

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 PARCEL 02-117-0022, located in CACHE COUNTY, dated MAY 22, 2023, complying with Section §10-2-407, 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 PARCEL 02-117-0022, 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 22<sup>nd</sup> day of May, 2023 at Salt Lake City, Utah.



*Deidre M. Henderson*

DEIDRE M. HENDERSON  
Lieutenant Governor



Providence 10, LLC

# ANNEXATION CHECKLIST

This checklist comprises the requirements for annexations to occur. Leaders can use the checklist to track progress of a proposed annexation. Fill-out top-to-bottom, left-to-right.

## PETITION

staff

Petition submitted to <del>planning commission?</del> <input checked="" type="checkbox"/>	Date: 2-13-23	Annexation Policy Plan In Place? <input checked="" type="checkbox"/>
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Petition Contact Name: Michael Jewell	Date: 2-13-23
---------------------------------------	---------------

Address: 965 S. 100 W. Ste 203 Logan UT	Phone: 435-754-7887	Notes:
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	Email: mJewell@TrilloGroup.com
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Petition filing fee paid? <input checked="" type="checkbox"/>	Date: 2-13-23	Amount: 150\$
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Adequate signatures on petition? <input checked="" type="checkbox"/>	Number of Signatures: 1	Notes:
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Copy of petition and plat map submitted to county clerk and mailed to affected entities? <input checked="" type="checkbox"/>	Date: 1-11-2023
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Plat map prepared by licensed surveyor? <input checked="" type="checkbox"/>	Firm: Alliance Consulting Engineers
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## PETITION REVIEW

Petition placed on city council agenda? <input checked="" type="checkbox"/>	Meeting date: 3-15-23	Planning Commission Review (Optional) <input type="checkbox"/>
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City Council Action: Accepted <input checked="" type="checkbox"/> Denied <input type="checkbox"/>	Reason for Denial:	Date: 3/15/23
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Resolution #: 05-2023	Notification of decision sent to petitioner? <input checked="" type="checkbox"/>	Date: 3/15/23
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Recorder / Clerk Certification: Certified <input checked="" type="checkbox"/> Rejected <input type="checkbox"/>	Reason for Rejection:
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Date:	Published notice of certification? <input checked="" type="checkbox"/>	Date: 3/31/23
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## DECISION

may

Public hearing notice (must be 10 days prior) <input type="checkbox"/>	Date: May 4 <sup>th</sup> 2023
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Annexation adopted by city council? Accepted <input checked="" type="checkbox"/> Rejected <input type="checkbox"/>	Reason for Rejection:	Ordinance #: 03-2023
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## SUBMISSION

Filed with Lieutenant Governor's Office <input type="checkbox"/>	Date:	Notes:
Receipt of annexation received from Lt. Gov <input type="checkbox"/>	Date:	
Submitted to county recorder: <input type="checkbox"/>	Date:	
Submitted to Department of Health: <input type="checkbox"/>	Date:	
Notices sent to affected entities <input type="checkbox"/>	Date:	



Address 965 S 100 W, STE 203, LOGAN, UT 84321  
Phone 435-754-7887 Email MJEWELL@TRINIGROUP.COM

Property (if owner of record is different than applicant, the application must include a written statement from the owner of record consenting to the applicant's pursuit of annexation)

Owner of record PROVIDENCE 10, LLC  
Address 965 S 100 W, STE 203, LOGAN, UT 84321 Parcel Tax ID 02-117-0622  
Phone 435-754-7887 Email MJEWELL@TRINIGROUP.COM

Project (all information must be provided)

Project name PROVIDENCE LANDING  
Project location APPROXIMATELY 480 W 600 S, PROVIDENCE, UT 84332  
Phase 1 Acreage of phase 10 Total phases in project 1  
Zone MEM/SFT Initial \_\_\_\_\_ Name \_\_\_\_\_

Architect/Engineer/Surveyor (all information must be provided)

Name ALLIANCE ENGINEERING  
Address 150 E 200 N, SUITE P, LOGAN, UT 84321  
Phone 435-764-4351 Email ALLIANCELOGANAM@YAHOO.COM

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances. Initial \_\_\_\_\_ Name \_\_\_\_\_

Approval by the city of any application submittal or paperwork does not alleviate the owners from their responsibility to understand and conform to local, state and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated. Initial \_\_\_\_\_

By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial \_\_\_\_\_

I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.



Signature of Applicant

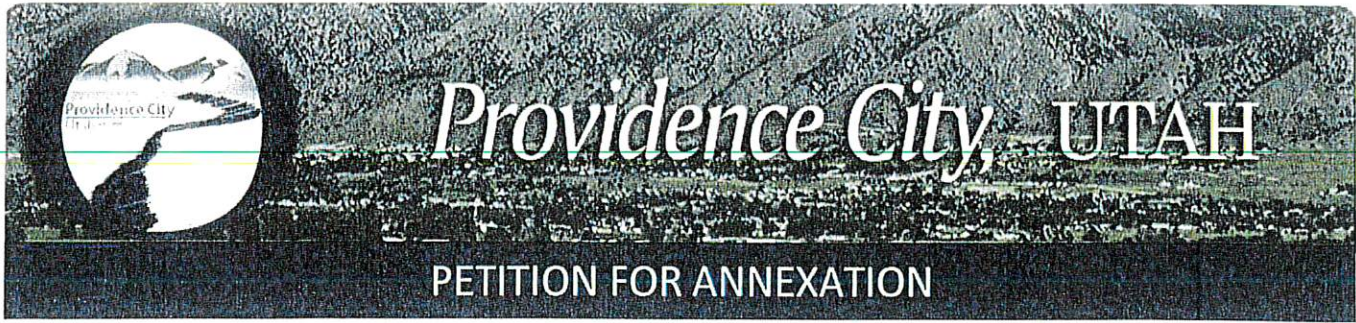
MICHAEL JEWELL

Printed Name

2/13/2023

Date

EXHIBIT A  
Annexation Petition



**OWNER(S) REQUEST FOR ANNEXATION**

The undersigned petitioner(s) are hereby petitioning for annexation to and into the corporate limits of Providence City. Pursuant to Utah Code Annotated (UCA) Section 10-2-403, hereby certify by the signatures below that we are the owner(s) of said real property shown on the attached accurate and recordable map, prepared by a licensed surveyor, or the area proposed for annexation, which is located within a certain territory, which is contiguous to the corporate limits of Providence City. 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.

By the signature(s) below I (we) certify the following:

1. I (we) are the owner(s) of private real property that:
  - a. is located within the area proposed for annexation;
  - b. subject to Subsection (3)(b)(ii)(C), covers a majority of the private land area within the area proposed for annexation;
  - c. covers 100% of rural real property as that term is defined in Section 17B-2a-1107 within the area proposed for annexation; and
  - d. covers 100% of the private land area within the area proposed for annexation, if the area is within an agriculture protection area created under Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas, or a migratory bird production area created under Title 23, Chapter 28, Migratory Bird Production Area; and
  - e. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation.
2. This petition is accompanied by an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation.

Further, we hereby designate up to 5 of the signers of this petition as sponsors and designate Michael D. Jewell as the Contact Sponsor.

By the signature(s) below I (we) certify the following:

1. I have personally signed this Petition; and
2. I am aware of the Petition for Annexation and understand the terms and conditions of this Petition; and
3. I am an owner of a portion of the property mentioned and located at or near Providence City, Cache County, State of Utah, and my mailing address is listed correctly after my name.

Sponsor	Name: Providence 10, LLC (Michael D. Jewell)	Parcel No. 02-117-0022	Acreage: 10
Yes	Address: 255 South Main Street, Suite 100, Logan, Utah 84321	Requested Zone: <i>MEM/SET</i>	Value:
No	Email: <i>mjewell@triiigroup.com</i>	Signature: <i>Michael D. Jewell</i>	

Sponsor	Name:	Parcel No.	Acreage:
Yes	Address:	Requested Zone:	Value:
No	Email:	Signature:	

Sponsor	Name:	Parcel No.	Acreage:
Yes	Address:	Requested Zone:	Value:

No	Email:	Signature:
----	--------	------------

Sponsor	Name:	Parcel No.	Acreage:
Yes	Address:	Requested Zone:	Value:
No	Email:	Signature:	

Sponsor	Name:	Parcel No.	Acreage:
Yes	Address:	Requested Zone:	Value:
No	Email:	Signature:	

Attach additional sheets as necessary



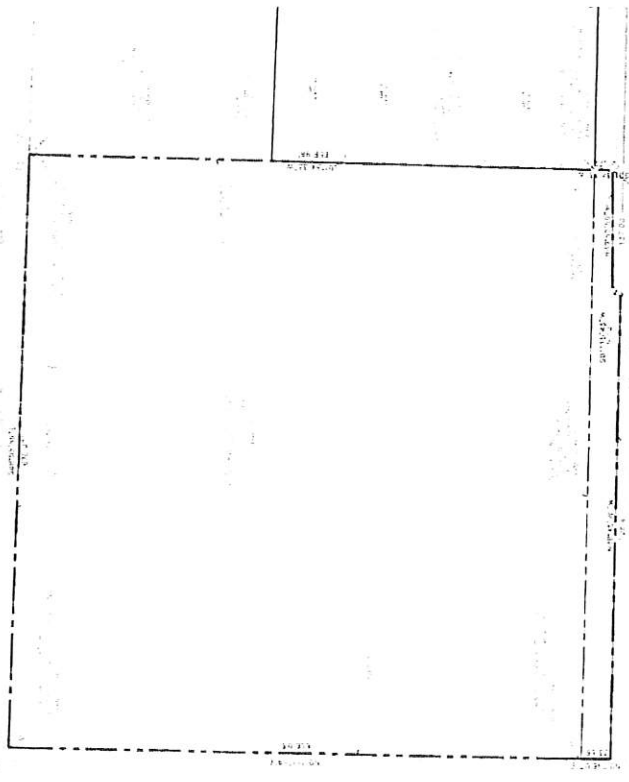
EXHIBIT B  
Survey / Map

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**MATHEWS ANNEXATION  
TO THE  
CITY OF PROVIDENCE**

LEGEND



APPLICANT: W. C. ...

FILED: ...

...

...

...

**MATHEWS ANNEXATION  
TO THE  
CITY OF PROVIDENCE**

EXHIBIT C  
List of Affected Entities

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**10-2-401 Definitions -- Property owner provisions.**

(1) As used in this part:

(a) "Affected entity" means:

- (i) a county of the first or second class in whose unincorporated area the area proposed for annexation is located;
- (ii) (ii) a county of the third, fourth, fifth, or sixth class in whose unincorporated area the area proposed for annexation is located, if the area includes residents or commercial or industrial development;
- (iii) (iii) a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;
- (iv) (iv) a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and
- (v) (v) a municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

List of affected entities:

1. Cache County
  - a. Address: 179 N Main Street, Logan, Utah 84321
  - b. Phone: 435-755-1850
2. City of Providence
  - a. Address: 164 North Gateway Drive, Providence, Utah 84332
  - b. Phone: 435-753-1586
3. City of Millville
  - a. Address: 510 E 300 S, PO Box 308, Millville, Utah 84326
  - b. Phone: 435-750-0924

Legal Description

ALL LOT 2 BLK PLAT D PROVIDENCE FARM SVY NW/4 SEC 15T 11N R 1E 10ACC  
B994

EXHIBIT D  
Feasibility Study

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ALLIANCE CONSULTING ENGINEERS, INC  
150 E 200 NORTH SUITE P  
LOGAN, UTAH 84321  
435-755-5121

# SUBDIVISION ANNEXATION REQUEST FEASIBILITY REPORT

7 DECEMBER 2022

PARCEL: 02-117-0022

650 SOUTH AND 430 WEST IN PROVIDENCE, UTAH



ALLIANCE CONSULTING ENGINEERS, INC  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
435-755-5121  
ALLIANCELOGAN@YAHOO.COM

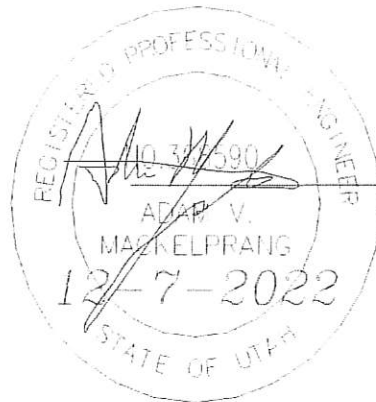
## SUBDIVISION FEASIBILITY SUMMARY

At the request of Triiiio Group a feasibility study has been prepared for parcel 02-117-0022.

The previously mentioned parcel is in the County between Millville City (200 West, 700 North) and Providence City (430 West, 650 South).

This parcel has recently been purchased by Triiiio Group and is in the process of being developed into mult-unit/single family housing to be known as Serenity Cove. In order to proceed with development the above mentioned parcel needs to be annexed into an adjacent city. Parcel 02-117-0022 is already on the Providence City annexation masterplan.

Based on the details contained in this report parcel 02-117-0022 should be added to Providence City.



NOTE:This feasibility study is based on utility research, on site topography and sampling, meetings with the city and other online resources.

## **TABLE OF CONTENTS**

- 1.0 INTRODUCTION
- 2.0 CURRENT ANEXATION
- 3.0 SITE-LAYOUT AND DENSITY
- 4.0 CULINARY WATER
- 5.0 SEWER DISPOSAL
- 6.0 STORM WATER
- 7.0 GEOLOGICAL/GEOTECHNICAL
- 8.0 FLOOD WATER /WETLANDS
- 9.0 CONCLUSION/ RECOMMENDATION

## **LIST OF ATTACHMENTS**

- Figure 1. Current Annexation Map
- Figure 2. Conceptual Site Map
- Figure 3. Utility Service Map
- Figure 4. Site Analysis Map



## **1.0 Introduction**

The purpose of this report is to determine the feasibility of annexing parcel 02-117-0022 into Providence City.

The parcel is located in the County between Millville City (200 West, 700 North) and Providence City (430 West, 650 South) and is currently part of the Providence City annexation masterplan. This being said, the developer knows that a successful development is often based on the ability of a City to provide the necessary services. This report has been compiled to analyze the ability of Providence City to provide said services.

## **2.0 Current Annexation**

The current annexation of Providence City is included in Figure 1. Per the Providence City annexation masterplan parcel 02-117-0022 is already part of the annexation masterplan of Providence City.

## **3.0 Site-Layout and density**

A potential layout of the site has been included in Figure 2. This shows how the project would fit into the surrounding area and tie together several City streets. The conceptual project contains a neighborhood that will cater to individuals looking for more affordable options and will include approximately (18) front load townhouses, (46) rear load townhomes, (17) rear parking pad townhomes, and (7) single family lots on 10.64 acres for an overall density of 8.27. These numbers are subject to change slightly as the design process is completed.

The project will have access on the north from 480 West and 430 West and on the south from 700 South. Each of these roads will be designed to be a 66 foot right of way and have sufficient capacity for the proposed development.

#### **4.0 Culinary Water**

The development will be serviced by existing waterlines in 700 South to the east and 480 West and 430 West to the north. As part of the development the waterline in each of these street will be extended and looped. A map of the area is provided in Figure 3.

#### **5.0 Sewer Disposal**

Existing sewer lines in 430 West and 480 West will be used to service the entire project. In order to ensure that the sewer is deep enough to service the entire project, a field topo was performed. An analysis of maximum sewer depths based on an assumed layout was then performed. The sewer depths along with the existing contours are shown on Figure 3. As shown on the map the sewer is adequately deep for any needs by the developer.

#### **6.0 Storm Water**

The project will use existing roads/ ditches for storm water release/overflow. The project has designated several areas sufficient in size for the detention requirements throughout. A map showing the project masterplan is shown in Figure 2.

#### **7.0 Geological/Geotechnical**

The project is located over 9000 feet west of the central segment of the East Cache Fault Zone per the Geological survey map 193Dm.

Information on the existing soils was taken from the NRCS Soil Survey. The existing soils comprise of Nebeker Silt Loam and Nibley Silty Clay Loam. These same soils are found in surrounding subdivisions (Sunrise Acres, Sunrise Acres 2, Sunrise Acres 3, and Providence Meadows). All of which have been successfully constructed.

## **8.0 Flood Water/Wetlands**

Per the current FEMA flood map, "Cache County, Utah Map no. 49005C0379C Effective May 24, 2011 the previously discussed parcels does not contain any area with flood potential.

Per the Fish and Wildlife Wetlands Mapper there are no areas which contain wetlands.

## **9.0 Conclusion/ Recommendation**

Per the below summary Parcel02-117-0022 is perfectly suited to be annexed into Providence City.

- 1-All necessary utilities (gas, phone, cable, power, sewer and water) are readily available.
- 2-The City has sufficient sewer capacity and the sewer is deep enough to service the entire project.
- 3-The City has sufficient water pressure and flow and with the construction of this project the dead end waterlines in 430 West, 480 West, and 700 South will be looped.
- 4-Storm water will be detained on site and will be released at the historical pre development rate into the adjacent ditch.
- 5-Access is plentiful with three adjacent 66' wide rights-of-ways.
- 6-The site is located over 9000' from the nearest fault line.
- 7-There are no impacts to wetlands or from potential flooding.

ALLIANCE CONSULTING ENGINEERS, INC  
150 E 200 NORTH SUITE P  
LOGAN, UTAH 84321  
435-755-5121

## Figure 1. Current Annexation Map

MILLVILLE CITY

CACHE COUNTY

PARCEL 02-117-0022  
BOUNDARY

CACHE COUNTY

NORTHWEST CORNER OF LOT 11,  
PARCEL 02-117-0022

480 WEST STREET

PROVIDENCE MEADOWS  
SUBDIVISION

GARDEN DRIVE (430 WEST)

SUNRISE ACRES  
SUBDIVISION

PROVIDENCE CITY

SUNRISE ACRES 3  
SUBDIVISION

SUNRISE ACRES 2  
SUBDIVISION

330 WEST STREET

MILLVILLE CITY

SERENITY COVE  
CURRENT CITY BOUNDARIES

0 120 240  
SCALE: 1" = 120' (11x17 PLAN SET)

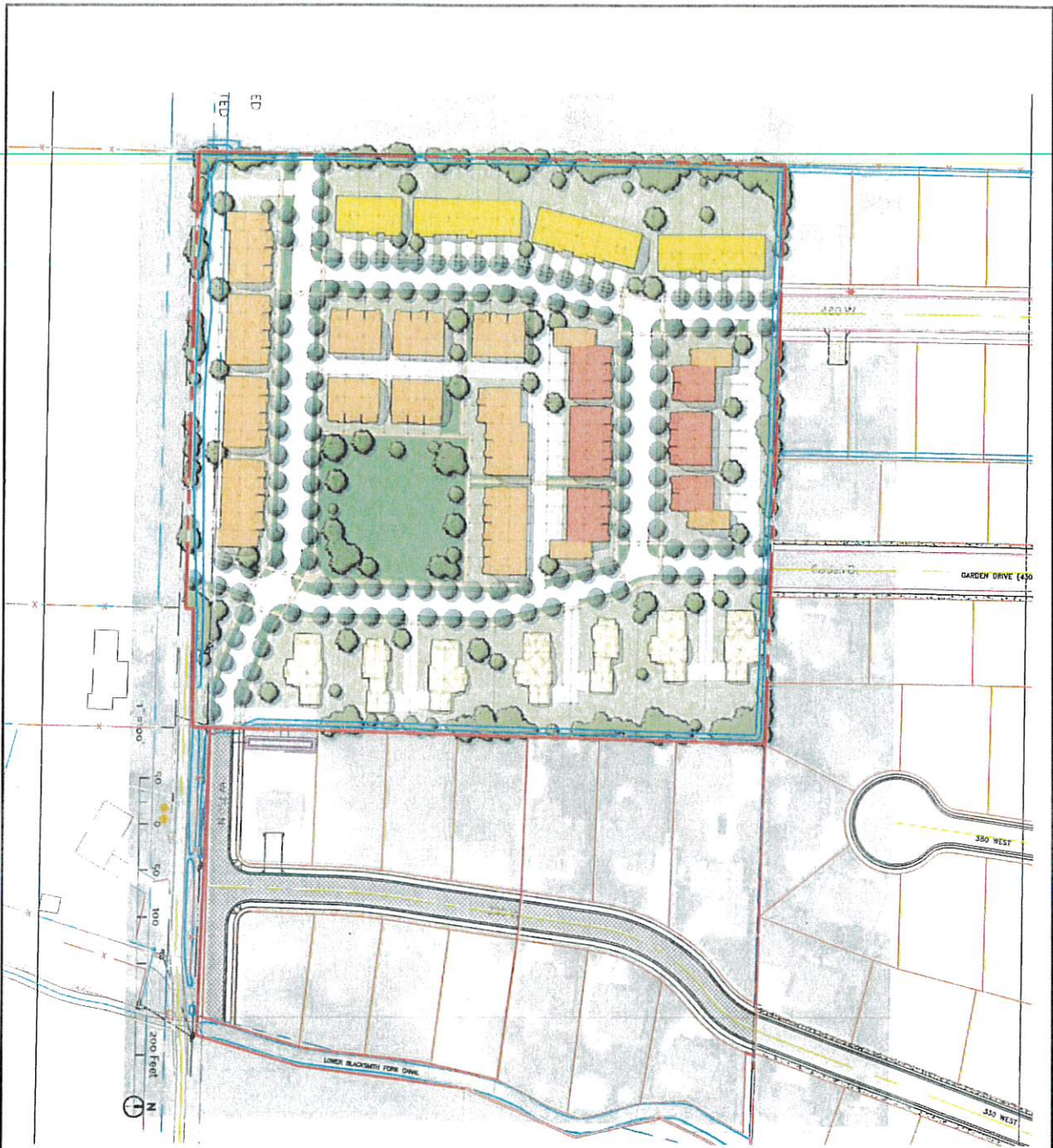
PROJECT TITLE	SERENITY COVE	
DATE	JANUARY 2021	
DRAWING TITLE	SERENITY COVE	

NO.	REVISION/REMARKS	DATE

**AE** ALLIANCE CONSULTING ENGINEERS  
 150 EAST 200 NORTH SUITE P  
 LOGAN, UTAH 84321  
 (435)755-5121

ALLIANCE CONSULTING ENGINEERS, INC  
150 E 200 NORTH SUITE P  
LOGAN, UTAH 84321  
435-755-5121

## Figure 2. Conceptual Site Map



**Serenity Cove**  
**CONCEPTUAL SITE MAP**

SCALE: 1" = 120' (11x17 PLAN SET)

PROJECT FILE	Serenity Cove
DRAWING FILE	CONCEPTUAL SITE MAP

NO.	REVISION/REVISIONS	DATE

DESIGNER	
CHECKED BY	
PROJECT FILE #	

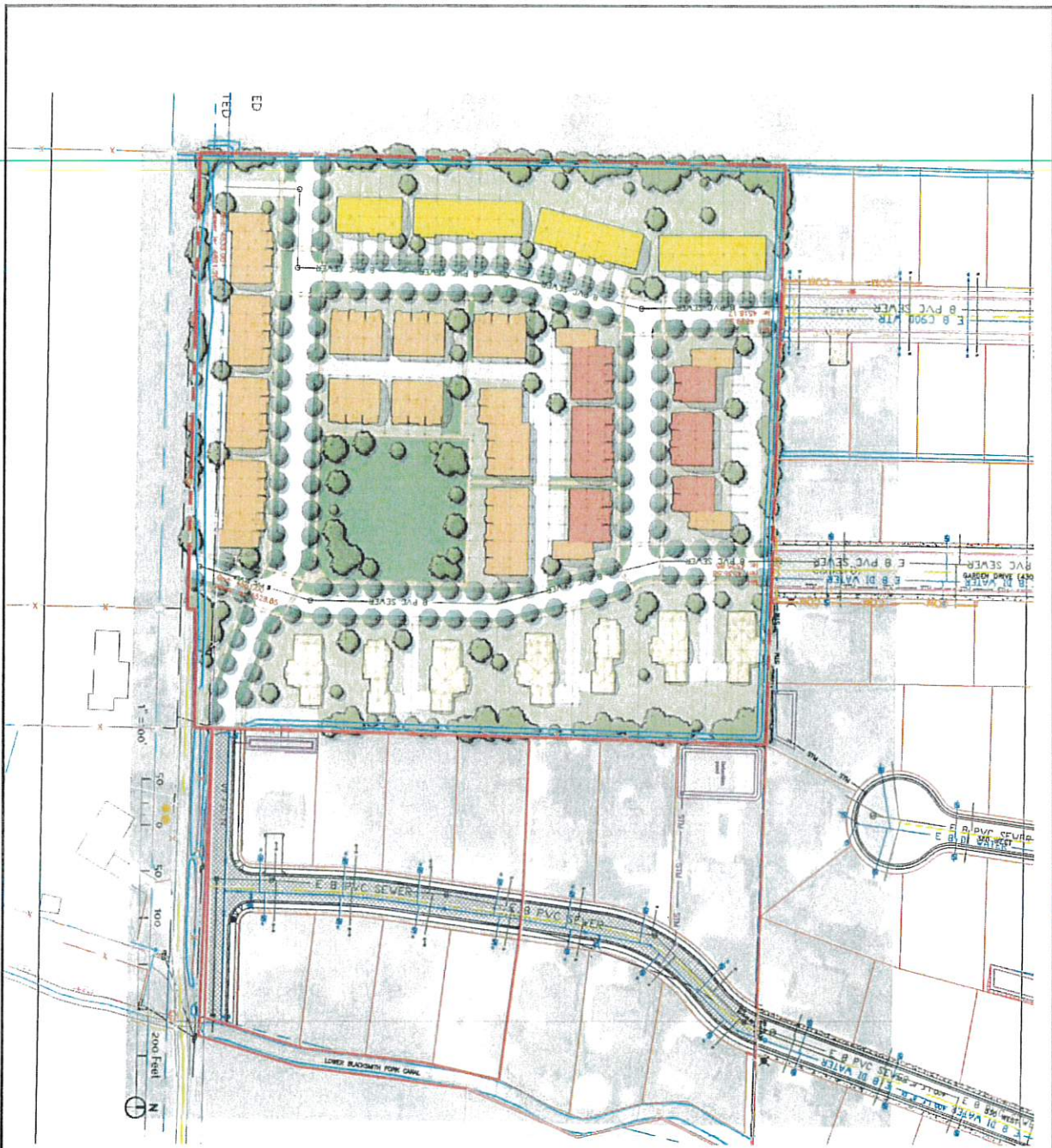
**ACE** ALLIANCE CONSULTING ENGINEERS  
 150 EAST 200 NORTH SUITE P  
 LOGAN, UTAH 84321  
 (435) 755-5121  
 alliance@ace-engineers.com

DATE	
SCALE	

ALLIANCE CONSULTING ENGINEERS, INC  
150 E 200 NORTH SUITE P  
LOGAN, UTAH 84321  
435-755-5121

**Figure 3. Utility Service Map**





**SERENITY COVE**  
UTILITY MAP

0 120 240  
SCALE: 1" = 120' (11x17 PLAN SET)

- X ———— EXISTING FENCE
- EXISTING WATERLINE AS NOTED
- E 8 DI WATER
- E 8 PVC SEWER
- ⊕ NEW 8" PVC SEWER/MH
- 8 PVC SEWER
- 8 PVC SEWER/MH
- STW
- STW
- STW
- STW
- EXISTING STORM
- EXISTING POWER
- EXISTING GAS
- EXISTING PHONE/CABLE
- CDM
- CDM
- CDM

PROJECT TITLE	SERENITY COVE	
DRAWN BY	UTILITY MAP	

NO.	REVISION/DATE	BY

DESIGNED	DRAWN
CHECKED	PROJECT NO.

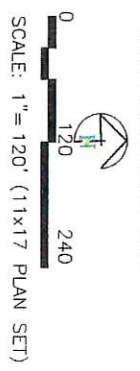
**ACE** ALLIANCE CONSULTING ENGINEERS  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435)755-5121  
alliance@aceeng.com

--

ALLIANCE CONSULTING ENGINEERS, INC  
150 E 200 NORTH SUITE P  
LOGAN, UTAH 84321  
435-755-5121

## Figure 4. Site Analysis Map

**SERENITY COVE**  
SITE ANALYSIS MAP



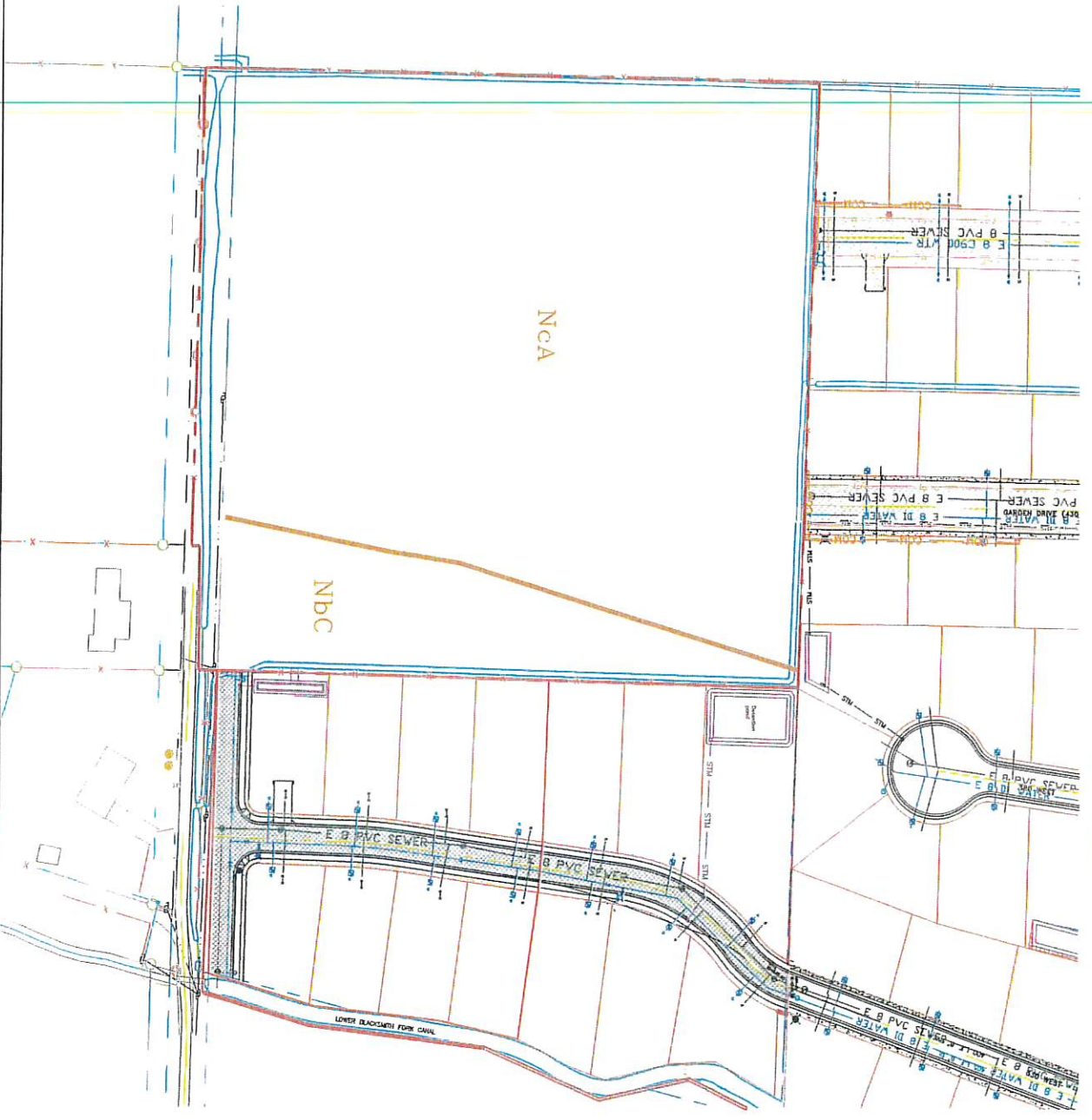
THE PROJECT IS LOCATED IN AN AREA OF MODERATE LIQUEFACTION POTENTIAL PER THE UTAH GEOLOGICAL SURVEY SERIES 79, AUGUST 2003

THE PROJECT IS LOCATED OVER 9,000 FEET WEST OF THE CENTRAL SEGMENT OF THE EAST CACHE FAULT ZONE PER THE GEOLOGICAL SURVEY MAP 193DM.

THE PROJECT IS LOCATED IN AN AREA OF VERY LOW RADON POTENTIAL PER THE UTAH GEOLOGICAL SURVEY SERIES 46, SEPTEMBER 1996.

NO WETLANDS PER NATIONAL WETLANDS INVENTORY NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FIRM MAP 49005C0379C

PER THE NRCS SOIL SURVEY THE PROJECT CONTAINS THE FOLLOWING SOIL TYPES: Nibley Silty Clay Loam (NcA), Nebeker Silt Loam (Nbc).



<p>DATE: 10/12/2017 DRAWN BY: [blank]</p>	<p>PROJECT TITLE: <b>SERENITY COVE</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: 8px;">NO.</th> <th style="font-size: 8px;">REVISION/SUBMISSIONS</th> <th style="font-size: 8px;">DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	REVISION/SUBMISSIONS	DATE																															<p style="text-align: center;"><b>ACE</b> ALLIANCE CONSULTING ENGINEERS</p> <p style="font-size: 8px; text-align: center;">150 EAST 300 NORTH SUITE P LOGAN, UTAH 84321 (435)755-5121</p>
NO.	REVISION/SUBMISSIONS	DATE																																		

EXHIBIT E  
Certificate of Pre-Annexation Notice

# CERTIFICATE OF NOTICE

\*\*\*\*\*

COUNTY OF CACHE

AN

## Annexation Notice

*was mailed to the affected entities regarding  
an annexation request into Providence Utah by  
Providence 10 LLC*

on

*January 11, 2023*



A handwritten signature in black ink, appearing to read "Jess W. Bradfield".

Jess W. Bradfield  
Cache County Clerk/Auditor





# Providence City

164 North Gateway Drive  
Providence, UT 84332  
(435) 752-9441 Fax: (435)753-1586  
[www.providencecity.com](http://www.providencecity.com)

## NOTICE OF CERTIFICATION OF ANNEXATION PETITION

On March 15<sup>th</sup>, 2023, the Providence City Council adopted resolution 05-2023, a resolution accepting an annexation petition for further consideration for PARCEL 02-117-0022.

Based on information received from Cache County and in consultation with the Providence City Attorney, pursuant to Utah Code 10-2-407, I hereby certify the annexation petition sponsored by Providence 10, LLC

The property described in the annexation petition is located at 480 W 600 S Providence Utah and legally described as follows: **ALL LOT 2 BLK 3 PLAT D PROVIDENCE FARM SVY NW/4 SEC 15 T 11N R 1E 10 AC B994**

Petition certified by Ty Cameron, City Recorder and Michael Green, City Attorney, for Providence City, the 6th day of March 2023.

Notice submitted to the Providence City Council, the contact sponsor, and the Cache County Executive this 31st day of March 2023.

The complete annexation petition is available for inspection and copying at the office of the Providence City Recorder, 164 N Gateway Dr. Providence UT.

Providence City may grant the petition and annex the parcel described in the petition, a written protest must be filed by May 5th, 2023, with the Cache County Boundary Commission and a copy of the protest delivered to the Providence City Recorder.

A protest to the annexation petition may be field at the Cache County Executives Office, 199 N Main Logan Ut 84321.

Ty Cameron  
City Recorder







Annexation Petition Requirements for Certification

Parcel No. 02-117-0022

Petitioner: Providence 10, LLC ( Michael D Jewell)

UCA 10-2-403(3)		
Filed with City Recorder		2/12/2023
Contains signatures of the owners of private real property that:		Yes (Single Owner)
<ul style="list-style-type: none"> <li>• Is located within the area proposed for annexation                             <ul style="list-style-type: none"> <li>○ Covers a majority of the private land area within the area proposed for annexation.</li> <li>○ Covers 100% of rural real property (zoned primarily for manufacturing, commercial, or agricultural purposes; and does not include residential units with a density greater than one unit per acre)</li> <li>○ Covers 100% of the private land area within the area proposed for annexation, if the area is within an agriculture protection area created under UCA Title 17 Chapter 41, or a migratory bird production area created under UCA Title 23 Chapter 28</li> <li>○ Is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation.</li> </ul> </li> </ul>		Yes
Accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation.		Currently Not Readable
Copy of the notice sent to affected entities as required under Subsection (2)(a)(i)(B) and a list of the affected entities to with the notice was sent		Yes
If the petition proposes the annexation of an area located in a county that is not the county in which the proposed annexing municipality is located . . .		NA
Designate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor, and indicate the mailing address of each sponsor.		1 Sponsor, 1 Signature
UCA 10-2-403(4)		
May not propose the annexation of all or part of an area proposed for annexation to a municipality in a previously filed petition that has not been denied, rejected, or granted.		NA
UCA 10-2-403(5)		
Proposing the annexation of an area located in a county of the first class may not propose the annexation . . .		NA
10-2-4050(1)		
A municipal legislative body may . . . deny a petition filed under Section 10-2-403; or		
A municipal legislative body may accept the petition for further consideration under this part	Resolution 000-2023 Date adopted	On CC agenda for March
County Review		
Certificate of Notification		1-11-2023

Notes: Petitioner's/Parcel requested annexation back in January of 2021. Was never completed/or was withdrawn.

/S/ Ty Cameron 2/22/2023  
City Recorder

 3/6/2023  
City Attorney

1 **Ordinance No. 03-2023**

2  
3 AN ORDINANCE GRANTING THE ANNEXATION PETITION AND ASSIGNING  
4 THE ZONE OF R-1-12, FOR PARCEL 02-117-0022 LOCATED IN THE GENERAL  
5 AREA OF 600 S GARDEN DR. PROVIDENCE UT AND CONSISTING OF +/- 10 AC.  
6

7 **WHEREAS**, Ty Cameron, the duly appointed and acting City Recorder of Providence City,  
8 Cache County, Utah did hereby receive a Petition for Annexation which was filed with the City  
9 by Michael Jewell, representative of Providence 10 LLC.  
10

11 **WHEREAS**, the property described in the annexation petition contains Parcel No. 02-117-0022  
12 Boundary Description as follows:  
13

14 **02-117-0022**

15  
16 *Legal Description:* **ALL LOT 2 BLK 3 PLAT D PROVIDENCE FARM SVY NW/4 SEC 15 T**  
17 **11N R 1E 10 AC B994**  
18

19  
20 **WHEREAS**, the Petition was accepted by the Providence City Council for further consideration  
21 pursuant to UTAH CODE ANN. § 10-2-405 by Resolution 05-2023 adopted and passed by the City  
22 Council on March 15<sup>th</sup>, 2023; and  
23

24 **WHEREAS**, Ty Cameron did certify, based on information received from Cache County and in  
25 consultation with the Providence City Attorney, that the Petition met the requirement of UTAH  
26 CODE ANN. Subsections 10-2-403(3), (4), and (5), and on March 31<sup>st</sup>, 2023, did give Notice to the  
27 Providence City Council, the Contact Sponsor for said Petition, and Cache County of  
28 Certification; and  
29

30 **WHEREAS**, pursuant to UTAH CODE ANN. § 10-2-406, Ty Cameron did give Notice of  
31 Certification of Annexation Petition to each affected entity; and  
32

33 **WHEREAS**, the Notice of Annexation was posted on the City's website, State Public Notice  
34 Website, City Offices, City Post Office, and Vons Baer City Park on March 31<sup>st</sup>, 2023.  
35

36 **WHEREAS**, No formal protests were made during the 30 day objection period  
37

38 **WHEREAS** the Providence City Council advertised and held a public hearing, in accordance  
39 with UTAH CODE ANN. § 10-2-407(7), on May 17<sup>th</sup>, 2023; and  
40

41 **WHEREAS**, Providence City desires to provide for the health, safety, and welfare, and promote  
42 the prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality  
43 and its present and future inhabitants and businesses, to protect the tax base, to secure economy in  
44 governmental expenditures, to foster the state's agricultural and other industries, to protect both  
45 urban and nonurban development, to protect and ensure access to sunlight for solar energy  
46 devices, to provide fundamental fairness in land use regulation, and to protect property values in  
47 areas that may be considered sensitive, including but not limited to fire danger, slope, soil  
48 content, by following its Annexation Policy Plan and its General Plan; and  
49

1 **WHEREAS**, Utah Code Ann. § 10-9a-506(1) states that the legislative body of each municipality  
2 shall assign a land use zone or a variety thereof to territory to territory annexed to the  
3 municipality at the time the territory is annexed; and Providence City Code 10-3-6:A. states that  
4 new areas annexed into the City shall be annexed into the City as agricultural, or as an already  
5 defined zone per the city's map, "Future Rezoning of Existing Districts and Annexed Areas of the  
6 City of Providence, Utah;" any other zoning proposal shall be submitted to the Planning  
7 Commission for consideration and recommendation to the City Council; and

8  
9 **WHEREAS**, the Petitioner's are requesting the zone designation of Single-Family Traditional  
10 (R-1-12) and Multi-Family Medium (R-M-12)

11  
12 **WHEREAS**, the Planning Commission held a public hearing regarding the zoning of this parcel  
13 on April 12th, 2023, and came to the following motion and recommendation:

14  
15 *Motion to recommend to the City Council that Providence 10 LLC parcel 02-117-0022*  
16 *be zoned as R-1-12 in its entirety – Joe Chambers. 2nd – Shelly Nazer.*

17 *Vote:*

18 *Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.*

19 *Ney-*

20 *Abstained-*

21 *Absent- Tyler Riggs*

22

23 *Motion passes.*

24

25 **THEREFORE, BE IT ORDAINED** that the Providence City Council:

- 26
- 27 • Grants the Petition for Annexation filed by Providence 10 LLC.; and
  - 28 • The Providence City Corporate limits will be modified to include said property as  
described above; and
  - 29 • The annexed parcel shall be zoned as R-1-12, and
  - 30 • The Providence City Zoning Map shall also be changed to include the properties as  
31 described and zoned above; and
  - 32 • This Ordinance will become effective immediately upon passage and certification from  
33 the Lt. Governor's Office.
- 34

35 Passed by vote of the Providence City Council this 17th day of May 2023.

36

37 Council Vote:

38 Nebeker, Jeff             Yes     No         Excused     Abstained     Absent

39 Kirk, Carrie             Yes     No         Excused     Abstained     Absent

40 Paulsen, Joshua         Yes     No         Excused     Abstained     Absent

41 Sealy, Jeanell            Yes     No         Excused     Abstained     Absent

42 Speth, Brent             Yes     No         Excused     Abstained     Absent

43

44

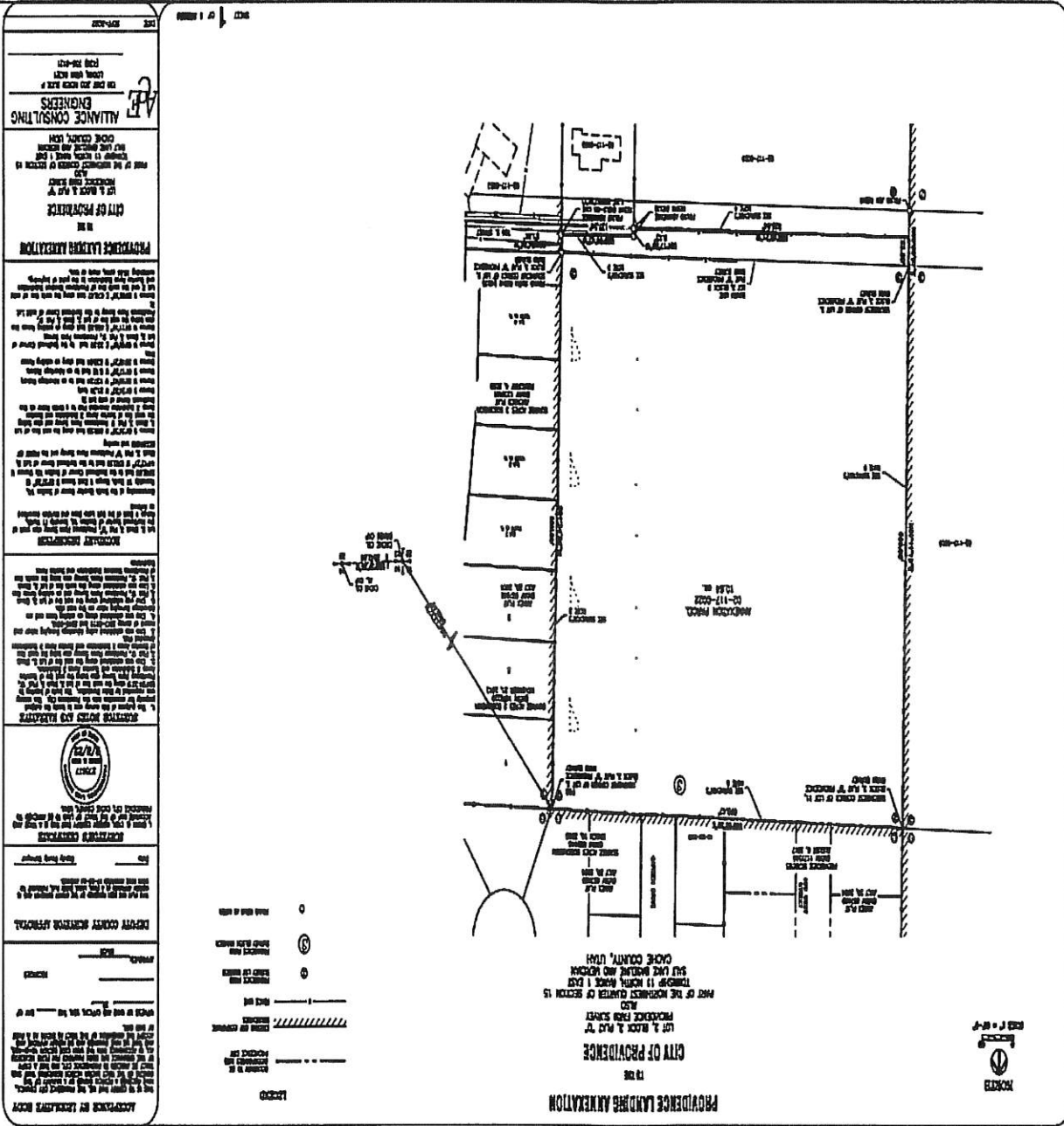
45 Providence City

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Kathleen W Alder, Mayor



Attest: *[Signature]*  
 Tyler Cameron, City Recorder

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