

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 SARATOGA SPRINGS, dated October 1, 2019, 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 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 17th day of October 2019 at Salt Lake City, Utah.



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

SPENCER J. COX
Lieutenant Governor



NOTICE OF IMPENDING BOUNDARY ACTION

October 1, 2019

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

Subject: Notice of Impending Boundary Action – Boyer MSA Addition Annexation (Mountain Sunrise Academy Charter School) - Annexation of 4.83 +/- Acres of Land

Dear Lieutenant Governor Cox,

On October 1, 2019, the City Council of the City of Saratoga Springs, Utah adopted Ordinance 19-33 (10-1-2019) to annex approximately 4.83 acres of 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. A 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 § 10-2-418.

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. 19-33 (10-1-19)

AN ORDINANCE PURSUANT TO SECTION 10-2-418 OF THE UTAH CODE; APPROVING AN ANNEXATION PETITION RELATED TO APPROXIMATELY 4.83 ACRES OF LAND; ANNEXING SUCH LAND INTO THE CITY; AND RELATED MATTERS. (Boyer MSA Addition Annexation) (Mountain Sunrise Academy Charter School)

WHEREAS, Utah Code §§ 10-2-401 to - 428 (the “Act”) constitute the statutory framework for annexation of unincorporated areas of a county into an adjoining Utah municipality; and

WHEREAS, Utah Code § 10-2-418 provides that a municipality may annex an unincorporated area without an annexation petition if the area to be annexed consists of one or more unincorporated islands within, or unincorporated peninsulas contiguous to, the municipality, each of which has fewer than 800 residents and provided the municipality has provided one or more municipal-type services to the area for at least one year; and

WHEREAS, the property described in Exhibit A (“Property”), which consists of approximately 4.83 acres and is owned by Boyer Project Company, LC, consists of unincorporated islands and peninsulas adjacent to the City of Saratoga Springs, Utah (“City”) with less than 800 residents and for which the City has provided police and fire protection services for at least one year; and

WHEREAS, the Property is situated within a 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 July 15, 2019, the City filed a “Petition for Annexation” (the “Petition”), on file with the City Recorder, seeking to annex the Property into the City pursuant to Utah Code § 10-2-418; and

WHEREAS, in a letter dated September 25, 2019, which is on file with the City Recorder, Boyer Company and Boyer MSA, L.C. indicated its support for the annexation of the Property, Parcel 13:031:0034 in Utah County into the City of Saratoga Springs; and

WHEREAS, on August 20, 2019, the City Council passed a resolution indicating its intent to annex and describing the Property; and

WHEREAS, the City caused notice of the proposed annexation to be published (a) for three consecutive weeks, on August 27, 2019, September 3, 2019, and September 10, 2019, in the Daily Herald, a newspaper of general circulation within the City and the Property, and (b) on the Utah Public Notice Website created in 63F-1-701 of the Utah Code at least three weeks; and

WHEREAS, on August 26, 2019, the City Recorder sent written notice of the proposed annexation to the Utah County Commission and the board of each local district and special service district whose boundaries contain some or all of the area proposed for annexation; and

WHEREAS, on October 1, 2019, 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, no protests to the annexation have been filed pursuant to Utah Code § 10-2-418; 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 Property furthers the health, safety, and general welfare of the City and its residents.

SECTION 2. Approval of Annexation; Effective Date. The City Council approves the Petition, approves the annexation of the Property as described in the Petition, and does hereby annex the 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 Property shall be subject to the Institutional/Civic (I/C) zone requirements.

SECTION 4. 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 5. 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

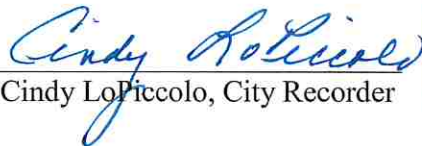
authorized and directed to cause a summary thereof to be published on the earliest possible date in the Daily Herald. This Ordinance shall become effective immediately upon such publication.

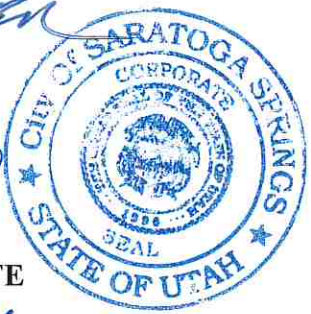
SECTION 6. Amendment of Conflicting Ordinances. If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION 7. 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.

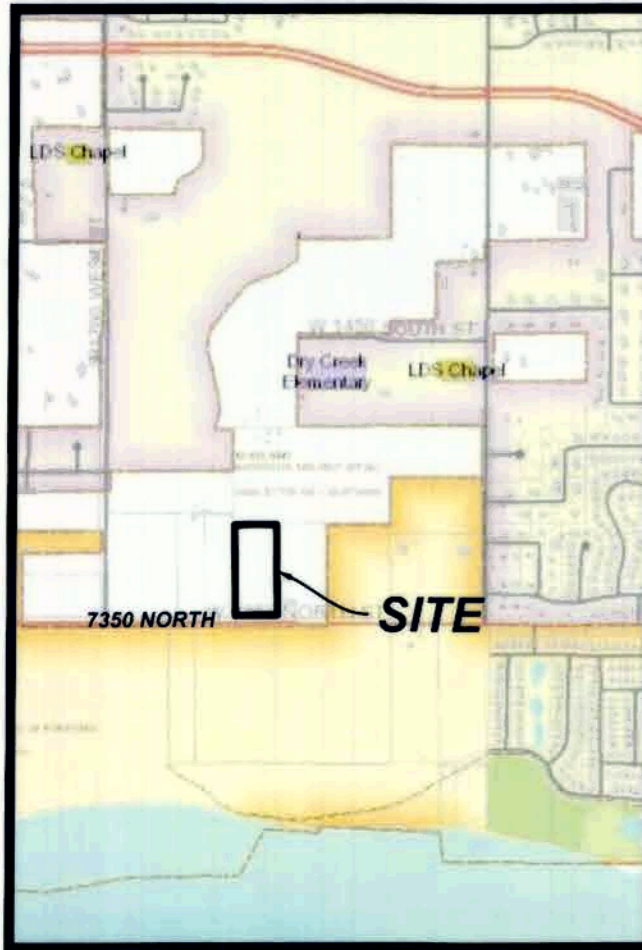
ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 1st day of October, 2019.

Signed: 
Jim Miller, Mayor

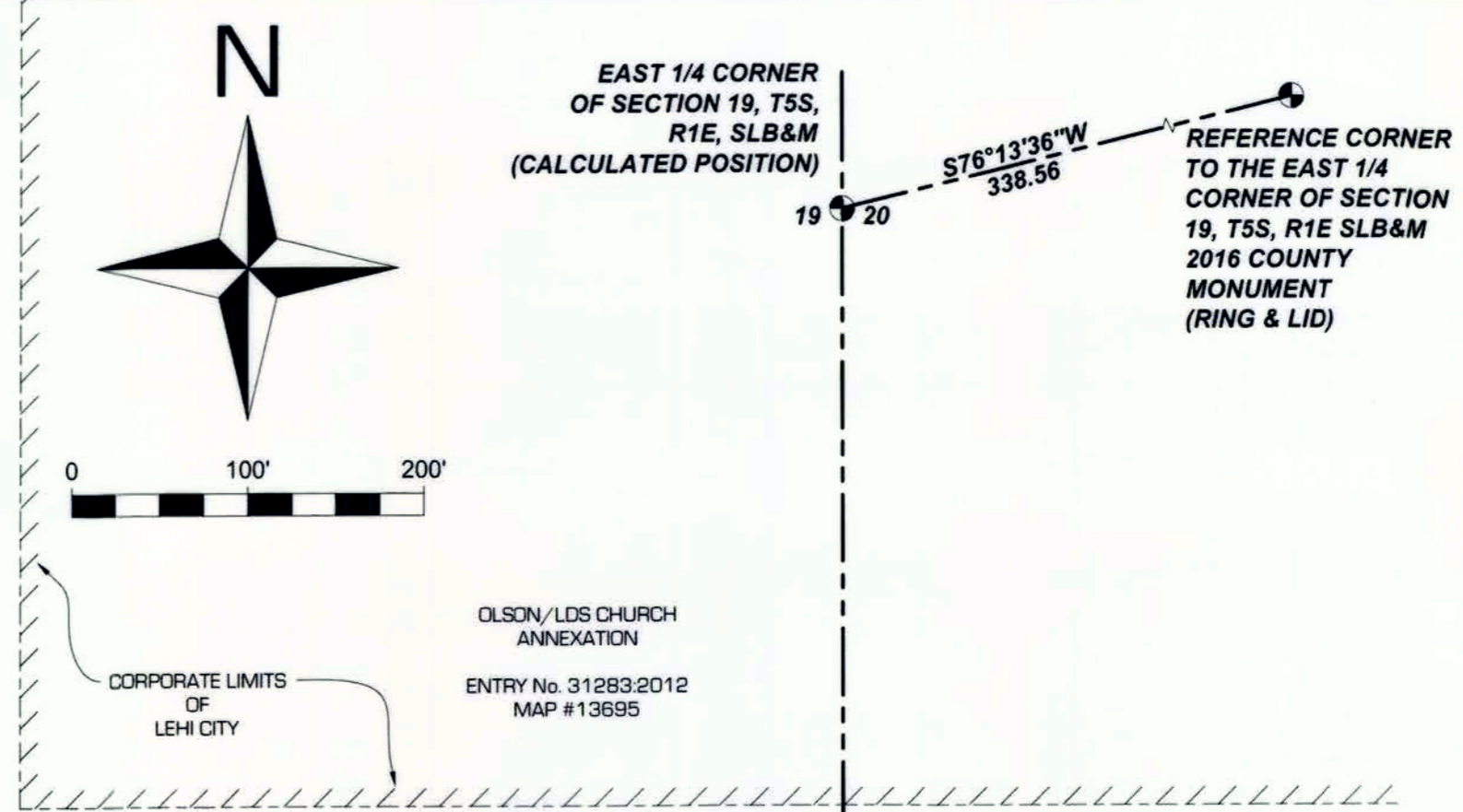
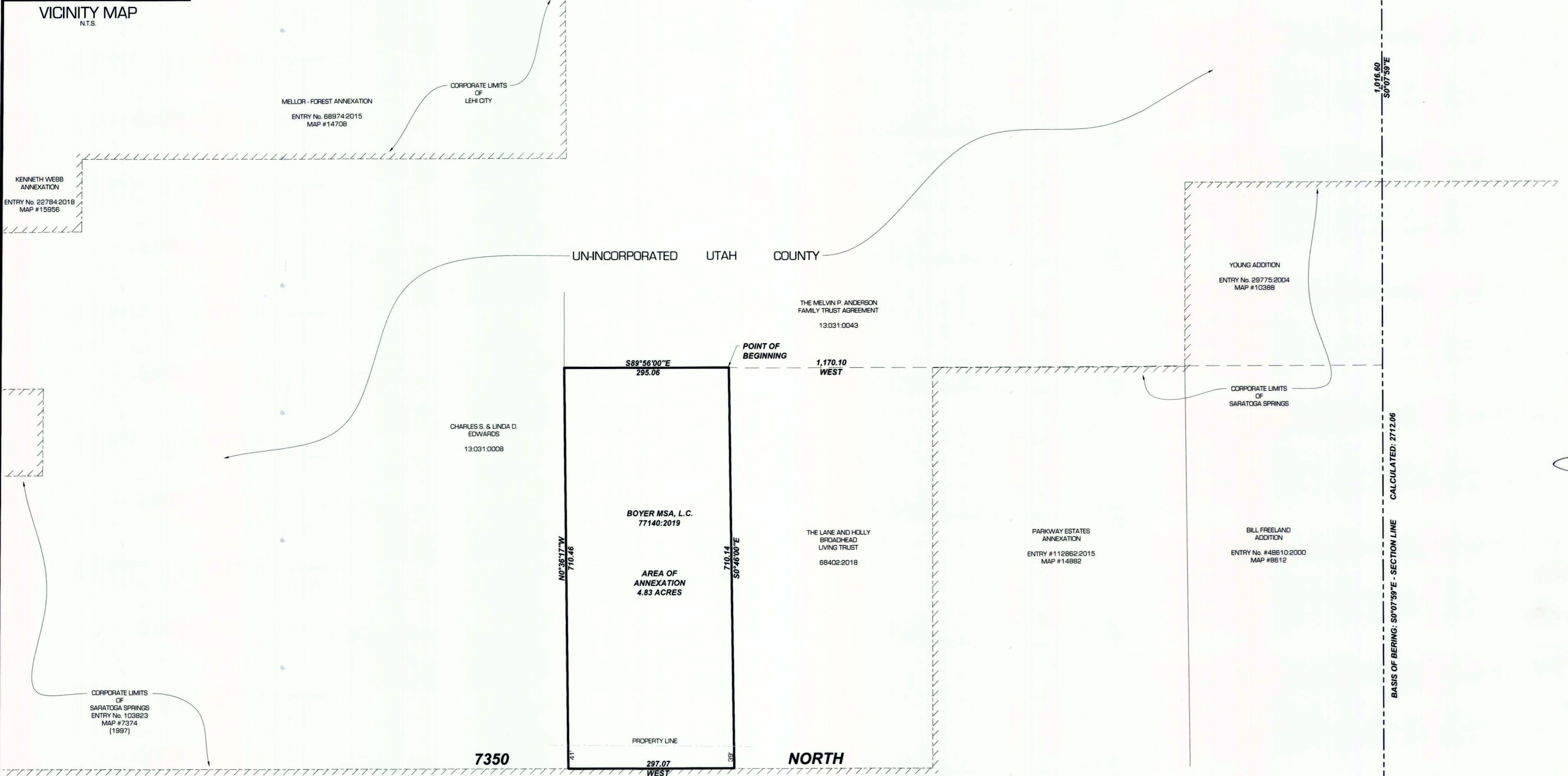
Attest: 
Cindy LoPiccolo, City Recorder



	VOTE
Shellie Baertsch	<i>aye</i>
Michael McOmber	<i>aye</i>
Chris Porter	<i>aye</i>
Stephen Willden	<i>aye</i>
Ryan Poduska	<i>aye</i>



VICINITY MAP
NTS



SURVEYOR'S CERTIFICATE
I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172675 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED INTO SARATOGA SPRINGS, UTAH.

BOUNDARY DESCRIPTION
A portion of the SE1/4 of Section 19, Township 5 South, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:
Beginning at a point on the southerly line of a Boundary Line Agreement recorded as Entry No. 104974:2002 of the Official Records of Utah County located S0°07'59\"/>

SURVEYOR'S SEAL
Dennis P. Carlisle
DENNIS P. CARLISLE
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 172675
DATE: SEPTEMBER 30, 2019

ACCEPTANCE BY COUNTY SURVEYOR
THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANNOTATED 17-23-20 AMENDED.
Gary Roteliff
COUNTY SURVEYOR
DATE: October 7, 2019

ACCEPTANCE OF LEGISLATIVE BODY
THIS IS TO CERTIFY THAT WE, THE SARATOGA SPRINGS CITY COUNCIL HAVE RECEIVED A PETITION SIGNED BY THE MAJORITY OF THE OWNERS OF THE TRACT OF LAND SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF SARATOGA SPRINGS AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR THE FILING HERewith ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED (1979) 10-1-04 AND 10-02-401 THROUGH 423, (AS REVISED) AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS PART OF SAID CITY AND THAT SAID CITY AND THAT SAID TRACT OF LAND TO BE KNOWN HEREAFTER AS THE BOYER MSA, L.C. ADDITION.
DATED THIS 1st DAY OF October A.D. 2019.

ATTEST *City Clerk*
RECORDER
RECORDER'S SEAL
CITY OF SARATOGA SPRINGS
RECORDER

UTAH COUNTY RECORDER

ANNEXATION PLAT
BOYER MSA, L.C. ADDITION
SARATOGA SPRINGS, UTAH COUNTY, UTAH

SOUTHEAST CORNER OF SECTION 19, T5S, R1E, SLB&M 1928 GLO-TYPE MONUMENT
19 20
30 29