

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 known as the SMITH WEST PARCEL - PROVO ANNEXATION, located in PROVO CITY, dated SEPTEMBER 28, 2023, 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 SMITH WEST PARCEL - PROVO 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 13th day of October, 2023 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON
Lieutenant Governor

TO:

UTAH LIEUTENANT GOVERNOR'S OFFICE
350 North State Street, Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

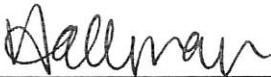
NOTICE OF IMPENDING BOUNDARY ACTION

Smith West Parcel - Provo Annexation to Provo City

Please take notice of the Smith West Parcel - Provo Annexation. The Annexation was approved by Resolution No.2023-30, and was adopted on the 18th day of July 2023, by the Provo City Council, as per § 10-2-407(6), UCA. As required by § 67-1a-6.5(3)(e)(i), UCA, we certify that Provo City has met all requirements for approval of the Annexation. Accordingly, we request the Lieutenant Governor to issue a certificate of annexation, as per § 10-2-425, UCA.

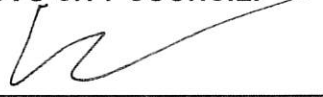
In accordance with UCA 10-2-425(4)(b), the effective date of the annexation shall be the date of the lieutenant governor's issuance of the certificate of annexation.

ATTEST:



Heidi Allman, City Recorder

PROVO CITY COUNCIL:



Katrice MacKay, Chair



Resolution 2023-30

SHORT TITLE


A RESOLUTION APPROVING THE PETITION TO ANNEX APPROXIMATELY 3.46 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 5500 NORTH CANYON ROAD. NORTH TIMPVIEW NEIGHBORHOOD (PLANEX20230020)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		6	0	

This resolution was passed by the Municipal Council of Provo City, on the 18th day of July 2023, on a roll call vote as described above. Signed this 21st day of August 2023.



Chair

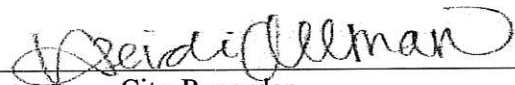
Resolution 2023-30

CITY RECORDER'S CERTIFICATE AND ATTEST

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to resolution number 2023-30.

This resolution was signed and recorded in the office of the Provo City Recorder on the
23rd day of August 2023





City Recorder

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ORDINANCE 2023-30

AN ORDINANCE APPROVING THE PETITION TO ANNEX
APPROXIMATELY 3.46 ACRES OF PROPERTY LOCATED AT APPROXIMATELY
5500 NORTH CANYON ROAD NORTH TAMPVIEW NEIGHBORHOOD (PLANEX20230020)

WHEREAS, on May 2, 2023, the Municipal Council approved a resolution accepting an annexation petition for further consideration of annexing approximately 9.1 acres of property generally located at 5500 North Canyon Road, as shown in the attached Exhibit A; and

WHEREAS, it was found that the approximately 9.1 acres of property needed to be split into two separate annexations of approximately 3.46 acres and 5.64 acres, respectively, as the entire approximately 9.1 acres of land is not contiguous; and

WHEREAS, pursuant to Utah Code 10-2-407(6), if no timely protests against the proposed annexation have been filed, the Municipal Council may approve the annexation; and

WHEREAS, no timely protests were filed against the proposed annexation; and

WHEREAS, on March 8, 2023, the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended approval to the Municipal Council in a 7:0 vote; and

WHEREAS, on July 18, 2023, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds that approval of this annexation would reasonably further the health, safety, and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

The Municipal Council hereby approves the annexation of approximately 3.46 acres of property generally located at 5500 North Canyon Road, as shown in the attached Exhibit B.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be

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unconstitutional or invalid, the remainder of the ordinance shall not be affected
thereby.

- C. This ordinance shall take effect immediately after it has been posted or published
in accordance with Utah Code 10-3-711, presented to the Mayor in accordance
with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

Exhibit B

Smith-Provo Annexation, 3.46 Acres

