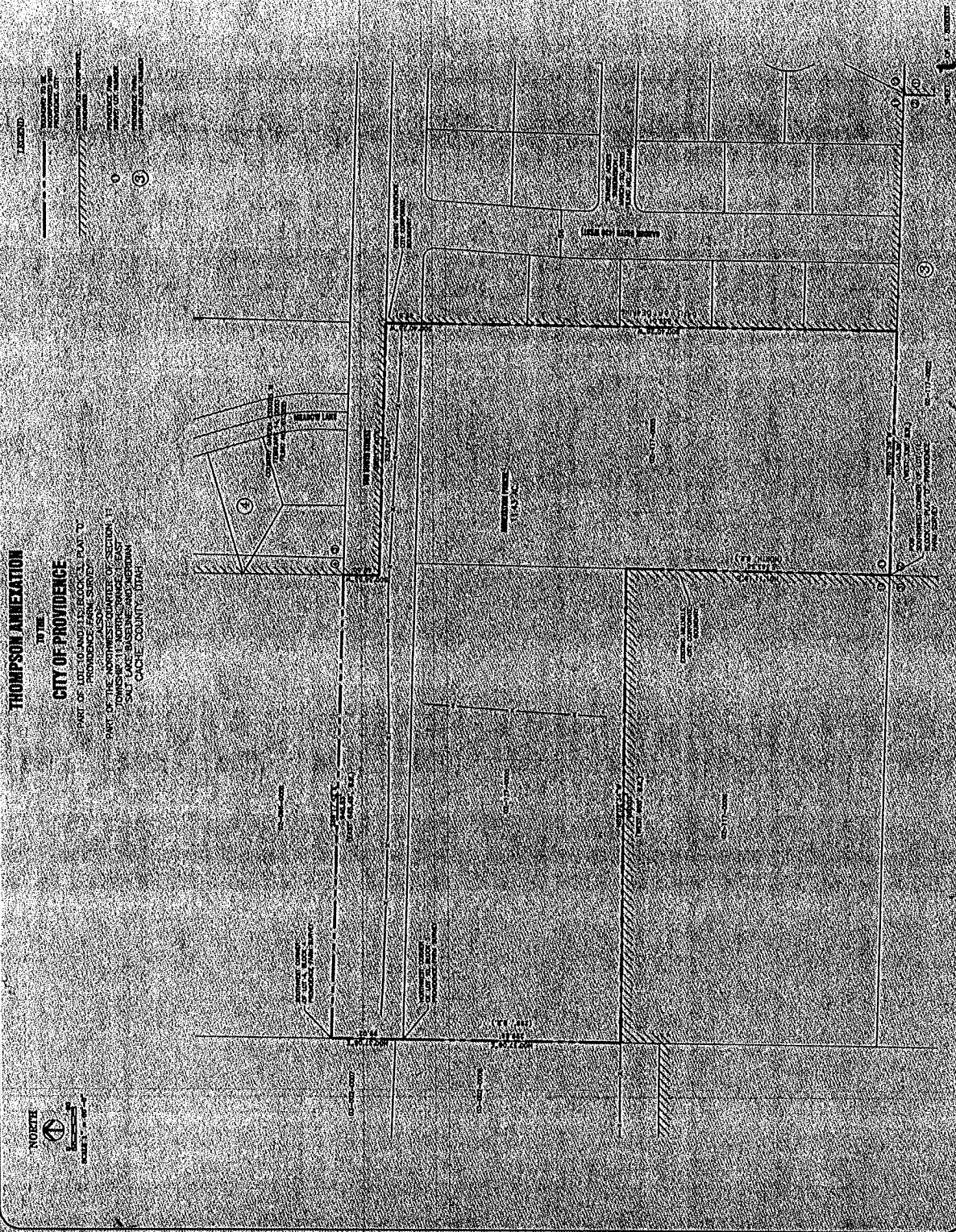
**BOUNDARY CERTIFICATE**  
 I, \_\_\_\_\_, Surveyor of Cache County, Iowa, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

**THOMPSON ANNEXATION**  
 PART OF LOT 10 AND 11, BLOCK 3, PLAT 77, PROVIDENCE, IOWA, AS SHOWN ON THE MAP OF THE CITY OF PROVIDENCE, IOWA, AS FILED IN THE OFFICE OF THE COUNTY CLERK OF CACHE COUNTY, IOWA.

**ALLIANCE CONSULTING ENGINEERS**  
 100 EAST 200 NORTH STREET  
 CASH, IOWA 51201

**CITY OF PROVIDENCE**  
 100 EAST 200 NORTH STREET  
 CASH, IOWA 51201

**DATE** \_\_\_\_\_



**THOMPSON ANNEXATION**  
 TO THE  
**CITY OF PROVIDENCE**  
 PART OF LOT 10 AND 11, BLOCK 3, PLAT 77, PROVIDENCE, IOWA, AS SHOWN ON THE MAP OF THE CITY OF PROVIDENCE, IOWA, AS FILED IN THE OFFICE OF THE COUNTY CLERK OF CACHE COUNTY, IOWA.



Resolution 007-2017

A RESOLUTION APPROVING AN ANNEXATION AGREEMENT ASSOCIATED WITH AN ANNEXATION PETITION FILED BY GINA AND MARK THOMPSON, ANNEXING AN 11.43 PARCEL NO. 02-117-0005 AND THE ADJACENT PORTION OF COUNTY RIGHT-OF-WAY, LOCATED GENERALLY AT 500 WEST 500 SOUTH; AND ESTABLISHING CONDITIONS FOR THE FUTURE DEVELOPMENT ON THE PROPERTY.

WHEREAS UCA § 10-7-717 Purpose of resolutions, states, "Unless otherwise required by law, the governing body may exercise all administrative powers by resolution . . ."

WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of the City and its present and future inhabitants and businesses.

WHEREAS Providence City received a Petition for Annexation from Gina and Mark Thompson, annexing an 11.43 Parcel No. 02-117-0005 and the adjacent portion of County right-of-way, located generally at 500 West 500 South; and

WHEREAS the attached Annexation Agreement has been reviewed by the Petitioner, the City Attorney, and City Staff.

THEREFORE be it resolved by the Providence City Council:

- The attached Annexation Agreement between Gina and Mark Thompson and Providence City shall be approved; and
- The Mayor and City Recorder are hereby authorized to execute said Agreement; and
- If Providence City does not annex the above described property, said Agreement is void.
- This resolution shall become effective immediately upon passage.

Passed by vote of the Providence City Council this 14 day of March, 2017.

Council Vote:

Allen, Kirk	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Baldwin, Jeff	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Drew, John	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Giles, Dennis	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Sneddon, Roy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent

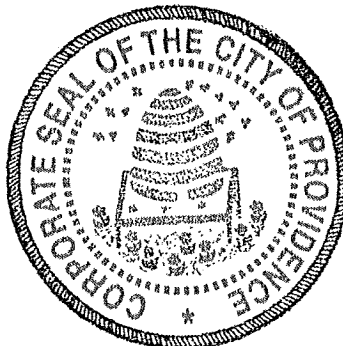
Providence City

*Don W. Calderwood*

Don W Calderwood, Mayor

Attest:

*Skarlet Bankhead*  
Skarlet Bankhead, Recorder



## ANNEXATION AGREEMENT

The purpose of this Agreement is to establish conditions for future development on property described in a Petition for Annexation filed by Gina and Mark Thompson generally located at 500 West 500 South, and comprised of Parcel No. 02-117-0005. The proposed annexation plat also includes a portion of Cache County right-of-way, commonly known as 500 South in Providence, that is adjacent to the north line of Parcel No. 02-117-0005.

Mark B & Gina J Thompson are the owners of Parcel 02-117-0005, which is shown on the plat accompanying the Petition for Annexation. At the request of Cache County, the proposed annexation plat also includes a portion of Cache County right-of-way, commonly known as 500 South in Providence, that is adjacent to the north line of Parcel No. 02-117-0005.

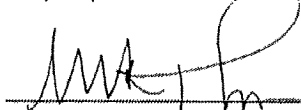
The owners, their successors, agents and/or assigns agree to the following items pertaining to those parcels as future development occurs:

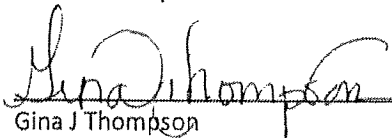
1. Sewer. Extensions of the sewer main lines throughout the parcel will be designed such that the sewer will connect to and gravity flow to the existing Providence City sewer, in locations approved by the City Engineer and Public Works Director.
2. 500 South. As development occurs, the developer of Parcel 02-117-0005, or a subdivision thereof, will improve the portion of 500 South that is adjacent to the said parcel for the length of each phase of development. At a minimum, improvements will comply with the partial street cross section in the Providence City Department of Public Works Standards and Specifications Manual.

The owners, their successors, agents and/or assigns further agree that if, for any reason, the annexation is challenged, whether or not litigation is filed against them or the City or both with regard to the annexation, and it becomes reasonably necessary for the City to incur legal expenses in responding to that challenge, that the owners will indemnify and hold the City harmless from any and all legal fees and costs of court associated with that challenge. The City agrees that the owners may, under such a circumstance, withdraw the Petition for Annexation and that they and their legal counsel may take the lead in any related litigation or legal disputes in order to minimize any cost to the City arising out of a challenge.

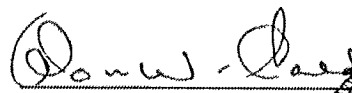
If Providence City does not annex the property described above, this agreement becomes void.

Property Owners

  
\_\_\_\_\_  
Mark B Thompson

  
\_\_\_\_\_  
Gina J Thompson

Providence City

  
\_\_\_\_\_  
Don W Calderwood, Mayor  
Attest by:

  
\_\_\_\_\_  
Skarlet Bankhead, City Recorder

