

STATE OF UTAH



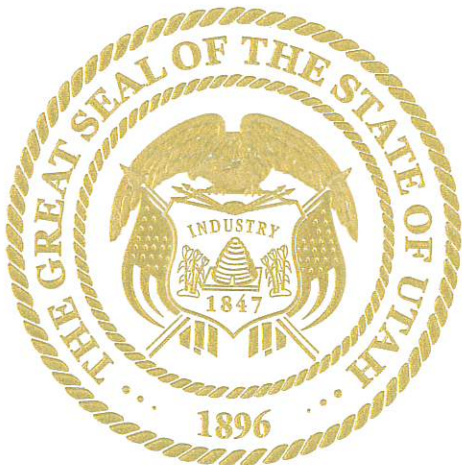
OFFICE OF THE LIEUTENANT GOVERNOR

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 for the BROADHEAD WILLOW CREEK ANNEXATION located in Saratoga Springs, dated November 15, 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 BROADHEAD WILLOW CREEK ANNEXATION, 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 15th day of November, 2021 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON
Lieutenant Governor

ORDINANCE NO. 21-36 (9-7-21)

AN ORDINANCE ADOPTED PURSUANT TO SECTION 10-2-418 OF THE UTAH CODE APPROVING THE ANNEXATION OF 5.854 ACRES OF LAND; ANNEXING SUCH LAND INTO THE CITY; AND RELATED MATTERS. (Broadhead – Willow Creek)

WHEREAS, Utah Code §§ 10-2-401 to - 428 constitutes the statutory framework for annexation of unincorporated areas of a county into an adjoining Utah municipality; and

WHEREAS, Utah Code § 10-2-418(2)(b)(ii) provides that a municipality may annex an unincorporated area without an annexation petition if the area to be annexed consists an unincorporated island within, or unincorporated peninsula contiguous to, the municipality, and is an area outside a county of the first class of no more than 50 acres; and

WHEREAS, the area proposed to be annexed described in Exhibit A (“Property”) consists of approximately 5.854 +/- acres owned by Lane and Holly Broadhead (“Broadheads”) and Boyer MSA (“Boyer”), which is less than 50 acres, and constitutes all or part of an unincorporated island or peninsula of Utah County, a county of the second class, contiguous to and/or surrounded by land of the City of Saratoga Springs, Utah (“City”); 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) as amended; and

WHEREAS, on May 25, 2021, Keaton Morton, representative of the Broadheads, filed an “Annexation Application” (“Application”), on file with the City Recorder, seeking to annex the Property into the City pursuant to Utah Code § 10-2-418; and

WHEREAS, on July 20, 2021, the City Council passed resolution R21-50 (7-20-21) indicating its intent to annex the Property; and

WHEREAS, pursuant to Utah Code § 10-2-418, at least three weeks before the public hearing, the City caused notice of the proposed annexation to be (a) mailed to certain interested parties, (b) posted in 11 places within the municipality most likely to give notice to residents, (c) posted on the Utah Public Notice Website created by Utah Code § 63F-1-701, and (d) posted on the City of Saratoga Springs Website; and

WHEREAS, on August 2, 2021, 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 September 7, 2021, not less than thirty (30) days after the City Council adopted the resolution indicating its intent to annex the Property, 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 Application, approves the annexation of the Property as described in the Application, 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 Utah Code § 10-2-425.

SECTION 3. Zoning. The Property shall be subject to the R1-10 zoning.


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 on the Utah Public Notice Website and post a complete copy of this ordinance in three places within the City. This Ordinance shall become effective immediately upon such publication.

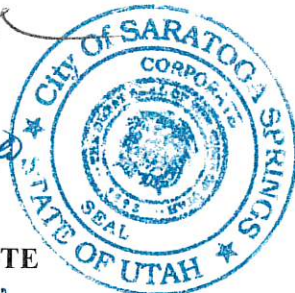
SECTION 6. Amendment of Conflicting Ordinances. If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, 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 7th day of September, 2021.

Signed: 
Jim Miller, Mayor

Attest: 
Cindy Lopiccolo, City Recorder



	VOTE
Christopher Carn	<u>Aye</u>
Michael McOmber	<u>Excused</u>
Ryan Poduska	<u>Aye</u>
Chris Porter	<u>Aye</u>
Stephen Willden	<u>Aye</u>

EXHIBIT A

Broadhead Annexation Plat and Legal Description

BOUNDARY DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. SAID TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE PARKWAY ESTATES ANNEXATION PLAT, SAID POINT ALSO BEING SOUTH 1017.57 FEET AND WEST 803.30 FEET FROM THE EAST CORNER OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 709.83 FEET ALONG THE WESTERLY LINE OF THE PARKWAY ESTATES ANNEXATION TO THE NORTH INCORPORATED BOUNDARY OF SARATOGA SPRINGS; THENCE WEST 354.94 FEET ALONG SAID CORPORATE LIMITS; THENCE NORTH 00°46'00" WEST 709.84 FEET ALONG THE EASTERLY LINE OF BOYER MSA, L.C. ADDITION TO AN EXISTING WIRE FENCE; THENCE SOUTH 89°18'26" EAST 144.03 FEET ALONG SAID FENCE; THENCE NORTH 89°32'00" EAST 220.43 FEET CONTINUING ALONG SAID FENCE TO THE POINT OF BEGINNING.

CONTAINS 5.854 ACRES MORE OR LESS

Utah Public Notice

City of Saratoga Springs City Council

Notice of Ordinance

Notice Date & Time: 9/8/21 1:00 AM

Description/Agenda:

PUBLIC NOTICE

Notice is hereby given that the City Council of the City of Saratoga Springs, Utah, at their meeting of September 7, 2021, passed and adopted the following Ordinances:

- 1) Ord. 21-34 (9-7-21) Vacating a Drainage Easement, Recorded entry number 74956:2008.
- 2) Ord. 21-35 (9-7-21) Vacating a Drainage Easement, Recorded entry number 87687:2020.
- 3) Ord. 21-36 (9-7-21) Approving the annexation of 5.854 acres, annexing such land into the city and related matters.
- 4) Ord. 21-37 (9-7-21) Denying the disconnection request of Scott McLachlan.
- 5) Ord 21-38 (9-7-21) Denying the disconnection request of Banana Point. Inc. and Cliff Lake, LLC.
- 6) Ord 21-40 (9-7-21) Approving Village Plan 2 of the Wander Community Plan.

Copies of these Ordinances are on file in the office of the City of Saratoga Springs City Recorder and are available for review during City business hours.

Notice of Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 766-9793 at least one day prior to the meeting.

Notice of Electronic or telephone participation:

N/A

Other information:

Location:

1307 N. Commerce Dr., Saratoga Springs, 84045

Contact information:

Cindy LoPiccolo , clopiccolo@saratogaspringscity.com, (801)766-9793

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