

STATE OF UTAH

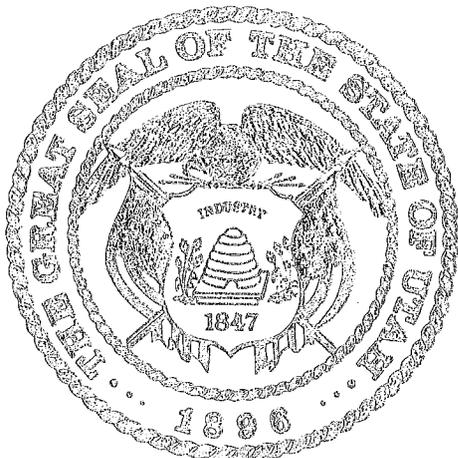


OFFICE OF THE LIEUTENANT GOVERNOR

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 CITY OF ELK RIDGE, dated August 12th, 2014, 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 CITY OF ELK RIDGE, 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 14th day of October, 2014 at Salt Lake City, Utah.

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

SPENCER J. COX
Lieutenant Governor



Received

OCT 03 2014

Spencer J. Cox
Lieutenant Governor

Transmittal Sheet

To The Honorable Spencer J. Cox, Lieutenant Governor of the State of Utah

From Shay Stark, Contract City Planner City of Elk Ridge *SS*

Date October 2, 2014

CC

Subject Elk Ridge Hansen Annexation of 95.60 Acres into the Corporate Limits of the City of Elk Ridge

Items Enclosed

- (1) Notice of Impending Boundary Action
- (2) Annexation Ordinance No. 14-4
- (3) Elk Ridge Hansen Annexation Plat

These are transmitted as checked below:

- | | | | |
|-------------------------------------|------------------------|--------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | For Approval | <input type="checkbox"/> | Distribution/For Your Information |
| <input type="checkbox"/> | For Your Records | <input type="checkbox"/> | As Requested |
| <input type="checkbox"/> | For Review and Comment | <input type="checkbox"/> | Other |

Comments

Please send the Certificate of Annexation to:

Mayor Hal Shelley
City of Elk Ridge
80 East Park DR
Elk Ridge, UT 84651

Phone: 801-423-2300
Fax: 801-423-1443
E-mail: Mayor@elkridgecity.org

Notice of Impending Boundary Action

The Honorable Spencer J. Cox
Lieutenant Governor of the State of Utah
Utah State Capitol Complex
Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

Re: Elk Ridge Hansen Annexation of 95.60 Acres into the Corporate Limits of the City of Elk Ridge.

Lieutenant Governor Cox:

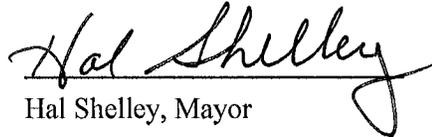
On August 12, 2014, the Elk Ridge City Council acting as the governing body for the City of Elk Ridge, a political subdivision of the State of Utah, adopted an ordinance regarding the annexation of 95.60 acres along the City's northeast boundary from the unincorporated area of Utah County, Utah.

Accompanying this Notice is a certified copy of Ordinance No. 14-4 related to the above referenced annexation, together with a copy of the final local entity plat, otherwise titled Annexation Plat - May 2014 - Elk Ridge Hansen Annexation, prepared by and signed by a licensed surveyor and approved by the Elk Ridge City Council and the Utah County Surveyor.

Pursuant to Utah Code Ann. 67-1a-6.5(3) the Elk Ridge City Council hereby certifies that all requirements applicable to this boundary action have been met and it seeks a certificate of annexation of the 95.60 acres into the City of Elk Ridge boundaries.

Dated this 1st day of October, 2014

ELK RIDGE CITY COUNCIL


Hal Shelley, Mayor

ATTEST



Royce Swenson, Recorder
(Seal)



ORDINANCE NO. 14-4

AN ORDINANCE OF THE ELK RIDGE CITY COUNCIL ANNEXING THE PROPERTY LOCATED WITHIN THE HANSEN ANNEXATION PLAT IN THE VICINITY OF 11200 SOUTH AND LOAFER CANYON ROAD.

WHEREAS, on March 27, 2014 Gary Hansen filed an Application for Annexation by Resolution with Elk Ridge City requesting annexation of approximately 95.5 acres in the vicinity of 11200 South and Loafer Canyon Road, which property is shown and more particularly described in the Elk Ridge Annexation Application as Hansen Annexation Plat which is attached hereto as Exhibit "A" and by reference is made a part hereof (hereinafter referred to as the "Hansen Annexation"); and

WHEREAS, and the request for planned residential land uses matches the Elk Ridge General Plan, as adopted on June 8 2010, for the area; and

WHEREAS, Elk Ridge City has determined an ability to provide all necessary municipal services to the Hansen Annexation Plat properties; and

WHEREAS, on April 8, 2014 the Elk Ridge City Council adopted a resolution for the Intent to Annex the properties located within the Hansen Annexation Plat; and

WHEREAS, within fourteen days of the adoption of the resolution, a public notice regarding the application for annexation was published in the Provo Daily Herald Newspaper, a newspaper of general circulation within the City, for three consecutive weeks; and

WHEREAS, the Elk Ridge Planning Commission held a public hearing on the 8th day of May, 2014, to consider the request for annexation, which public hearing was preceded by the posting of a notice of public hearing in at least three (3) public places within the City limits of Elk Ridge City, and which notice of public hearing was published in the Provo Daily Herald Newspaper, a newspaper of general circulation within the City; and

WHEREAS, the notice of public hearing by the Planning Commission was posted and published not less than three weeks before the date of the public hearing; and

WHEREAS, the notice of hearing which was posted and published by the Planning Commission contains specific advance notice that the proposed ordinance, as set forth herein, would be considered and that copies thereof were available for inspection in the city offices; and

WHEREAS, the Public Hearing was held no earlier than 30 days after the adoption of the Resolution by the City Council.; and

WHEREAS, during the thirty day notice period no valid protests had been filed; and

WHEREAS, during the Public Hearing no issues of concern were brought forward by the public; and

WHEREAS, the applicant desires to go forward with the request to annex the Hansen Annexation Plat properties into Elk Ridge; and

WHEREAS, the proposed annexation is located within the Elk Ridge Annexation Boundary Plan and meets the applicable City and State requirements for annexation; and

WHEREAS, the City Council has determined that the R&L 1-20,000 residential zoning designation, as designated in the 2010 Elk Ridge City General Plan is an appropriate zone for the Hansen Annexation properties; and

WHEREAS, the Elk Ridge City Council has determined that the adoption of this ordinance is necessary for the general welfare of the City and its inhabitants;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS:

1. The City Council hereby annexes the properties known as the Hansen Annexation Plat, the location and description of which is contained in the Hansen Annexation Plat which is attached hereto as Exhibit "A" and by reference is made a part hereof.
2. The City Council hereby amends the Zoning Map of Elk Ridge City, to include within the City boundaries the properties shown in the Hansen Annexation Plat as "R&L – 1-20,000."
3. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in Elk Ridge.
4. All other resolutions and policies in conflict herewith, either in whole or part, are hereby repealed.

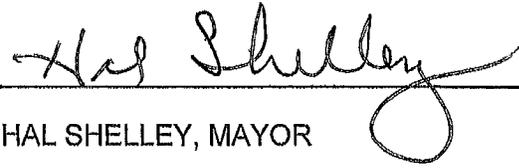
SECTION I. Codification, Inclusion in the Code, and Scrivener's Errors. It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filling a corrected or re-codified copy of the same with the City Recorder.

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

SECTION III. Posting. A copy of this Ordinance shall be deposited in the office of the Elk Ridge City Recorder, and on August 13, 2014, the Elk Ridge City Recorder shall certify that this Ordinance has been posted in three public places within the municipality on that date, as provided in Utah State Code Annotated § 10-3-711(1).

SECTION IV. EFFECTIVE DATE. This ordinance shall become effective immediately upon passage.

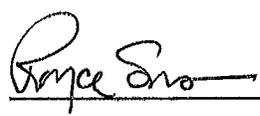
Passed and duly adopted this 12th day of August, 2014.



HAL SHELLEY, MAYOR

Councilmember Nelson Abbott	Voted <u>aye</u>
Councilmember Brian Burke	Voted <u>absent</u>
Councilmember Paul Squires	Voted <u>aye</u>
Councilmember Dale Bigler	Voted <u>aye</u>
Councilmember Ed Christensen	Voted <u>aye</u>

ATTEST:



ROYCE SWENSEN

Elk Ridge City Deputy Recorder

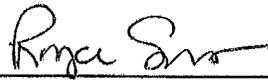
STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, ROYCE SWENSEN, City Deputy Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of

Ordinance # 14-4, passed by the City Council of the City of Elk Ridge, Utah, on the 12th day of August, 2014, entitled

“AN ORDINANCE OF THE ELK RIDGE CITY COUNCIL ANNEXING THE PROPERTY LOCATED WITHIN THE HANSEN ANNEXATION PLAT IN THE VICINITY OF 11200 SOUTH AND LOAFER CANYON ROAD.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Elk Ridge City Utah this 13th day of August, 2014.



ROYCE SWENSEN

Elk Ridge City Deputy Recorder



AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, ROYCE SWENSEN, City Deputy Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that I posted in three (3) public places Ordinance # 14-4, which is attached hereto on the 13th day of August, 2014.

The three places are as follows:

1. The Elk Ridge City Office, 80 E Park Drive
2. The pole located at Elk Ridge Drive and Goosenest Drive
3. The pole on Goosenest Drive, east of 817 West Goosenest Drive

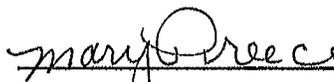
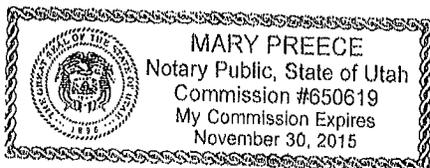
I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.



ROYCE SWENSEN
Elk Ridge City Deputy Recorder

The foregoing instrument was acknowledged before me this 8th day of August, 2014, by ROYCE SWENSEN.

My Commission Expires: Nov. 30, 2015



Notary Public

Residing at: Utah County

