

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

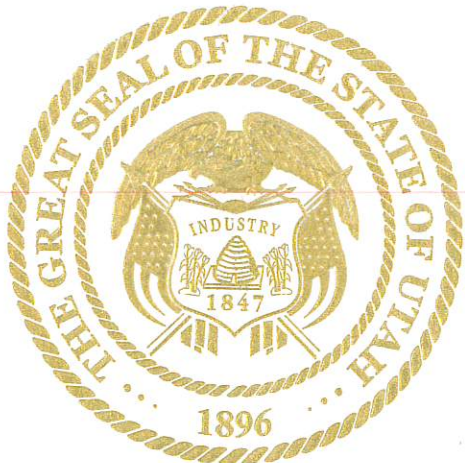
I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation for ORDINANCE 2020-013 from PROVIDENCE CITY, dated March 11, 2021, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

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 16th day of March, 2021 at Salt Lake City, Utah.

A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON
Lieutenant Governor





Providence City

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

March 11, 2021

Lieutenant Governor's Office
Utah State Capitol Complex, Suite 220
PO Box 142325
Salt Lake City UT84114-2325
annexations@utah.gov

RE: Notice of Impending Boundary Action

Lt. Governor Henderson:

On January 20, 2021, the Providence City Council adopted Ordinance 2020-013, an ordinance granting a petition for annexation and annexing the property described below, which is located adjacent to the southwest boundary of Providence City, in the general area of 580 W 300 South, 310 S HWY165, and 420 S HWY165, containing 20.672 acres and legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 9, SOUTHWEST QUARTER OF SECTION 10, NORTHEAST QUARTER OF SECTION 16 AND A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 4, PLAT D, PROVIDENCE FARM LAND SURVEY LOCATED 4882.06 FEET NORTH 89°58'09" EAST AND 219.46 FEET NORTH 01°31'47" EAST AND 492.97 FEET SOUTH 88°19'27" EAST FROM THE NORTHWEST CORNER OF SECTION 16 (BASIS OF BEARING IS THE WEST LINE OF SECTION 16 WHICH BEARS SOUTH 00°15'50" EAST);

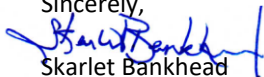
RUNNING THENCE SOUTH 01°40'33" WEST 731.60 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE NORTHEAST CORNER OF MARLIN & LYN HOTH PROPERTY, TAX ID NO. 03-002-0008; THENCE NORTH 87°40'14" WEST 465.80 FEET ALONG THE NORTH LINE OF SAID HOTH PROPERTY TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 165; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: (1) NORTH 00°07'37" WEST 166.72 FEET; (2) NORTH 13°24'35" WEST 79.62 FEET; (3) NORTH 01°31'47" EAST 862.35 FEET; (4) NORTH 88°28'13" WEST 10.00 FEET; (5) NORTH 01°31'47" EAST 270.44 FEET; AND (6) NORTH 46°31'47" EAST 14.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 300 SOUTH STREET; THENCE SOUTH 88°19'27" EAST 824.66 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF WAYNE & MADELINE BARLOW PROPERTY, TAX ID NO. 02-096-0036; THENCE SOUTH 01°40'33" WEST 660.00 FEET ALONG THE WEST LINE OF SAID BARLOW PROPERTY TO THE NORTH LINE OF SAID LOT 4; THENCE NORTH 88°19'27" WEST 330.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. CONTAINING 20.672 ACRES.

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 or voice: 435-752-9441.

Sincerely,


Skarlet Bankhead
City Recorder

Ordinance No. 2020-013

AN ORDINANCE GRANTING A PETITION FOR ANNEXATION FOR PARCEL NO.S 02-096-0035, A 5.51-ACRE PARCEL LOCATED IN THE GENERAL AREA OF 580 WEST 300 SOUTH; 02-090-0013, A 7.69-ACRE PARCEL LOCATED IN THE GENERAL AREA OF 310 S HWY165 (COUNTY ADDRESS 1710 SOUTH MAIN); AND 03-002-0007, A 8.20-ACRE PARCEL LOCATED IN THE GENERAL AREA OF 420 S HWY165 AND ASSIGNING ZONING DISTRICTS AS FOLLOWS: 02-090-0013 AND 03-002-0007 COMMERCIAL HIGHWAY DISTRICT, 02-096-0035 MULTI-FAMILY MEDIUM.

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 Kathy Fuhriman and Janice Byington, on behalf of Margene Z Low SUC TR, Janice G Byington SUC TR, & Kathryn L Fuhriman CO SUC TR.

WHEREAS, the property described in the annexation petition contains Parcel No.s 02-096-0035, 02-090-0013, and 03-002-0007, located adjacent to the southwest boundary of Providence City, in the general area of 580 W 300 South, 310 S HWY165, and 420 S HWY165, containing 20.672 acres and legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 9, SOUTHWEST QUARTER OF SECTION 10, NORTHEAST QUARTER OF SECTION 16 AND A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 4, PLAT D, PROVIDENCE FARM LAND SURVEY LOCATED 4882.06 FEET NORTH 89°58'09" EAST AND 219.46 FEET NORTH 01°31'47" EAST AND 492.97 FEET SOUTH 88°19'27" EAST FROM THE NORTHWEST CORNER OF SECTION 16 (BASIS OF BEARING IS THE WEST LINE OF SECTION 16 WHICH BEARS SOUTH 00°15'50" EAST);

RUNNING THENCE SOUTH 01°40'33" WEST 731.60 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE NORTHEAST CORNER OF MARLIN & LYN HOTH PROPERTY, TAX ID NO. 03-002-0008; THENCE NORTH 87°40'14" WEST 465.80 FEET ALONG THE NORTH LINE OF SAID HOTH PROPERTY TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 165; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: (1) NORTH 00°07'37" WEST 166.72 FEET; (2) NORTH 13°24'35" WEST 79.62 FEET; (3) NORTH 01°31'47" EAST 862.35 FEET; (4) NORTH 88°28'13" WEST 10.00 FEET; (5) NORTH 01°31'47" EAST 270.44 FEET; AND (6) NORTH 46°31'47" EAST 14.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 300 SOUTH STREET; THENCE SOUTH 88°19'27" EAST 824.66 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF WAYNE & MADELINE BARLOW PROPERTY, TAX ID NO. 02-096-0036; THENCE SOUTH 01°40'33" WEST 660.00 FEET ALONG THE WEST LINE OF SAID BARLOW PROPERTY TO THE NORTH LINE OF SAID LOT 4; THENCE NORTH 88°19'27" WEST 330.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. CONTAINING 20.672 ACRES.

WHEREAS, the Petition was accepted by the Providence City Council for further consideration pursuant to UTAH CODE ANN. § 10-2-405 by Resolution 033-2020 adopted and passed by the City Council on September 16, 2020; and

WHEREAS, Skarlet Bankhead did certify, based on information received from Cache County and in consultation with the Providence City Attorney, that the Petition met the requirement of UTAH CODE ANN. Subsections 10-2-403(3), (4), and (5), and on October 16, 2020, did give Notice to the Providence City Council, the Contact Sponsor for said Petition, and Cache County of Certification; and

WHEREAS, pursuant to UTAH CODE ANN. § 10-2-406, Skarlet Bankhead did give Notice of Certification of Annexation Petition to each affected entity; and

1 **WHEREAS**, the Notice of Annexation was published in the Herald Journal on October 24 &31, and
2 November 7, 2020; and
3
4 **WHEREAS**, no formal protests to the Petition have been received; and
5
6 **WHEREAS** the Providence City Council advertised and held a public hearing, in accordance with UTAH CODE
7 ANN. § 10-2-407(7), on December 16, 2020; and
8
9 **WHEREAS**, Providence City desires to provide for the health, safety, and welfare, and promote the
10 prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its
11 present and future inhabitants and businesses, to protect the tax base, to secure economy in
12 governmental expenditures, to foster the state's agricultural and other industries, to protect both urban
13 and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide
14 fundamental fairness in land use regulation, and to protect property values in areas that may be
15 considered sensitive, including but not limited to fire danger, slope, soil content, by following its
16 Annexation Policy Plan and its General Plan; and
17
18 **WHEREAS**, Utah Code Ann. § 10-9a-506(1) states that the legislative body of each municipality shall assign
19 a land use zone or a variety thereof to territory to territory annexed to the municipality at the time the
20 territory is annexed; and Providence City Code 10-3-6:A. states that new areas annexed into the City shall
21 be annexed into the City as agricultural, or as an already defined zone per the city's map, "Future
22 Rezoning of Existing Districts and Annexed Areas of the City of Providence, Utah;" any other zoning
23 proposal shall be submitted to the Planning Commission for consideration and recommendation to the
24 City Council; and
25
26 **WHEREAS**, the Petitioner is requesting the following zoning districts: 02-090-0013 and 03-002-0007
27 Commercial Highway District (CHD), 02-096-0035 Multi-Family Medium (MFM); and
28
29 **WHEREAS**, the city's map, "Future Rezoning of Existing Districts and Annexed Areas of the City of
30 Providence, Utah;" shows all three parcels as Commercial Highway District (CHD); and
31
32 **WHEREAS**, on November 10, 2020, the Providence Planning Commission held a public hearing and made
33 the following recommendation regarding the request Multi-Family Medium (MFM) for Parcel 02-096-
34 0035:
35 *Motion to recommend to the city council the proposal to assign multi-family medium (MFM) zone*
36 *to Parcel No. 02-096-0035, located in the general area of 580 W 300 S containing approximately*
37 *5.51 acres, recognizing the findings of fact, conclusions of law, and conditions as set forth by the*
38 *staff of Providence City: — M Fortune, second — R Cecil*
39 *Vote:*
40 *Yea: K Alder, R Cecil, J Chambers, M Fortune, R Perry*
41 *Nay:*
42 *Abstained:*
43 *Excused: L Banda*
44 and;
45
46 **WHEREAS**, specific conditions that apply to the development of the above referenced property have been
47 outlined in the Annexation Agreement approved by Resolution 042-2020, adopted by the Providence City
48 Council on January 26, 2021.
49
50 **THEREFORE, BE IT ORDAINED** that the Providence City Council:

- 1 • Grants the Petition for Annexation filed by Kathy Fuhrman and Janice Byington, on behalf of
- 2 Margene Z, Suc TR Low, subject to the conditions described in the Annexation Agreement
- 3 referenced above; and
- 4 • The Providence City Corporate limits will be modified to include said property as described
- 5 above; and
- 6 • The annexed parcels shall be zoned as follows: parcel No.s 02-090-0013 and 03-002-0007 shall be
- 7 zoned Commercial Highway District (CHD), and Parcel No. 02-096-0035 shall be zoned Multi
- 8 Family Medium (MFM).
- 9 • The Providence City Zoning Map shall also be changed to include the property as described and
- 10 zoned above; and
- 11 • This Ordinance will become effective immediately upon passage and certification from the Lt.
- 12 Governor's Office.

14 Passed by vote of the Providence City Council this 20th day of January 2021.

15 Council Vote:

16 Eck, Kristina	(X) Yes	() No	() Excused	() Abstained	() Absent
17 Kirk, Carrie	(X) Yes	() No	() Excused	() Abstained	() Absent
18 Paulsen, Joshua	(X) Yes	() No	() Excused	() Abstained	() Absent
19 Sealy, Jeanell	() Yes	(X) No	() Excused	() Abstained	() Absent
20 Speth, Brent	(X) Yes	() No	() Excused	() Abstained	() Absent

22 Signed by Mayor John Drew this 1st day of February 2021.

24 Providence City

27 John Drew, Mayor

29 Attest:

31 Skarlet Bankhead, Recorder



32
33

**PLAT OF ADDITION TO
THE CORPORATE LIMITS OF PROVIDENCE CITY
ANNEXATION PLAT ORDINANCE NO. _____**

A PART OF THE SOUTHWEST QUARTER OF SECTION 9, SOUTHWEST QUARTER OF SECTION 15,
NORTHWEST QUARTER OF SECTION 18 AND A PART OF THE NORTHWEST QUARTER OF SECTION 15,
TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

SURVEYOR'S CERTIFICATE

I, _____, Surveyor, do hereby certify that the above described plat of addition to the corporate limits of Providence City was prepared by me or under my direct supervision and that the same is a true and correct copy of the original as shown to me by the owner thereof.

WITNESSED my hand and seal of office this _____ day of _____, 2021.

Surveyor

ANNEXATION BOUNDARY DESCRIPTION

The boundary of the annexed property is as follows: _____

ACCEPTANCE BY LEGISLATIVE BODY

This is to certify that the City Council of Providence City, Cache County, Utah, on this _____ day of _____, 2021, has accepted the annexation of the above described property to the City of Providence, Utah, and that the same is a true and correct copy of the original as shown to me by the owner thereof.

City Clerk

DEPUTY COUNTY SURVEYOR'S CERTIFICATE

I, _____, Deputy County Surveyor, do hereby certify that the above described plat of addition to the corporate limits of Providence City was prepared by me or under my direct supervision and that the same is a true and correct copy of the original as shown to me by the owner thereof.

Deputy County Surveyor

CACHE COUNTY RECORDS

FILED FOR RECORD AND INDEXED
ON _____ OF _____, 2021
AT _____ OF THE OFFICE RECORDS
FILED

Recorder

HAI HANSKY & ASSOCIATES, INC.
100 South Main Street, Suite 200
Providence, Utah 84601
409-433-1111

PLAT OF ADDITION TO
THE CORPORATE LIMITS OF PROVIDENCE CITY
ANNEXATION PLAT ORDINANCE NO. 2020-013

A PART OF THE SOUTHEAST QUARTER OF SECTION 9, SOUTHWEST QUARTER OF SECTION 10,
 NORTHEAST QUARTER OF SECTION 16 AND A PART OF THE NORTHWEST QUARTER OF SECTION 15,
 TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

SURVEYOR'S CERTIFICATE

I, ROGER C. SLADE, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT; AND I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT AND THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED INTO PROVIDENCE CITY, CACHE COUNTY, UTAH.

SIGNED THIS 23RD DAY OF FEBRUARY, 2021.



ROGER C. SLADE, P.L.S.
 UTAH LAND SURVEYOR LICENSE NO. 11386802

ANNEXATION BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 9, SOUTHWEST QUARTER OF SECTION 10, NORTHEAST QUARTER OF SECTION 16 AND A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 4, PLAT D, PROVIDENCE FARM LAND SURVEY, BEING A POINT ON THE EXISTING PROVIDENCE CORPORATE LIMITS LOCATED 4882.06 FEET NORTH 89°58'09" EAST AND 219.46 FEET NORTH 01°31'47" EAST AND 492.97 FEET SOUTH 88°19'27" EAST FROM THE NORTHWEST CORNER OF SECTION 16 (BASIS OF BEARING IS THE WEST LINE OF SECTION 16 WHICH BEARS SOUTH 00°15'50" EAST);

RUNNING THENCE SOUTH 01°40'33" WEST 731.60 FEET ALONG THE WEST LINE OF SAID LOT 4, ALSO BEING SAID EXISTING PROVIDENCE CORPORATE LIMITS TO THE NORTHEAST CORNER OF MARLIN & LYN HOTH PROPERTY, TAX ID NO. 03-002-0008; THENCE NORTH 87°40'14" WEST 465.80 FEET ALONG THE NORTH LINE OF SAID HOTH PROPERTY TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 165; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: (1) NORTH 00°07'37" WEST 166.72 FEET; (2) NORTH 13°24'35" WEST 79.62 FEET; (3) NORTH 01°31'47" EAST 862.35 FEET ALONG SAID EXISTING PROVIDENCE CORPORATE LIMITS IN PART; (4) NORTH 88°28'13" WEST 10.00 FEET ALONG SAID EXISTING PROVIDENCE CORPORATE LIMITS; (5) NORTH 01°31'47" EAST 270.44 FEET ALONG SAID EXISTING CORPORATE LIMITS; AND (6) NORTH 46°31'47" EAST 14.14 FEET ALONG SAID EXISTING CORPORATE LIMITS TO THE SOUTH RIGHT-OF-WAY LINE OF 300 SOUTH STREET; THENCE SOUTH 88°19'27" EAST 824.66 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE, ALSO BEING SAID EXISTING PROVIDENCE CORPORATE LIMITS TO THE NORTHWEST CORNER OF WAYNE & MADELINE BARLOW PROPERTY, TAX ID NO. 02-096-0036; THENCE SOUTH 01°40'33" WEST 660.00 FEET ALONG THE WEST LINE OF SAID BARLOW PROPERTY TO THE NORTH LINE OF SAID LOT 4, ALSO BEING SAID EXISTING PROVIDENCE CORPORATE LIMITS; THENCE NORTH 88°19'27" WEST 330.00 FEET ALONG SAID NORTH LINE AND SAID EXISTING PROVIDENCE CORPORATE LIMITS TO THE POINT OF BEGINNING. CONTAINING 20.672 ACRES.

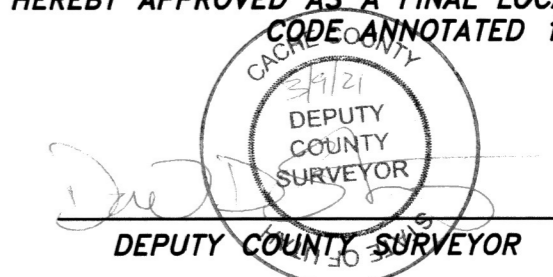
ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE CITY COUNCIL OF PROVIDENCE CITY, CACHE COUNTY, UTAH HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS AND THE OWNERS OF AT LEAST ONE THIRD IN VALUE OF REAL PROPERTY SHOWN, REQUESTING THAT SAID AREAS BE ANNEXED TO THE CITY OF PROVIDENCE, UTAH AND THAT A COPY OF THE ORDINANCE OR RESOLUTION HAS BEEN PREPARED FOR FILING HERewith IN ACCORDANCE WITH THE PROVISIONS OF UTAH CODE ANNOTATED SEC. 10-2-403 AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE AREAS AS SHOWN ON THIS FINAL LOCAL ENTITY PLAT A PART OF SAID CITY. WITNESS MY HAND AND OFFICIAL SEAL THIS 25th DAY OF FEBRUARY A.D., 2021.

APPROVED: MAYOR CITY RECORDER

DEPUTY COUNTY SURVEYOR'S CERTIFICATE

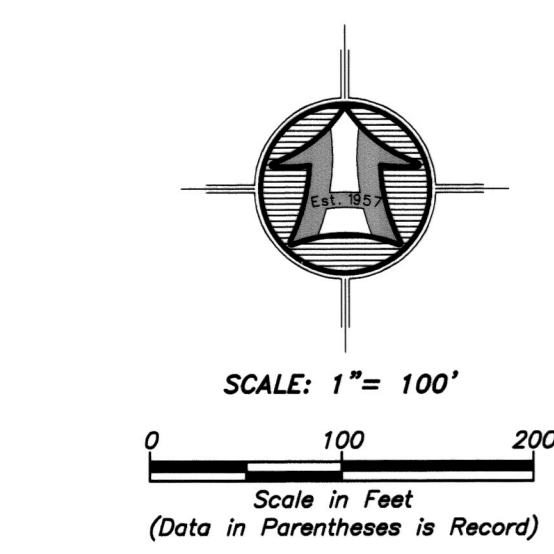
THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY APPROVED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANNOTATED 17-23-20 AMENDED.



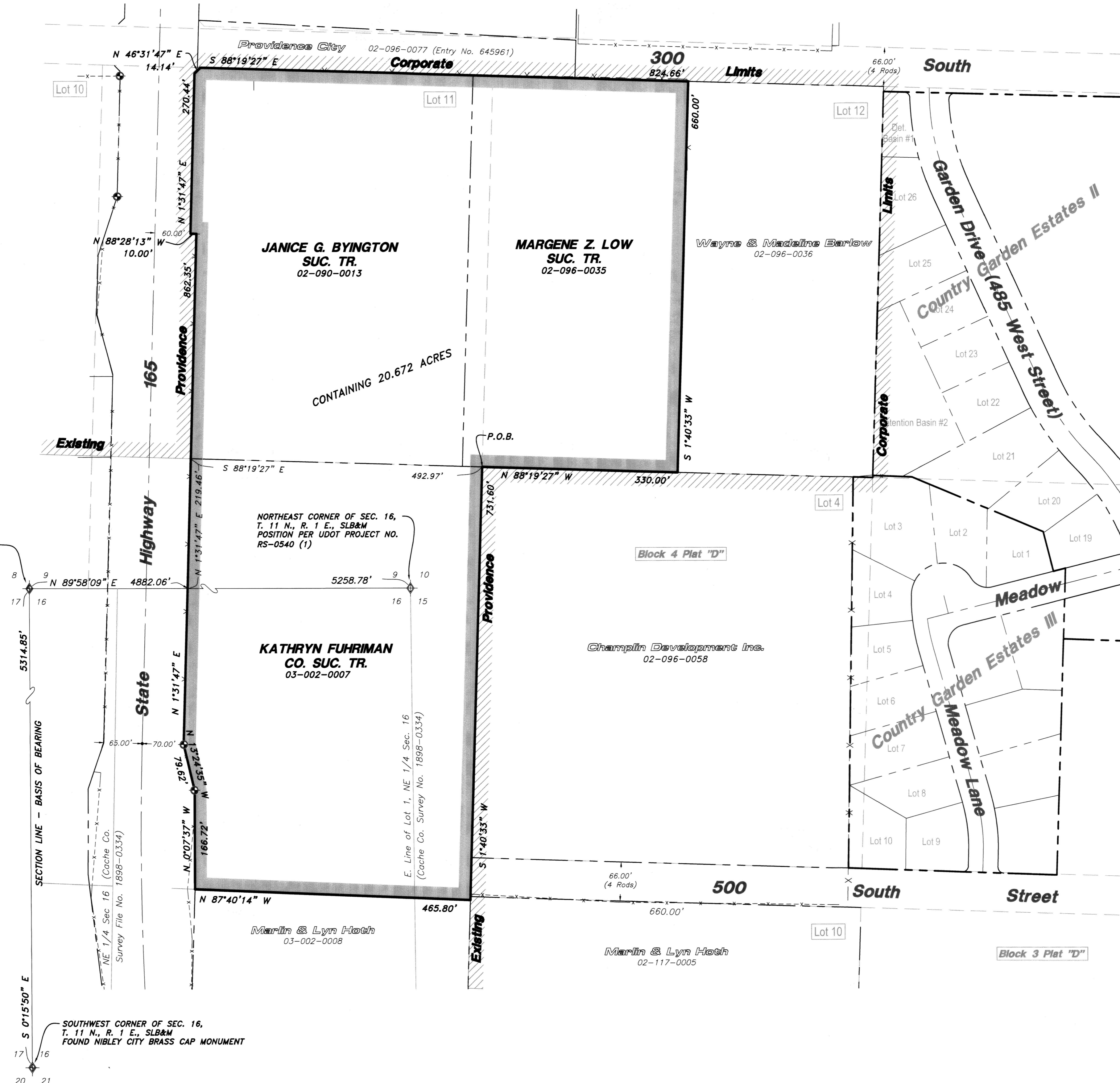
DEPUTY COUNTY SURVEYOR DATE 3/09/2021

CACHE COUNTY RECORDER

ENTRY NO. _____
 FEE PAID: _____
 FILED FOR RECORD AND RECORDED: _____ 20____
 AT _____ IN BOOK _____ OF THE OFFICIAL RECORDS,
 PAGE _____
 RECORDED FOR: _____ TIME: _____
 CACHE COUNTY RECORDER _____
 DEPUTY _____



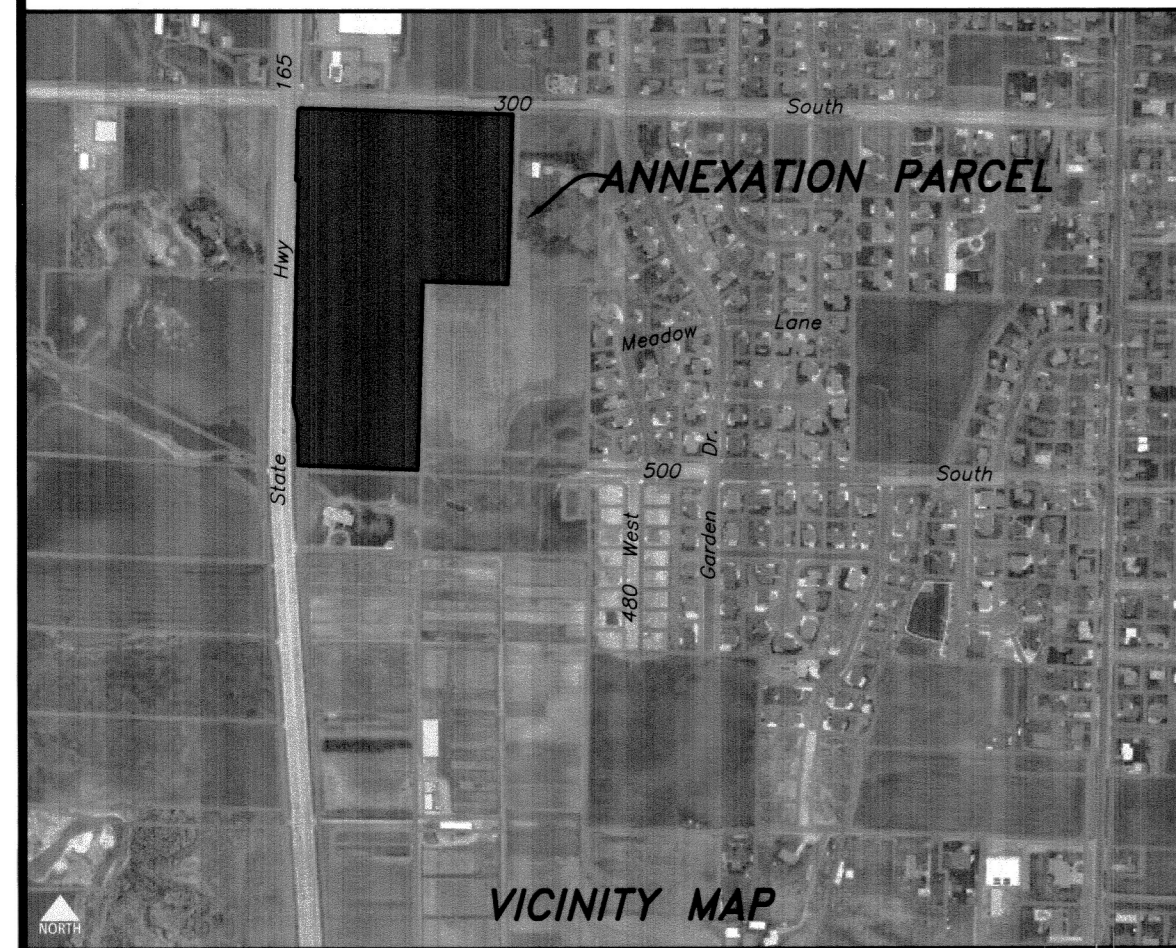
- LEGEND**
- SUBJECT PROPERTY LINE
 - - - ADJOINING PROPERTY LINE
 - - - - - FENCE LINE
 - ////// EXISTING CITY LIMITS
 - PROPOSED CORPORATE BOUNDARY
 - FOUND UDOT RIGHT-OF-WAY MARKER
 - FOUND REBAR SET BY OTHERS
 - SET 5/8"X24" REBAR WITH CAP
 - SECTION CORNER



NORTHWEST CORNER OF SEC. 16, T. 11 N., R. 1 E., SLB&M FOUND CACHE COUNTY RR SPIKE MONUMENT

NORTHEAST CORNER OF SEC. 16, T. 11 N., R. 1 E., SLB&M POSITION PER UDOT PROJECT NO. RS-0540 (1)

SOUTHWEST CORNER OF SEC. 16, T. 11 N., R. 1 E., SLB&M FOUND NIBLEY CITY BRASS CAP MONUMENT



HAI HANSEN & ASSOCIATES, INC.
 Consulting Engineers and Land Surveyors
 538 North Main Street, Brigham, Utah 84302
 Visit us at www.haies.net
 Brigham City Ogden Logan
 (435) 723-3491 (801) 399-4905 (435) 752-8272
 Celebrating 60 Years of Business