

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from PROVO CITY, dated October 19th, 2009, 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 PROVO 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 23rd day of November, 2009 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "G Bell".

GREG BELL
Lieutenant Governor

The City of
Provo, Utah



November 4, 2009

Lewis K. Billings
Mayor

Greg Bell
Lieutenant Governor of the State of Utah
Utah State Capitol Complex
East Office Building, Suite E325
P.O. Box 142220
Salt Lake City, Utah 84114-2220

Subject: Provo City - Notice of Annexation, Budge Addition

The Honorable Greg Bell:

This letter is to give you notice that on October 6, 2009, the Provo City Municipal Council passed Annexation Ordinance 2009-01 annexing into Provo City unincorporated Utah County land. This was approved by Mayor Lewis K. Billings on October 19, 2009, and published on October 25, 2009, as required by law.

The effective date of this annexation shall be the date of the Lieutenant Governor's issuance of a certificate of annexation pursuant to 10-2-425(1)(b) of the Utah State Code, Annotated.

Enclosed, please find a copy of Annexation Ordinance 2009-02 and a copy of the annexation plat.

If you have any questions regarding this letter, I may be reached at (801) 852-6404.

Sincerely,

PROVO COMMUNITY DEVELOPMENT

Office of
Community Development

www.provo.org/comdev

330 West 100 South

P.O. Box 1849

Provo, Utah 84603


James Bryan
Planning Supervisor

enclosure

Received

NOV 18 2009

**Greg Bell
Lieutenant Governor**

(801) 852-6400

FAX: (801) 852-6417

ANNEXATION ORDINANCE 2009-01

SHORT TITLE:

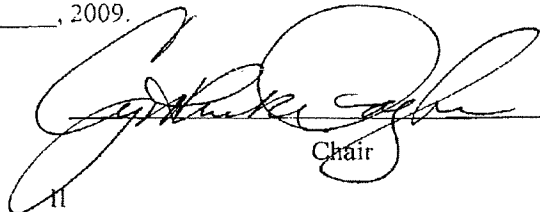
AN ORDINANCE ANNEXING 9.04 ACRES OF REAL PROPERTY LOCATED
GENERALLY AT 5240 NORTH CANYON ROAD, NORTH TIMPVIEW
NEIGHBORHOOD, 09-0001A.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER
CW 1	DAVID ACHESON			✓		
CW 2	STEVEN C. TURLEY			✓		
CD 1	CYNTHIA R. DAYTON		✓	✓		
CD 2	CYNTHIA J. CLARK			✓		
CD 3	MIDGE JOHNSON			✓		
CD 4	SHERRIE HALL EVERETT			✓		
CD 5	CINDY L. RICHARDS	✓		✓		
				TOTALS	7	0

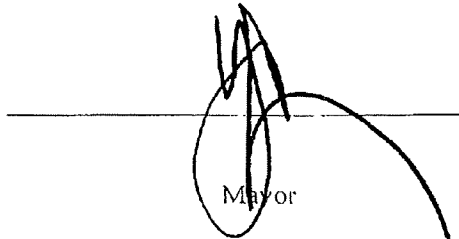
This ordinance was passed by the Municipal Council of Provo City, on the _____ day
of _____, 2009 on a roll call vote as described above. Signed
this 8 day of October, 2009.



 Chair

APPROVAL BY MAYOR

This ordinance is approved by me this 19 day of October, 2009.



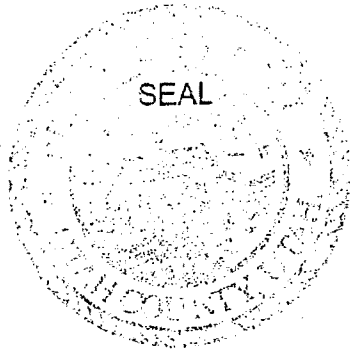
 Mayor

ANNEXATION ORDINANCE 2009-01

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 26 day of October 2009, with a short summary being published on the 19 day of October 2009, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitute a true and accurate record of proceedings with respect to Ordinance Number 2009-01.



Signed this 26 day of October 2009.

Ladice Groesbeck
City Recorder

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ORDINANCE 2009-01.

AN ORDINANCE ANNEXING 9.04 ACRES OF REAL PROPERTY LOCATED
GENERALLY AT 5240 NORTH CANYON ROAD. NORTH TAMPVIEW
NEIGHBORHOOD. 09-0001A.

WHEREAS, the owners of real property located generally at 5240 North Canyon Road have submitted a petition to annex to Provo City 9.04 acres of property as described in the attached Exhibit "A" (the "Property"); and,

WHEREAS, the annexation petition was deemed accepted as provided in Section 10-2-405 (1)(a)(i)(B) of the Utah Code; and,

WHEREAS, applicable requirements of Section 10-2-401, et seq., of the Utah Code have been met; and,

WHEREAS, as required by Section 15.15.040 of the Provo City Code, the City's staff review committee evaluated the proposed annexation and has no objections to the annexation of the Property; and,

WHEREAS, on September 9, 2009 the Planning Commission held a duly noticed public hearing to consider the annexation petition and after such hearing the Planning Commission recommended to the Municipal Council that the Property be annexed as proposed; and,

WHEREAS, on October 6, 2009 the Municipal Council held a duly noticed public hearing to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record; and,

WHEREAS, after considering the recommendation of the Planning Commission and facts and comments presented to the Municipal Council, the Council finds (i) the Property located generally at 5240 North Canyon Road, as described in the attached Exhibit "A", should be annexed, and (ii) such action reasonably furthers the health, safety, and welfare of the citizens of Provo.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

The Property described in the attached Exhibit "A" and located generally at 5240 North Canyon Road is hereby annexed.

PART II:

This ordinance shall take effect immediately after it has been posted or published as required by law.

END OF ORDINANCE.

Exhibit "A"
Legal Description

Annexation: Budge Addition
Project Address: 5240 N Canyon Rd
Applicant: Don and Kaye Budge

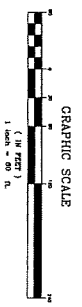
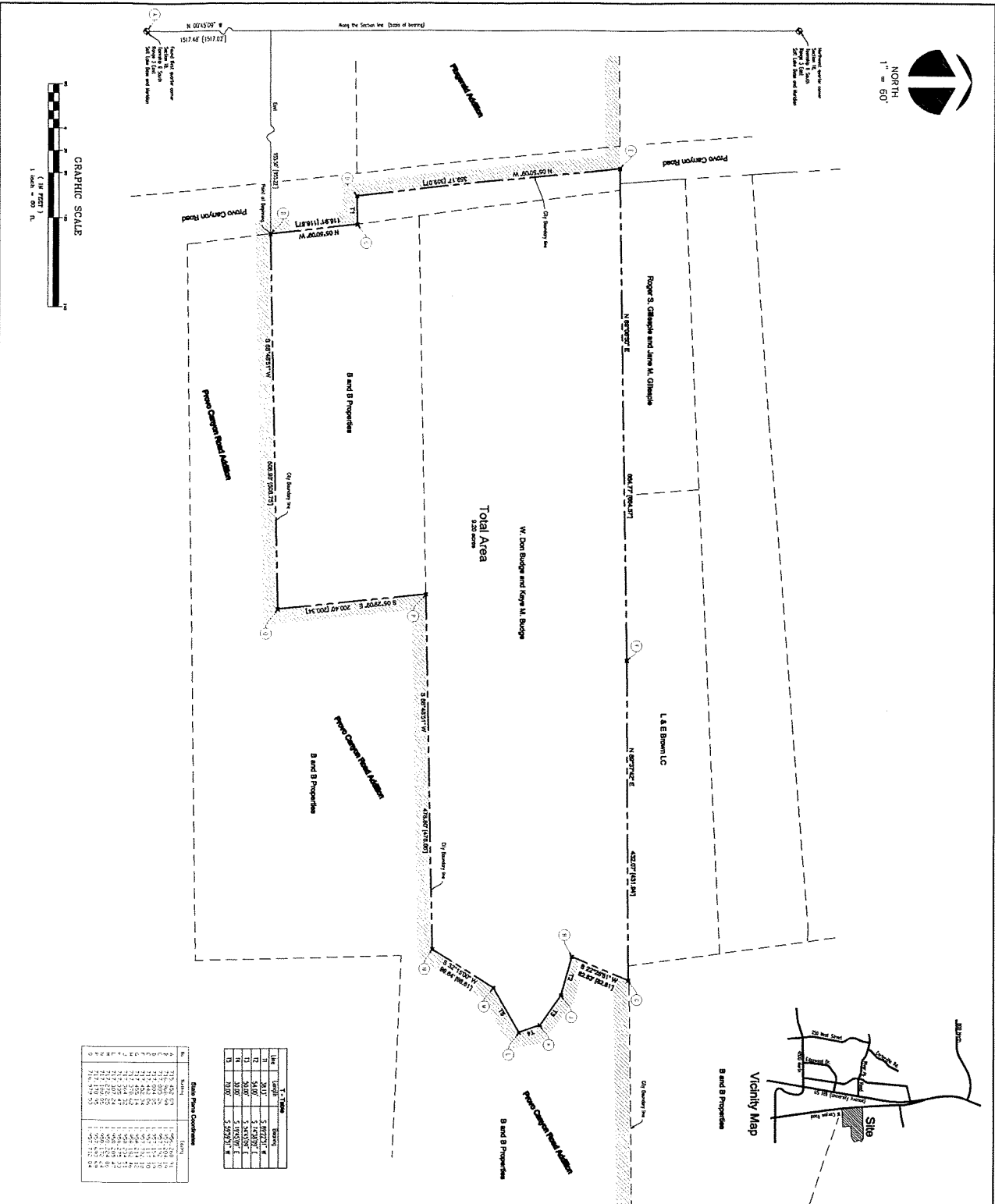
Community Development File #: 09-0001A
Confirmed correct by: THIS LEGAL MUST BE CONFIRMED BY AN COOPER
Date:
Note:

Legal Description:

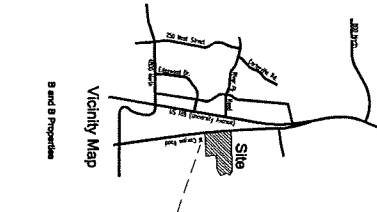
Commencing at a point being located North 00°45'09" West along the Section line 1517.48 feet and East 955.50 feet from the found West quarter corner of section 18, Township 6 South, Range 3 East, Salt Lake Base and Meridian; thence North 05°50'09" West along Provo Canyon Road Addition 116.91 feet; thence South 89°22'51" West along Provo Canyon Road Addition 38.13 feet; thence North 05°50'09" West along Fitzgerald Addition 359.17 feet; thence North 89°06'50" East along a Boundary line Agreement Entry # 31562, 2000, 664.77 feet; thence North 89°37'42" East along a Boundary line Agreement Entry # 31562, 2000, 432.07 feet; thence along the Provo Canyon Road Addition as follows: South 22°28'51" West 82.83 feet, South 74°38'09" East 54.00 feet, South 54°45'09" East 50.00 feet, South 19°45'09" East 30.00 feet, South 59°59'51" West 70.00 feet, South 32°15'00" West 98.64 feet, South 88°48'51" West 478.80 feet, South 05°29'09" East 200.40 feet, South 88°48'51" West 508.90 feet to the point of beginning.

Area: 400,787 sq. ft. 9.20 acres

Basis of Bearing = North 00°45'09" West along the Section line from the West quarter to the Northwest corner of said Section 18.
Datum NAD 27



Line	Length	Bearing
1	420.71	N 89° 02' 00" E
2	420.71	N 89° 02' 00" E
3	420.71	N 89° 02' 00" E
4	420.71	N 89° 02' 00" E
5	420.71	N 89° 02' 00" E
6	420.71	N 89° 02' 00" E
7	420.71	N 89° 02' 00" E
8	420.71	N 89° 02' 00" E
9	420.71	N 89° 02' 00" E
10	420.71	N 89° 02' 00" E
11	420.71	N 89° 02' 00" E
12	420.71	N 89° 02' 00" E
13	420.71	N 89° 02' 00" E
14	420.71	N 89° 02' 00" E
15	420.71	N 89° 02' 00" E
16	420.71	N 89° 02' 00" E
17	420.71	N 89° 02' 00" E
18	420.71	N 89° 02' 00" E
19	420.71	N 89° 02' 00" E
20	420.71	N 89° 02' 00" E
21	420.71	N 89° 02' 00" E
22	420.71	N 89° 02' 00" E
23	420.71	N 89° 02' 00" E
24	420.71	N 89° 02' 00" E
25	420.71	N 89° 02' 00" E
26	420.71	N 89° 02' 00" E
27	420.71	N 89° 02' 00" E
28	420.71	N 89° 02' 00" E
29	420.71	N 89° 02' 00" E
30	420.71	N 89° 02' 00" E
31	420.71	N 89° 02' 00" E
32	420.71	N 89° 02' 00" E
33	420.71	N 89° 02' 00" E
34	420.71	N 89° 02' 00" E
35	420.71	N 89° 02' 00" E
36	420.71	N 89° 02' 00" E
37	420.71	N 89° 02' 00" E
38	420.71	N 89° 02' 00" E
39	420.71	N 89° 02' 00" E
40	420.71	N 89° 02' 00" E
41	420.71	N 89° 02' 00" E
42	420.71	N 89° 02' 00" E
43	420.71	N 89° 02' 00" E
44	420.71	N 89° 02' 00" E
45	420.71	N 89° 02' 00" E
46	420.71	N 89° 02' 00" E
47	420.71	N 89° 02' 00" E
48	420.71	N 89° 02' 00" E
49	420.71	N 89° 02' 00" E
50	420.71	N 89° 02' 00" E



Surveyor's Certificate
 I, the undersigned, being a duly licensed and qualified Surveyor of the State of Utah, do hereby certify that the foregoing is a true and correct map of the tract of land as shown on this plat.

Boundary Description
 The boundary of the tract of land shown on this plat is as follows: ...

Acceptance by Mayor
 I, the Mayor of the City of Provo, Utah, do hereby accept of the foregoing plat and the boundary of the tract of land shown thereon.

Accepted by Mayor

 Mayor

Accepted by Recorder

 Recorder

Boundary Commission
 The boundary of the tract of land shown on this plat is as follows: ...

Acceptance County Surveyor
 I, the County Surveyor of the County of Utah, do hereby accept of the foregoing plat and the boundary of the tract of land shown thereon.

Approved as to Form

 County Attorney

Annexation Plat
 Budge Addition
 Provo City, Utah
 Scale: 1" = 60 Feet
 Lean County, Utah

Surveyor's Name	Recorder's Name	County Surveyor's Name	City Attorney's Name