

STATE OF UTAH

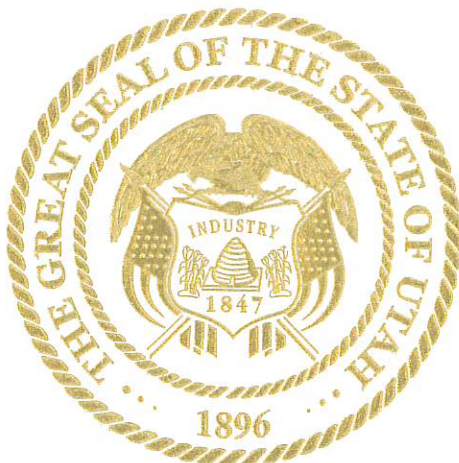


OFFICE OF THE LIEUTENANT GOVERNOR

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 the VINEYARD N PHASE ANNEXATION, located in PROVIDENCE CITY, dated DECEMBER 7, 2022, 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 VINEYARD N PHASE ANNEXATION, located in CACHE COUNTY, State of Utah.



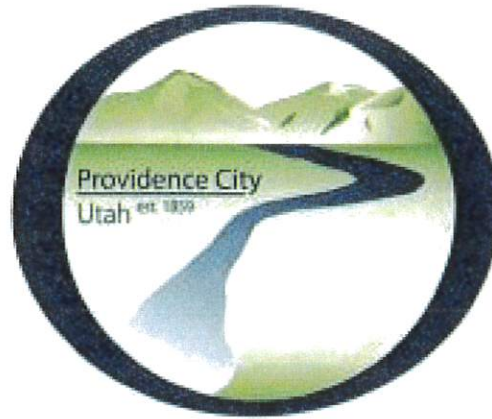
IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 7th day of December, 2022 at Salt Lake City, Utah.

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

DEIDRE M. HENDERSON
Lieutenant Governor

Providence City

164 North Gateway Dr
Providence, UT 84332
(435) 752-9441 Fax: (435) 753-1586
www.providencecity.com



Decemeber 6th, 2022

Lieutenant Governor's Office
Utah State Capitol Complex
Suite 220
PO Box 142325
Salt Lake City UT 84114-2325

Lt. Governor Henderson,

On October 19th 2022, The Providence City Council adopted Ordinance 07-2022 per Utah Code 10-2-4, an ordinance granting the Vineyard N Phase annexation petition and assigning the zone of single-family high, for parcel no's 02-004-0001 & 02-004-0002 located in the general area of E 600 S and 1000 E and consisting of an acreage of 20.87 +/- legally described as follows:

02-004-0001

BEG AT NE COR OF SEC 2 T 11N R 1E, BEG & TH S 89*42'27" W 5433.19 FT TO NW COR OF SEC 2 TH S 0*04'53" W 2997.19 FT TO TRUE POB ON S LN OF 600 S ST & TH S88*08'39"E 807.90 FT TH S01*10'17"W 830.97 FT TH N89*05'49"W 807.85 FT TO SE COR OF SOUTH FIELD SUBD & A PT OF RECORD 87.45 RDS N & 1.33 RDS W OF SW COR OF SEC 2 TH N01*10'17"E 844.40 FT TO TRUE POB CONT 15.53 AC M/B

02-004-0002

BEG AT NE COR OF SEC 2 T 11N R 1E, BEG & TH S 89*42'27" W 5433.19 FT TO NW COR OF SEC 2 TH S 0*04'53" W 2997.19 FT TO TRUE POB ON S LN OF 600 S ST & TH S88*08'39"E 807.90 FT TO TRUE POB & TH S 88*08'39"E 282.22 FT ALG ST TH S01*20'49"W 826.29 FT ALG W LN OF 1000 E ST TH N89*05'49"W 279.67 FT TH N01*10'17"E 830.97 FT CONT 5.34 AC

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, annexing resolution and the approved final local entity plat.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ty Cameron', written over a white background.

Ty Cameron
City Recorder

1 where statements and arguments were made by all parties of interest. The Cache County
2 Boundary Commission submitted a written decision on April 15th, 2022, stating “the Cache
3 County Boundary Commission hereby approves the proposed annexation without modifications
4 or conditions.”

5
6 **WHEREAS** the Providence City Council advertised and held a public hearing, in accordance
7 with UTAH CODE ANN. § 10-2-407(7), on October 19th, 2022; and

8
9 **WHEREAS**, Providence City desires to provide for the health, safety, and welfare, and promote
10 the prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality
11 and its 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
13 urban and nonurban development, to protect and ensure access to sunlight for solar energy
14 devices, to provide fundamental fairness in land use regulation, and to protect property values in
15 areas that may be considered sensitive, including but not limited to fire danger, slope, soil
16 content, by following its 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
19 shall assign a land use zone or a variety thereof to territory to territory annexed to the
20 municipality at the time the territory is annexed; and Providence City Code 10-3-6:A. states that
21 new areas annexed into the City shall be annexed into the City as agricultural, or as an already
22 defined zone per the city's map, "Future Rezoning of Existing Districts and Annexed Areas of the
23 City of Providence, Utah;" any other zoning proposal shall be submitted to the Planning
24 Commission for consideration and recommendation to the City Council; and

25
26 **WHEREAS**, the Petitioner’s are requesting the zone designation of Single-Family High.

27
28 **WHEREAS**, the Planning Commission held a public hearing regarding the zoning of these
29 parcels on September 14th, 2022, and came to the following motion and recommendation:

30
31 *Motion to recommend to City Council that parcels 02-004-0001 & 02-004-0002 be zoned as*
32 *Single Family High subject to City Council taking action in the annexation approval to bind*
33 *Visionary to a density of no more than 74 lots – Joe Chambers. 2nd - Brian Marble.*

34 *Vote:*
35 *Yea – Michael Fortune, Joe Chambers and Brian Marble.*
36 *Ney- Shelly Nazer*
37 *Abstained- Tyler Riggs*
38 *Absent-*

39
40
41 **THEREFORE, BE IT ORDAINED** that the Providence City Council:
42 • Grants the Petition for Annexation filed by Visionary Homes LLC.; and
43 • The Providence City Corporate limits will be modified to include said property as
44 described above; and
45 • The annexed parcels shall be zoned as Single-Family High, and
46 • The Providence City Zoning Map shall also be changed to include the properties as
47 described and zoned above; and
48 • This Ordinance will become effective immediately upon passage and certification from
49 the Lt. Governor’s Office.

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Passed by vote of the Providence City Council this 19th day of October 2022.

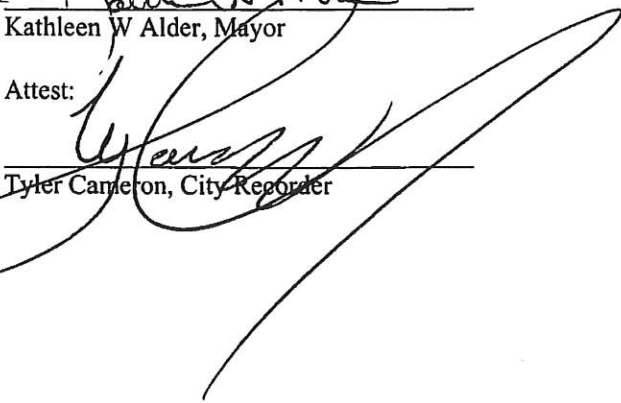
Council Vote:

Nebeker, Jeff	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Kirk, Carrie	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Paulsen, Joshua	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Sealy, Jeanell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Speth, Brent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input checked="" type="checkbox"/> Absent

Providence City


Kathleen W Alder, Mayor

Attest:


Tyler Cameron, City Recorder

Resolution 035-2021

A RESOLUTION ACCEPTING FOR FURTHER CONSIDERATION THE ANNEXATION PETITION FROM RIDGEVIEW PARK LLC FOR PARCEL NO.S 02-004-0001 & 02-004-0002, 22.13-ACRES (+/-) LOCATED IN THE GENERAL AREA OF E 600 S & S 1000 E.

WHEREAS UCA § 10-7-717 Purpose of resolutions, states, "Unless otherwise required by law, the governing body may exercise all administrative powers by resolution . . ."

WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of the city and its present and future inhabitants and businesses.

WHEREAS Providence City received a complete Petition for Annexation request on November 5th, 2021

WHEREAS the properties are legally described as follows:

BEG AT NE COR OF SEC 2 T 11N R 1E, BEG & TH S 89*42'27" W 5433.19 FT TO NW COR OF SEC 2 TH S 0*04'53" W 2997.19 FT TO TRUE POB ON S LN OF 600 S ST & TH S88*08'39"E 807.90 FT TH S01*10'17"W 830.97 FT TH N89*05'49"W 807.85 FT TO SE COR OF SOUTH FIELD SUBD & A PT OF RECORD 87.45 RDS N & 1.33 RDS W OF SW COR OF SEC 2 TH N01*10'17"E 844.40 FT TO TRUE POB CONT 15.53 AC M/B AND BEG AT NE COR OF SEC 2 T 11N R 1E, BEG & TH S 89*42'27" W 5433.19 FT TO NW COR OF SEC 2 TH S 0*04'53" W 2997.19 FT TO TRUE POB ON S LN OF 600 S ST & TH S88*08'39"E 807.90 FT TO TRUE POB & TH S 88*08'39"E 282.22 FT ALG ST TH S01*20'49"W 826.29 FT ALG W LN OF 1000 E ST TH N89*05'49"W 279.67 FT TH N01*10'17"E 830.97 FT CONT 5.34 AC

WHEREAS the proposed Petition along with the Notice of Intent and Certificate is attached.

THEREFORE, BE IT RESOLVED by the Providence City Council:

1. The attached Petition shall be accepted; and
2. The City Attorney and City Recorder are hereby authorized to move forward in determining that the petition and all accompanying documents and maps meet the statutory requirements.
3. This resolution shall become effective immediately upon passage; and

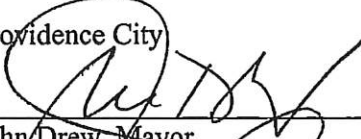
Passed by vote of the Providence City Council this 15th day of December 2021.

Council Vote:

Jeanell Sealy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Eck, Kristina	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Carrie Kirk	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Joshua Paulsen	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent

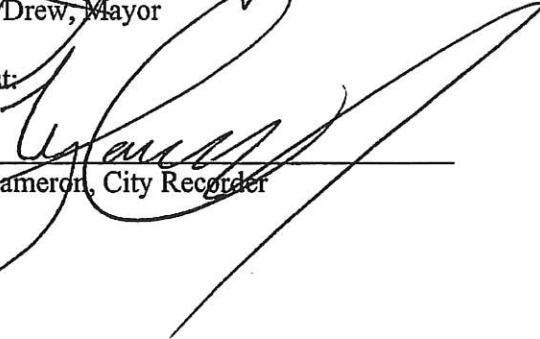
Brent Speth Yes No Excused Abstained Absent

Providence City



John Drew, Mayor

Attest:



Ty Cameron, City Recorder

PETITION FOR ANNEXATION AND REZONE INTO THE CORPORATE LIMITS OF PROVIDENCE CITY, UTAH

The undersigned petitioner(s) and person(s) petitioning for annexation to and into the corporate limits of Providence City, pursuant to Utah Code Annotated Section 10-2-403, hereby certify by the signature(s) below that we are the owner(s) of real property shown on the attached plat or map, which is located within a certain territory which is contiguous to the corporate boundaries of Providence. The territory is more fully described in the accompanying plat or map and legal description prepared for this annexation and attached and incorporated hereto; and furthermore, we by the signature(s) below so indicate our desire to have said territory, including the real property we own located within said territory, annexed to and into the corporate limits of Providence City and therefore do hereby submit this petition for annexation with the accompanying plat or map and legal description to Providence City by the filing of same with the Providence City Recorder.

Furthermore, we by the signatures below certify that (a) we are the owner(s) of 100% of the land area within the area proposed for annexation; and (b) we are the owners of at least 1/3 in value of the real property as shown by the last assessment rolls located in the territory being proposed for annexation as described in the accompanying plat or map and legal description, and (c) that we are the majority of the owner(s) of the real property located in the territory described in the accompanying plat or map and legal description.

Further, we hereby give notice to Providence City that we have designated Ridgeview Park, LLC as our representatives and attorneys in fact with respect to the annexation and subdivision of the property described herein. We further authorize Ridgeview Park to seek a rezone of the property.

We hereby request the Providence City Council to accept, by resolution or ordinance, this petition for annexation for the purpose of preparing a policy declaration relative to the proposed annexation.

Dated this five day of November, 2021.

Petitioner: [Signature]

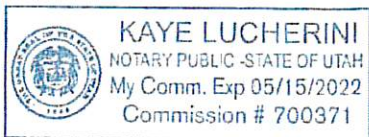
Petitioner: Dallas Nicoll, manager

STATE OF UTAH)
: SS
COUNTY OF CACHE)

I hereby certify that on the 5 day of NOV., 2021, personally appeared before me Dallas Nicoll, who being first duly sworn, declared that she/he is the person(s) who signed the foregoing petition and/or is the person(s) of said title and office indicated above and she/he by her/his title and office is so authorized to sign this petition.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5 day of Nov., 2021.

Residing in Cache County, Utah [Signature]



Notice of Intent to File An Annexation Petition

PURSUANT TO Utah Code Ann. §10-2-403(2), notice is hereby given that the person or persons identified below intend to file an annexation petition with providence. The area proposed for annexation in the annexation petition is commonly described as (~~ADD NON-TECHNICAL DESCRIPTION~~). Further, an accurate map of the area that is proposed to be annexed is attached to this Notice.

*Vineyard
North
Phase*

Person or persons intending to file annexation petition:

<u>NAME</u>	<u>ADDRESS</u>
<i>Jon HARRIS (Visionary homes)</i>	<i>about E6005 S1000 E</i>
	<i>parcel # 02-004-0001</i>
	<i>parcel # 02-004-0002</i>



CERTIFICATE OF NOTICE

COUNTY OF CACHE

AN

Annexation Notice

*was mailed to the affected entities regarding
an annexation request into Providence Utah by
Visionary Homes*

on

November 09, 2021



Jess W. Bradfield
Cache County Clerk/Auditor



