

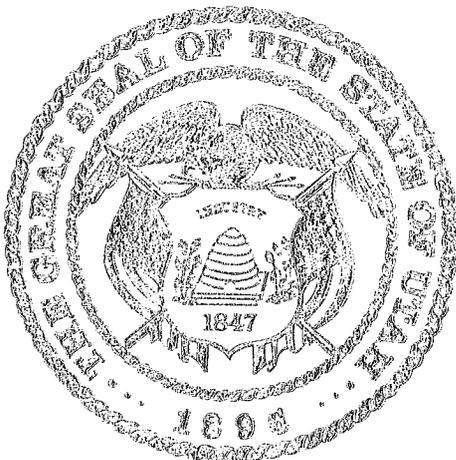
STATE OF UTAH



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 the CITY of SARATOGA SPRINGS, dated November 10th 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 the CITY of SARATOGA SPRINGS, 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 11th day of December, 2015 at Salt Lake City, Utah.

SPENCER J. COX
Lieutenant Governor



CITY OF
SARATOGA SPRINGS

NOTICE OF IMPENDING BOUNDARY ACTION

November 12, 2015

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

RE: Notice of Impending Boundary Action – Annexation of 7.433 Acres of Land

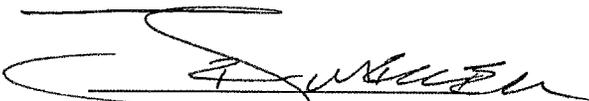
Dear Lieutenant Governor Cox,

On November 10, 2015, the City Council of the City of Saratoga Springs, Utah adopted Ordinance 15-30 to annex 7.433 acres of undeveloped land situated outside of the current boundaries of the City of Saratoga Springs, Utah within portions of unincorporated Utah County, which property is contiguous to the boundaries of the City and identified in the City's Annexation Policy Plan. An original copy of the Ordinance and supporting documents are provided with this Notice setting forth the revised boundaries of the City of Saratoga Springs, Utah. Also provided with this Notice is an Approved Final Local Entity Plat, as defined in Utah Code § 67-1a-6.5(1)(b) certified by the Utah County Surveyor.

In accordance with Utah Code § 67-1a-6.5(3)(e), I hereby certify that all requirements applicable to this annexation have been met. I also respectfully request that your office issue a Certificate of Annexation to the City of Saratoga Springs in accordance with Utah Code § 10-2-425.

If you have any questions or need additional information from me, please do not hesitate to contact me at any time.

Respectfully,


Jim Miller, Mayor

ORDINANCE NO. 15-30 (11-10-15)

AN ORDINANCE ADOPTED PURSUANT TO SECTION 10-2-407(3)(b) OF THE UTAH CODE, APPROVING AN ANNEXATION APPLICATION RELATING TO APPROXIMATELY 7.433 ACRES OF LAND; ANNEXING SUCH LAND INTO THE CITY; AND RELATED MATTERS.

WHEREAS, the Verna Peterson Family Trust (“Trust”) owns approximately 7.433 acres of undeveloped land situated outside of the current boundaries of the City of Saratoga Springs, Utah (the “City”) within portions of unincorporated Utah County, which property is contiguous to the boundaries of the City, and which is more particularly described on Exhibit A (the “Parkway Estates Property”); and

WHEREAS, PG Property Holdings LLC, on behalf of the Trust, has submitted to the City Recorder a Petition for Annexation (such Annexation, together with all attached and related materials, being referred to herein as the “Petition”), requesting that the City annex the Parkway Estates Property into the City; and

WHEREAS, the Parkway Estates Property is approximately 7.433 acres in size; and

WHEREAS, the Parkway Estates Property is situated within the portion of unincorporated Utah County included in the Annexation Policy Plan Map adopted by the City Council of the City of Saratoga Springs on June 19, 2012 as part of Ordinance No. 12-7 (6-19-12); and

WHEREAS, on September 1, 2015 the City Council accepted the Petition for further consideration; and

WHEREAS, on September 30, 2015 the City Recorder (i) certified the Petition, and (ii) mailed or delivered written notification of such certification to the City Council, contact sponsor, and the Utah County Commission, in satisfaction of Section 10-2-405(2)(c) of the Utah Code, a copy of which certification and notification is attached hereto as Exhibit B; and

WHEREAS, following receipt of notice of such certification from the City Recorder on September 30, 2015, the City Council caused notice of the proposed annexation to be published (a) for three consecutive weeks, on October 2, 2015, October 9, 2015, and October 16, 2015, in the Daily Herald, a newspaper of general circulation within (i) the area circumscribed by the Parkway Estates, and (ii) the unincorporated area within ½ mile of the Parkway Estates Property, and (b) at least three weeks starting on October 13, 2015 on the website established pursuant to Section 45-1-101 of the Utah Code, which notices, together with affidavits of publication thereof, are attached hereto as Exhibit C; and

WHEREAS, following receipt of notice of such certification from the City Recorder on September 30, 2015, the City Council caused a notice thereof to be mailed on October 6, 2015 to affected entities, copies of which notices are attached hereto as Exhibit D; and

WHEREAS, the notices attached as Exhibits C and D identified the deadline of October 30, 2015 (the "Protest Deadline"), for the filing of protests under Section 10-2-407 of the Utah Code; and

WHEREAS, attached hereto as Exhibit E is a letter from the City Recorder stating that the City Recorder did not receive a copy of any protests to the proposed annexation filed with the Utah County Boundary Commission on or before the Protest Deadline; and

WHEREAS, on October 2, 2015, October 9, 2015 and October 16, 2015, there was published in the Daily Herald a Notice of Public Hearing relating to the proposed annexation, in satisfaction of the requirements of Section 10-2-407(3)(b)(ii)(A) of the Utah Code, a copy of which Notice, together with an affidavit of the publication thereof, are attached as Exhibit F hereto; and

WHEREAS, on November 10, 2015, not less than seven (7) days after publication of the notice identified in Exhibit F, the City Council held a public hearing relating to the proposed annexation, at which public hearing all individuals desiring to express their views relating to the proposed annexation were given the opportunity to be heard on the matter; and

WHEREAS, the City Council has given careful consideration to the views expressed by the public during the public hearing; and

WHEREAS, the City Council has carefully reviewed and considered the Petition and all materials submitted by the petitioner in connection therewith and in support thereof, including materials required to be submitted pursuant to the City's Annexation Policy Plan Statement and Annexation Petition Requirements and Procedures; and

WHEREAS; in light of the foregoing, and after due deliberation, the City Council desires to approve the Petition and proceed with the proposed annexation and other related matters.

NOW THEREFORE, it is hereby ordained by the City Council of the City of Saratoga Springs, Utah, as follows:

SECTION 1. Findings. The City Council does hereby find and determine that the annexation of the Parkway Estates Property as proposed in the Petition furthers the health, safety, and general welfare of the City and its residents. The City Council also adopts herein by reference the findings and conditions contained in the staff reports attached hereto as Exhibit G.

SECTION 2. Approval of Annexation; Effective Date. The City Council approves the Petition, approves the annexation of the Parkway Estates Property as described in the Petition, and does hereby annex the Parkway Estates Property into the City. The effective date of such annexation shall be the date of issuance by the Utah Lieutenant Governor of the Certificate of Annexation, under Section 10-2-425 of the Utah Code.

SECTION 3. Zoning. The Parkway Estates Property shall be subject to such zoning designations as shall be established by separate ordinance adopted by the City Council.

SECTION 4. Vesting of Development Rights. The Trust shall be entitled to such vested development rights as are described in a separate zoning map amendment and/or development agreement for The Parkway Estates approved at a later date after adoption of this Ordinance.

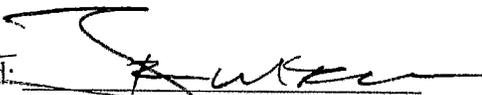
SECTION 5. Authorized Actions. The Mayor, the City Recorder, the City Manager, and all other officers and employees of the City are hereby authorized and directed to take, in a timely manner, any and all actions required or advisable to be taken to give effect to the annexation hereby approved; including, without limitation, the giving of all notices and the filing of all items required pursuant to Sections 10-2-401 et seq. of the Utah Code.

SECTION 6. Publication of Ordinance. A copy of this Ordinance shall be delivered to the City Recorder immediately upon execution by the Mayor, and the City Recorder is hereby authorized and directed to cause a summary thereof to be published on the earliest possible date in the Daily Herald. This Ordinance shall become effective immediately upon such publication.

SECTION 7. Amendment of Conflicting Ordinances. If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 10 day of November 2015.

Signed: 
Jim Miller, Mayor

Attest: 
~~Michelle Fike~~, City Recorder
Michelle Fike, Deputy

11-10-15
Date

Shellie Baertsch
Rebecca Call
Michael McOmber
Stephen Willden
Bud Poduska

VOTE
Aye
Aye
Aye
Aye
Aye



