

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 April 12<sup>th</sup>, 2016, 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 5<sup>th</sup> day of May, 2016 at Salt Lake City, Utah.

SPENCER J. COX  
Lieutenant Governor



# Providence City

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

April 27, 2016

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

Lt. Governor Cox:

On April 12, 2016, the Providence City Council adopted Ordinance 2016-006, an ordinance granting a petition for annexation and annexing the property described below, which is commonly known as approximately 700 West 300 South (A PORTION OF PARCELS NO. 02-090-0018 AND 02-090-0011, adjacent to the southwest boundary of Providence City.

A PARCEL OF GROUND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EXISTING PROVIDENCE CITY CORPORATE LIMITS LINE, AT A POINT NORTH 88°02'53" WEST PER AGREEMENT #1104931 (WEST BY RECORD OF ANNEXATION PLATS 636800 AND 863965 AND NORTH 88°17'40" WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT 1089001) 693 FEET FROM THE NORTHEAST CORNER OF LOT 10, BLOCK 4, PLAT "D" OF THE PROVIDENCE FARM SURVEY; AND RUNNING THENCE SOUTH 01°11'51" WEST 660.02 FEET (SOUTH 10 CHAINS BY RECORD OF ANNEXATION PLAT 636800) TO THE SOUTH LINE OF LOT 9, BLOCK 4, PLAT "D" OF THE PROVIDENCE FARM SURVEY, 33 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 88°02'53" WEST (NORTH 88°17'39" WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT AND WEST BY RECORD OF ANNEXATION PLAT 636800) 93.3 FEET TO THE SOUTHWEST CORNER OF THE FICKAS SUBDIVISION AT A POINT OF RECORD NORTH 86°05'24" EAST 3991.48 FEET FROM THE SOUTHWEST CORNER OF SECTION 9; THENCE NORTH 01°11'51" EAST 660.02 FEET TO THE NORTHWEST CORNER OF THE FICKAS SUBDIVISION AND THE NORTH LINE OF SAID LOT 9, AT A POINT 25.3 FEET NORTH 88°02'53" WEST (WEST BY RECORD OF ANNEXATION PLAT 863965 AND NORTH 88°17'40" WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT) FROM THE PROVIDENCE CITY CORPORATE LIMITS LINE PER ANNEXATION PLAT 863965; THENCE SOUTH 88°02'53" EAST (EAST BY RECORD OF ANNEXATION PLAT 863965 AND SOUTH 17'40" EAST BY RECORD OF THE FICKAS SUBDIVISION PLAT) 93.3 FEET TO THE POINT OF BEGINNING. CONTAINING 1.41 ACRES MORE OR LESS.

(A PORTION OF PARCELS NO. 02-090-0018 AND 02-090-0011)

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 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. 2016-006

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2  
3 AN ORDINANCE GRANTING A PETITION FOR ANNEXATION AND ANNEXING THE PROPERTY DESCRIBED IN  
4 THE PETITION AND LOCATED ADJACENT TO THE SOUTHWEST BOUNDARY OF PROVIDENCE CITY; A 1.41  
5 ACRE PARCEL COMMONLY KNOWN AS APPROXIMATELY 700 West 300 South (A PORTION OF PARCELS NO.  
6 02-090-0018 AND 02-090-0011); PETITIONED BY MARK A. ANDERSON, MANAGING PARTNER M&R LLC.  
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8 WHEREAS I, Skarlet Bankhead, the duly appointed and acting City Recorder of Providence City, Cache  
9 County, Utah did hereby receive a Petition for Annexation and Plat which was filed with the City by Mark  
10 A. Anderson, Managing Partner M&R LLC, Petition Sponsor; and  
11

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

13 A PARCEL OF GROUND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 NORTH,  
14 RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. DESCRIBED AS FOLLOWS: BEGINNING AT A POINT  
15 ON THE EXISTING PROVIDENCE CITY CORPORATE LIMITS LINE, AT A POINT NORTH 88°02'53" WEST PER  
16 AGREEMENT #1104931 (WEST BY RECORD OF ANNEXATION PLATS 636800 AND 863965 AND NORTH  
17 88°17'40" WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT 1089001) 693 FEET FROM THE NORTHEAST  
18 CORNER OF LOT 10, BLOCK 4, PLAT "D" OF THE PROVIDENCE FARM SURVEY; AND RUNNING THENCE SOUTH  
19 01°11'51" WEST 660.02 FEET (SOUTH 10 CHAINS BY RECORD OF ANNEXATION PLAT 636800) TO THE SOUTH  
20 LINE OF LOT 9, BLOCK 4, PLAT "D" OF THE PROVIDENCE FARM SURVEY, 33 FEET WESTERLY OF THE  
21 SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 88°02'53" WEST (NORTH 88°17'39" WEST BY RECORD  
22 OF THE FICKAS SUBDIVISION PLAT AND WEST BY RECORD OF ANNEXATION PLAT 636800) 93.3 FEET TO THE  
23 SOUTHWEST CORNER OF THE FICKAS SUBDIVISION AT A POINT OF RECORD NORTH 86°05'24" EAST 3991.48  
24 FEET FROM THE SOUTHWEST CORNER OF SECTION 9; THENCE NORTH 01°11'51" EAST 660.02 FEET TO THE  
25 NORTHWEST CORNER OF THE FICKAS SUBDIVISION AND THE NORTH LINE OF SAID LOT 9, AT A POINT 25.3  
26 FEET NORTH 88°02'53" WEST (WEST BY RECORD OF ANNEXATION PLAT 863965 AND NORTH 88°17'40"  
27 WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT) FROM THE PROVIDENCE CITY CORPORATE LIMITS LINE  
28 PER ANNEXATION PLAT 863965; THENCE SOUTH 88°02'53" EAST (EAST BY RECORD OF ANNEXATION PLAT  
29 863965 AND SOUTH 17'40" EAST BY RECORD OF THE FICKAS SUBDIVISION PLAT) 93.3 FEET TO THE POINT  
30 OF BEGINNING. CONTAINING 1.41 ACRES MORE OR LESS.  
31 (A PORTION OF PARCELS NO. 02-090-0018 AND 02-090-0011)  
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33 WHEREAS, the Petition was accepted by the Providence City Council for further consideration pursuant to  
34 Utah Code Section 10-2-405, by Resolution 007-2016 adopted and passed by the City Council on January  
35 26, 2016; and  
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37 WHEREAS, pursuant to Utah Code Section 10-2-406, did give Notice of Certification of Annexation  
38 Petition; and  
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40 WHEREAS, the Notice of Annexation was published in the Herald Journal on February 28, March 6, and  
41 March 13, 2016; and  
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43 WHEREAS, a formal protest to the Petition has not been received; and  
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45 WHEREAS the Providence City Council advertised and held a public hearing, in accordance with Utah Code  
46 10-2-407(3)(b), on April 12, 2016; and  
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48 WHEREAS, Providence City desires to provide for the health, safety, and welfare, and promote the  
49 prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its  
50 present and future inhabitants and businesses, to protect the tax base, to secure economy in  
51 governmental expenditures, to foster the state's agricultural and other industries, to protect both urban  
52 and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide  
53 fundamental fairness in land use regulation, and to protect property values in areas that may be  
54 considered sensitive, including but not limited to fire danger, slope, soil content, by following its  
55 Annexation Policy Plan and its General Plan; and

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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 a Commercial General District (CGD) Zone.~~

WHEREAS, the Petitioner has asked that the parcel be annexed as the north half be zoned Commercial General District (CGD) and the south half be zoned Agricultural (ARG).

THEREFORE, BE IT ORDAINED that the Providence City Council:

- Grants the Petition for Annexation filed by Mark A. Anderson, Managing Partner M&R LLC; 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 CGD north half zoned CGD and south half zoned as ARG.
- 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 12<sup>th</sup> day of April 2016.

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 25th day of April 2016.

Providence City

Don W. Calderwood, Mayor

Attest:

Skarlet Bankhead, Recorder



