

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 August 8<sup>th</sup>, 2015, 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 25<sup>th</sup> day of  
September, 2015 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox", is written over a horizontal line.

SPENCER J. COX  
Lieutenant Governor



# Providence City

15 South Main Street  
Providence, UT 84332  
(435) 752-9441 • Fax: (435) 753-1586  
www.providencecity.com

August 19, 2015

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

Lt. Governor Cox:

On July 21, 2015, the Providence City Council adopted Ordinance 2015-018, an ordinance granting a petition for annexation and annexing the property described below, which is generally located at 400 East 500 North, adjacent to the northeast boundary of Providence City.

A PARCEL OF LAND LOCATED IN SECTION 2, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASIN AND MIDDLE, CACHÉ COUNTY, UTAH AND FURTHER DESCRIBED AS FOLLOWS:  
BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 2, FROM WHICH THE SOUTHEAST CORNER OF SECTION 2 BEARS SOUTH 07° 36' 54" WEST 2620.56 FEET;  
THENCE SOUTH 02° 35' 04" WEST 962.00 FEET ALONG THE EAST LINE OF SAID SECTION 2;  
THENCE NORTH 07° 23' 06" WEST 2343.41 FEET TO A 5/8" REBAR WITH CAP LABELED, "AA, HUDSON, FLS 13173" SET AT A FENCE CORNER, THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 04° 03' 03" WEST 74.78 FEET ALONG A FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 08° 45' 18" WEST 23.05 FEET ALONG SAID FENCE LINE TO A FOUND REBAR WITH CAP;  
THENCE SOUTH 12° 20' 10" WEST 20.41 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 20° 16' 13" WEST 20.11 FEET ALONG SAID FENCE LINE TO A FOUND REBAR WITH CAP;  
THENCE SOUTH 10° 12' 45" WEST 23.79 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 11° 14' 39" WEST 30.32 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 01° 18' 44" WEST 35.63 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 02° 21' 04" EAST 74.36 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET ON THE WEST LINE OF THAT ANNEXED PARCEL AS RECORDED UNDER ANNEXATION PLAT ENTRY NUMBER 082000 AND BEING RECORD OF SURVEY NUMBER 2008-1700 IN THE OFFICIAL RECORDS OF CACHÉ COUNTY;  
THENCE SOUTH 01° 05' 28" EAST 46.74 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 12° 22' 20" EAST 216.50 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 07° 12' 37" WEST 70.61 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 20° 29' 40" WEST 134.07 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 12° 41' 00" WEST 63.20 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 01° 20' 44" WEST 226.75 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE;  
THENCE SOUTH 00° 01' 35" EAST 611.30 FEET ALONG SAID WEST LINE;  
THENCE SOUTH 89° 50' 25" WEST 948.51 FEET ALONG THE SOUTH LINE OF SAID ANNEXED PARCEL AND IT'S EXTENSION TO THE SOUTHWEST CORNER OF PARCEL NUMBER 02-004-0010 IN THE OFFICIAL RECORDS OF CACHÉ COUNTY;  
THENCE NORTH 10° 27' 04" EAST 302.15 FEET ALONG THE EAST LINE OF SAID PARCEL NUMBER 02-004-0010 AND THE EAST LINE OF PARCEL 4 AS SHOWN ON RECORD OF SURVEY NUMBER 2004-179 IN THE OFFICIAL RECORDS OF CACHÉ COUNTY TO A FOUND REBAR WITH CAP SET ON THE NORTHEAST CORNER OF SAID PARCEL 4;  
THENCE NORTH 15° 10' 03" EAST 48.48 FEET ALONG THE EAST LINE OF PARCEL 3 OF SAID RECORD OF SURVEY NUMBER 2004-179 TO A FENCE LINE;  
THENCE NORTH 10° 10' 00" EAST 132.80 FEET ALONG SAID EAST LINE TO A 5/8" REBAR WITH CAP SET ON THE SOUTHEAST CORNER OF LOT 1 AS SHOWN ON RECORD OF SURVEY NUMBER 2002-137 IN THE OFFICIAL RECORDS OF CACHÉ COUNTY;  
THENCE NORTH 10° 27' 28" EAST 342.00 FEET ALONG THE EAST LINE OF SAID LOT 1 AND THE EAST LINE OF LOT 2 OF SAID RECORD OF SURVEY NUMBER 2002-137 TO A 5/8" REBAR WITH CAP SET ON THE NORTHEAST CORNER OF SAID RECORD OF SURVEY NUMBER 2004-179, SAID POINT BEING AT THE EXTENSION OF A FENCE LINE;  
THENCE NORTH 10° 57' 02" EAST 56.57 FEET ALONG SAID EXTENSION AND FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 21° 50' 58" EAST 57.35 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 11° 52' 02" EAST 444.80 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 32° 37' 50" WEST 68.27 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 25° 22' 16" WEST 80.21 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 07° 34' 01" WEST 154.07 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER;  
THENCE NORTH 05° 44' 06" EAST 644.42 FEET ALONG SAID FENCE LINE AND IT'S EXTENSION TO A 5/8" REBAR WITH CAP SET ON THE WEST LINE OF PARCEL NUMBER 02-004-0003 IN THE OFFICIAL RECORDS OF CACHÉ COUNTY;  
THENCE NORTH 01° 07' 49" EAST 22.40 FEET ALONG SAID WEST LINE TO A 5/8" REBAR WITH CAP SET ON THE NORTHEAST CORNER OF SAID PARCEL NUMBER 02-004-0003;  
THENCE NORTH 05° 06' 12" EAST 292.20 FEET ALONG THE NORTH LINE OF SAID PARCEL NUMBER 02-004-0003 TO THE TRUE POINT OF BEGINNING.  
CONTAINING 3.531 ACRES OF LAND

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 ext. 11.

Sincerely,

  
Skarlet Bankhead  
City Recorder

Ordinance No. 2015-018

AN ORDINANCE GRANTING A PETITION FOR ANNEXATION AND ANNEXING THE PROPERTY DESCRIBED IN THE PETITION LOCATED ADJACENT TO THE NORTHEAST BOUNDARY OF PROVIDENCE CITY (APPROXIMATELY 500 NORTH 400 EAST); AND IS COMPRISED OF PARCEL NO.S 02-004-0013, 02-004-0014, 02-005-0003, 02-004-0015, 02-004-0019; CONTAINING 32.22 ACRES.

WHEREAS 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 Stan Checketts Properties, LC, Petition Sponsor; and

WHEREAS, the legal description for said property is as follows:

A PARCEL OF LAND LOCATED IN SECTION 2, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASIN AND MERRION, CACHE COUNTY, UTAH AND FURTHER DESCRIBED AS FOLLOWS:  
BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 2, FROM WHICH THE SOUTHEAST CORNER OF SECTION 2 BEARS SOUTH 02° 38' 54" WEST 2650.88 FEET;  
THENCE NORTH 02° 38' 54" WEST 562.05 FEET ALONG THE EAST LINE OF SAID SECTION 2;  
THENCE NORTH 02° 23' 06" WEST 2343.41 FEET TO A 5/8" REBAR WITH CAP LABELLED, "AA HUDSON, FL3 13173" SET AT A FENCE CORNER, THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 04° 03' 03" WEST 74.78 FEET ALONG A FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 06° 45' 18" WEST 29.85 FEET ALONG SAID FENCE LINE TO A FOUND REBAR WITH CAP;  
THENCE SOUTH 12° 29' 10" WEST 50.41 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 20° 16' 13" WEST 65.11 FEET ALONG SAID FENCE LINE TO A FOUND REBAR WITH CAP;  
THENCE SOUTH 10° 12' 45" WEST 23.79 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 11° 14' 39" WEST 30.52 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 01° 18' 44" WEST 19.83 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 02° 27' 04" EAST 74.38 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET ON THE WEST LINE OF THAT ANNEXED PARCEL AS RECORDED UNDER ANNOTATION PLAT ENTRY NUMBER 852000 AND BEING RECORD OF SURVEY NUMBER 2005-1900 IN THE OFFICIAL RECORDS OF CACHE COUNTY;  
THENCE SOUTH 08° 05' 28" EAST 46.74 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 12° 22' 20" EAST 216.70 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 03° 12' 37" WEST 76.61 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 28° 28' 40" WEST 134.07 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 37° 43' 00" WEST 83.20 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE TO A 5/8" REBAR WITH CAP;  
THENCE SOUTH 36° 28' 44" WEST 226.75 FEET ALONG SAID FENCE LINE, ALSO BEING SAID WEST LINE;  
THENCE SOUTH 00° 01' 35" EAST 611.30 FEET ALONG SAID WEST LINE;  
THENCE SOUTH 49° 58' 25" WEST 948.51 FEET ALONG THE SOUTH LINE OF SAID ANNEXED PARCEL AND ITS EXTENSION TO THE SOUTHWEST CORNER OF PARCEL NUMBER 02-004-0019 IN THE OFFICIAL RECORDS OF CACHE COUNTY;  
THENCE NORTH 10° 27' 04" EAST 382.15 FEET ALONG THE EAST LINE OF SAID PARCEL NUMBER 02-004-0019 AND THE EAST LINE OF PARCEL 4 AS SHOWN ON RECORD OF SURVEY NUMBER 2004-179 IN THE OFFICIAL RECORDS OF CACHE COUNTY TO A FOUND REBAR WITH CAP SET ON THE NORTHEAST CORNER OF SAID PARCEL 4;  
THENCE NORTH 15° 10' 03" EAST 48.48 FEET ALONG THE EAST LINE OF PARCEL 3 OF SAID RECORD OF SURVEY NUMBER 2004-179 TO A FENCE LINE;  
THENCE NORTH 15° 10' 03" EAST 102.80 FEET ALONG SAID EAST LINE TO A 5/8" REBAR WITH CAP SET ON THE SOUTHEAST CORNER OF LOT 1 AS SHOWN ON RECORD OF SURVEY NUMBER 2002-137 IN THE OFFICIAL RECORDS OF CACHE COUNTY;  
THENCE NORTH 14° 27' 26" EAST 342.80 FEET ALONG THE EAST LINE OF SAID LOT 1 AND THE EAST LINE OF LOT 2 OF SAID RECORD OF SURVEY NUMBER 2002-137 TO A 5/8" REBAR WITH CAP SET ON THE NORTHEAST CORNER OF SAID RECORD OF SURVEY NUMBER 2004-179, SAID POINT BEING AT THE EXTENSION OF A FENCE LINE;  
THENCE NORTH 10° 57' 02" EAST 56.97 FEET ALONG SAID EXTENSION AND FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 27° 59' 08" EAST 57.35 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 10° 42' 02" EAST 444.80 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 32° 37' 59" WEST 98.27 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 25° 22' 16" WEST 80.21 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;  
THENCE NORTH 03° 34' 01" WEST 154.07 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER;  
THENCE NORTH 02° 44' 06" EAST 844.49 FEET ALONG SAID FENCE LINE AND ITS EXTENSION TO A 5/8" REBAR WITH CAP SET ON THE WEST LINE OF PARCEL NUMBER 02-004-0003 IN THE OFFICIAL RECORDS OF CACHE COUNTY;  
THENCE NORTH 01° 07' 49" EAST 22.49 FEET ALONG SAID WEST LINE TO A 5/8" REBAR WITH CAP SET ON THE NORTHWEST CORNER OF SAID PARCEL NUMBER 02-004-0014;  
THENCE NORTH 02° 56' 12" EAST 292.20 FEET ALONG THE NORTH LINE OF SAID PARCEL NUMBER 02-004-0013 TO THE TRUE POINT OF BEGINNING;  
CONTAINING 32.22 ACRES OF LAND

Generally located at (approximately 500 North 400 East); and comprised of Parcel No.s 02-004-0013, 02-004-0014, 02-005-0003, 02-004-0015, 02-004-0019;

WHEREAS, the Petition was accepted by the Providence City Council for further consideration pursuant to Utah Code Section 10-2-405, by Resolution 010-2015 adopted and passed by the City Council on May 12, 2015; and

1 WHEREAS, Skarlet Bankhead did certify, based on information received from Cache County and in consultation  
2 with the Providence City Attorney, that the Petition met the requirement of Subsections 10-2-403(2), (3), and (4)  
3 of the Utah Code and on June 11, 2015, did give Notice to the Providence City Council, the Contact Sponsor for said  
4 Petition, and Cache County of Certification; and

5  
6 WHEREAS, pursuant to Utah Code Section 10-2-406, did give Notice of Certification of Annexation Petition to  
7 Cache County School District, Cache County Fire District, Cache County Sheriff's Office, Cache Metropolitan  
8 Planning Organization, Cache Valley Transit District, Logan City, Logan City Fire & EMS, Millville City, River Heights  
9 City, Providence Blacksmith Fork Irrigation Co., Spring Creek Water Company, Rocky Mountain Power, Questar  
10 Corporation, and Comcast; and

11  
12 WHEREAS, the Notice of Annexation was published in the Herald Journal on June 16, 23, and 30, 2015; and

13  
14 WHEREAS, a formal protest to the Petition has not been received; and

15  
16 WHEREAS the owner has requested the above described property be annexed with a Single-Family Traditional  
17 (SFT) Zone; and

18  
19 WHEREAS the Providence City Council advertised and held a public hearing, in accordance with Utah Code 10-2-  
20 407(3)(b), on July 21, 2015; and

21  
22 WHEREAS, Providence City desires to provide for the health, safety, and welfare, and promote the prosperity,  
23 peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future  
24 inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster  
25 the state's agricultural and other industries, to protect both urban and nonurban development, to protect and  
26 ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to  
27 protect property values in areas that may be considered sensitive, including but not limited to fire danger, slope,  
28 soil content, by following its Annexation Policy Plan and its General Plan; and

29  
30 WHEREAS, Providence City Master Plan Sheet No. 5-C Zone Districts of Future Annexations, shows the above  
31 described property as within the Future Providence Corporation Limits, and shows the above property as Single-  
32 Family Traditional (SFT) zone;

33  
34 WHEREAS, specific conditions that apply to the development of the above referenced property have been outlined  
35 in the Annexation Agreement.

36  
37 THEREFORE, BE IT ORDAINED that the Providence City Council:

- 38
- Grants the Petition for Annexation filed by Stan Checketts Properties, LC. Expressly subject to the  
39 conditions described in the Annexation Agreement referenced above; and
  - The Providence City Corporate limits will be modified to include said property as described above; and
  - The annexed parcels shall be zoned as Single-Family Traditional (SFT); and
  - The Providence City Zoning Map shall also be changed to include the property as described and zoned  
42 above; and
  - This Ordinance will become effective immediately upon passage and certification from the Lt. Governor's  
44 Office.
- 45  
46

47 Ordinance 2015-018 adopted by vote of the Providence City Council this 21 day of July, 2015.

48  
49 Council Vote:

50  
51 Bagley, Bill                    (X)Yes    ( )No    ( )Excused    ( )Abstained    ( )Absent  
52 Baldwin, Jeff                (X)Yes    ( )No    ( )Excused    ( )Abstained    ( )Absent

1 Call, Ralph (X)Yes ( )No ( )Excused ( )Abstained ( )Absent  
2 Drew, John (X)Yes ( )No ( )Excused ( )Abstained ( )Absent  
3 Russell, John (X)Yes ( )No ( )Excused ( )Abstained ( )Absent  
4

5 Signed by Mayor Don W Calderwood this 8 day of August 2015.  
6

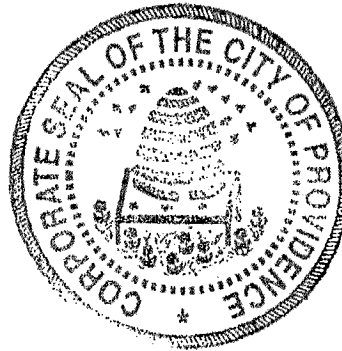
7 Providence City

8   
9

10 Don W. Calderwood, Mayor  
11

12 Attest:

13   
14 Skarlet Bankhead, Recorder  
15



## ANNEXATION AGREEMENT

The purpose of this Agreement is to establish conditions for future development on property described in a Petition for Annexation filed by Stan Checketts Properties LC (Contact Sponsor) generally located at located at (approximately 500 North 400 East); and comprised of Parcel No.s 02-004-0013, 02-004-0014, 02-005-0003, 02-004-0015, 02-004-0019

Stan Checketts Properties LC (owner) is the owner of parcels 02-004-0013, 02-005-0003, and 02-004-0014. These parcels are part of the 2015 Providence City annexation request. The owner agrees to the following items pertaining to those parcels as future development occurs:

1. (Water) The developer of said parcels has no objection to installing a 12 inch water line in 500 North Street to the east side of the annexed parcels. It is recommended that 8 inch water mains be installed in the remaining streets. Water connectivity to the proposed annexed parcels owned by Barbara Rinderknecht needs to be reviewed and considered. The State of Utah minimum dynamic pressure is 40 psi, but the developer and Providence City agree that a minimum dynamic pressure of 50 psi will be the minimum allowed pressure in any approved development. There appears to be adequate water pressure for the area of the proposed development. The water main in 400 East Street will need to be upgraded to an 8 inch main from 300 North to 200 North, when development is proposed on the Barbara Rinderknecht proposed annexed parcels.
2. (Sewer) The existing 8 inch sewer main has adequate capacity and it is recommended that an 8 inch sewer main be installed in 500 North through the proposed annexed parcels. An 8 inch sewer main must be stubbed into the northwest corner of the parcels owned by Barbara Rinderknecht.
3. (Storm Drain) Based upon the flow rate of 40 cfs and a slope of 4% it is recommended that a 24 inch storm drain trunk line be installed in the section of 500 North east of the LDS Church property line. The size of the trunk line will reduce as it is extended east based upon engineering design.
4. (Drainage) There are no recognized, defined drainage pathways directly east of the proposed annexed parcels. There are recognized, defined drainage pathways to the north and south of the annexed parcels. It is recommended that these pathways be preserved by the future developments/property owners.
5. (Roadway) The developer of said parcels agrees to install the partial street cross section in 500 North to the west edge of the annexed parcels and full city right of ways in the future developments. Development of the Barbara Rinderknecht annexed parcels would require a partial roadway cross section installation from 300 North Street to 200 North Street.
6. Irrigation water shares are attached to the said parcels and will be provided in accordance with the subdivision ordinances as the said parcels are developed.

- 1 No other agreements have been reached between the parties.  
2 If Providence City does not annex the property described above, this agreement becomes void.

3 Stan Checketts Properties, LC

Providence City

4  
5 By: [Signature]  
6 Its: [Signature]  
7  
8  
9

[Signature]  
By: Don W. Calderwood  
Its: Mayor

Attest by: [Signature]  
Skarlet Bankhead

