

Resolution 05-2023

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION FOR FURTHER CONSIDERATION FOR PARCEL NO. 02-117-0022, CONTAINING 10 ACRES ADJACENT TO THE SOUTH BOUNDARY OF PROVIDENCE CITY IN THE GENERAL AREA OF 600 SOUTH GARDEN DR, OWNED BY PROVIDENCE 10 LLC.

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 and zoning request on February 13th, 2023:

- The property is located adjacent to the south boundary of Providence City, located in the general area of 600 South Garden Dr.
- The property is legally described as follows:
Parcel No. 02-117-0022 **ALL LOT 2 BLK 3 PLAT D PROVIDENCE FARM SVY NW/4 SEC 15 T 11N R 1E 10 AC B994**
- Providence City Code 10-3-6: Annexation states, *A. Classification: New area annexed to the City shall be annexed into the City as agricultural, unless otherwise approved by the City Council as provided in Utah Code Annotated, as may be amended.*
- Utah Code 10-9a-506 **Regulating annexed territory** states:
(1) *The legislative body of each municipality shall assign a land use zone or a variety thereof to territory annexed to the municipality at the time the territory is annexed.*
(2) *If the legislative body fails to assign a land use zone at the time the territory is annexed, all land uses within the annexed territory shall be compatible with surrounding uses within the municipality.*
- The petitioner is requesting the City Council assign a R-M-12 (MFM) or R-1-12 (SFT)
- Pursuant to Utah Code 10-2-405.(1)(a)(i) A municipal legislative body may: (A) subject to Subsection (1)(a)(ii), deny a petition filed under Section 10-2-403; or(B) accept the petition for further consideration under this part.

THEREFORE, BE IT RESOLVED by the Providence City Council:

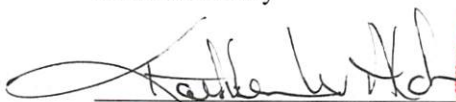
- The Petition for Annexation for Parcel No 02-117-0022 as described above and shown on the following map shall be approved for further consideration.
- This resolution shall become effective immediately upon passage.

Passed by vote of the Providence City Council this 15th day of March 2023.

Council Vote:


Nebeker, Jeff	<input checked="" type="checkbox"/> Yes	<input 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent

Providence City


Kathleen W Alder, Mayor



Attest:

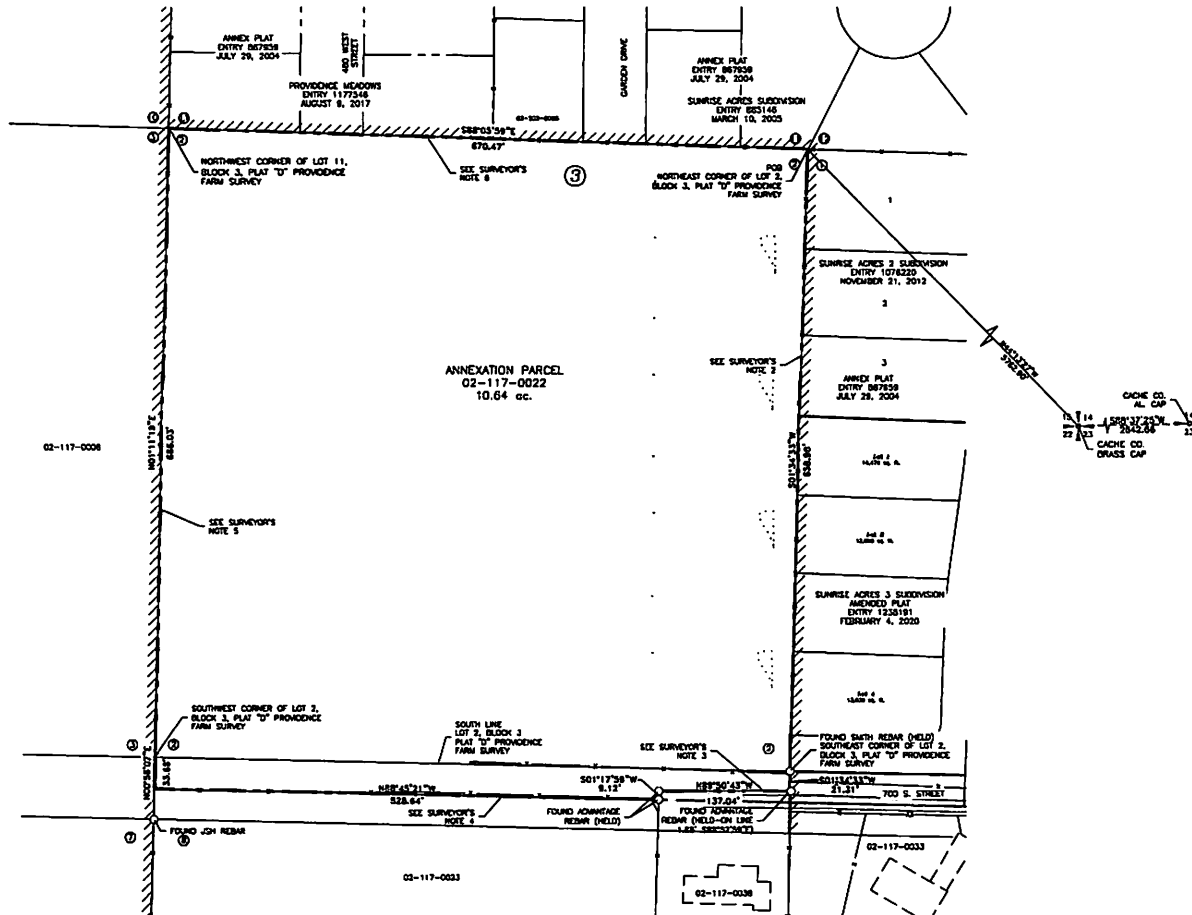

Ty Cameron, City Recorder



PROVIDENCE LANDING ANNEXATION

TO THE CITY OF PROVIDENCE

LOT 2, BLOCK 3, PLAT "D"
PROVIDENCE FARM SURVEY
ALSO
PART OF THE NORTHWEST QUARTER OF SECTION 15
TOWNSHIP 11 NORTH, RANGE 1 EAST
SALT LAKE BASELINE AND MERIDIAN
CACHE COUNTY, UTAH



LEGEND

- -- BOUNDARY TO BE INCORPORATED INTO PROVIDENCE CITY
- EXISTING CITY CORPORATE BOUNDARIES
- - - - - FENCE LINE
- ② PROVIDENCE FARM SURVEY LOT NUMBER
- ③ PROVIDENCE FARM SURVEY LOT NUMBER
- FOUND REBAR AS NOTED

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE PROVIDENCE CITY COUNCIL, HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT THE SAME BE ANNEXED TO PROVIDENCE CITY AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR PLACING HEREWITH ALL IN ACCORDANCE WITH THE UTAH CODE SECTION 10-2-403, AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20____.

RECORDER

APPROVED: _____ MAYOR

DEPUTY COUNTY SURVEYOR APPROVAL

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY APPROVED AS A FINAL LEGAL DEEDY PLAT, PURSUANT TO UTAH CODE ANNOTATED 17-13-29. APPROVED:

Date _____ Deputy County Surveyor

SURVEYOR'S CERTIFICATE

I, BRIAN B. LYNN, HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO PROVIDENCE CITY, CACHE COUNTY, UTAH.



SURVEYOR NOTES AND NARRATIVE

- The purpose of this survey was to locate the subject property for annexation into the Providence City. The survey was conducted by State Surveyor. The survey was conducted by State Surveyor. The survey was conducted by State Surveyor.
- Line was established along the east line of Lot 2, Block 3, Plat 'D' Providence Farm Survey and the west line of Sunrise Acres 3 Subdivision and Sunrise Acres 3 Subdivision.
- Line was established along the east line of Lot 2, Block 3, Plat 'D' Providence Farm Survey and the west line of Sunrise Acres 3 Subdivision and Sunrise Acres 3 Subdivision.
- Line was established using Advantage Surveying robot and record of survey 2017-0111 and 2018-0208.
- Line was established along an existing fence and an Advantage Surveying robot on the east side.
- Line was established along the east line of Lot 2, Block 3, Plat 'D' Providence Farm Survey and an existing fence line.
- Line was established along the north side of Lot 2, Block 3, Plat 'D' Providence Farm Survey and the south line of Providence Meadows Subdivision and Sunrise Acres Subdivision.

BOUNDARY DESCRIPTION

Lot 2, Block 3, Plat 'D' Providence Farm Survey also part of the Northwest Quarter of Section 15, Township 11 North, Range 1 East of the Salt Lake Base and Meridian described as follows:

- Commencing at the South Quarter Corner of Section 14, Township 11 North, Range 1 East thence S 89°37'23" W 1543.68 feet to the Southwest Corner of Section 15; thence N 44°13'27" W 5762.80 feet to the Northeast Corner of Lot 2, Block 3, Plat 'D' Providence Farm Survey and the POINT OF BEGINNING and running:
- thence S 01°34'33" W 808.98 feet along the east line of Lot 2, Block 3, Plat 'D' Providence Farm Survey and also being the east line of Sunrise Acres 3 Subdivision and Sunrise Acres 3 Subdivision Amended Plat to a South Rebar at the Southwest Corner of said Lot 2;
 - thence S 01°34'33" W 21.31 feet;
 - thence N 89°25'43" W 137.04 feet to an Advantage Rebar;
 - thence S 01°17'50" W 6.12 feet to an Advantage Rebar;
 - thence N 89°45'21" W 528.64 feet along an existing fence line;
 - thence N 02°36'07" E 33.68 feet to the Southwest Corner of Lot 2, Block 3, Plat 'D' Providence Farm Survey;
 - thence N 01°11'16" E 466.03 feet along an existing fence line also being the east line of Lot 2, Block 3, Plat 'D' Providence Farm Survey to the Northeast Corner of said Lot 2;
 - thence S 02°03'08" E 676.47 feet along the north line of said Lot 2 and the south line of Providence Meadows Subdivision and Sunrise Acres Subdivision to the point of beginning, containing 10.64 acres, more or less.

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TO THE

CITY OF PROVIDENCE

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PROVIDENCE FARM SURVEY
ALSO
PART OF THE NORTHWEST QUARTER OF SECTION 15
TOWNSHIP 11 NORTH, RANGE 1 EAST
SALT LAKE BASELINE AND MERIDIAN
CACHE COUNTY, UTAH

ALLIANCE CONSULTING ENGINEERS

150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435) 755-5121