

Ordinance No. 2016-006

AN ORDINANCE GRANTING A PETITIOIN FOR ANNEXATION AND ANNEXING THE PROPERTY DESCRIBED IN THE PETITION AND LOCATED ADJACENT TO THE SOUTHWEST BOUNDARY OF PROVIDENCE CITY; A 1.41 ACRE PARCEL COMMONLY KNOWN AS APPROXIMATLEY 700 West 300 South (A PORTION OF PARCELS NO. 02-090-0018 AND 02-090-0011); PETITIONED BY MARK A. ANDERSON, MANAGING PARTNER M&R LLC.

WHEREAS I, Skarlet Bankhead, the duly appointed and acting City Recorder of Providence City, Cache County, Utah did hereby receive a Petition for Annexation and Plat which was filed with the City by Mark A. Anderson, Managing Partner M&R LLC, Petition Sponsor; and

WHEREAS the legal description for said property is as follows:

A PARCEL OF GROUND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EXISTING PROVIDENCE CITY CORPORATE LIMITS LINE, AT A POINT NORTH 88°02'53" WEST PER AGREEMENT #1104931 (WEST BY RECORD OF ANNEXATION PLATS 636800 AND 863965 AND NORTH 88°17'40" WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT 1089001) 693 FEET FROM THE NORTHEAST CORNER OF LOT 10, BLOCK 4, PLAT "D" OF THE PROVIDENCE FARM SURVEY; AND RUNNING THENCE SOUTH 01°11'51" WEST 660.02 FEET (SOUTH 10 CHAINS BY RECORD OF ANNEXATION PLAT 636800) TO THE SOUTH LINE OF LOT 9, BLOCK 4, PLAT "D" OF THE PROVIDENCE FARM SURVEY, 33 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 88°02'53" WEST (NORTH 88°17'39" WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT AND WEST BY RECORD OF ANNEXATION PLAT 636800) 93.3 FEET TO THE SOUTHWEST CORNER OF THE FICKAS SUBDIVISION AT A POINT OF RECORD NORTH 86°05'24" EAST 3991.48 FEET FROM THE SOUTHWEST CORNER OF SECTION 9; THENCE NORTH 01°11'51" EAST 660.02 FEET TO THE NORTHWEST CORNER OF THE FICKAS SUBDIVISION AND THE NORTH LINE OF SAID LOT 9, AT A POINT 25.3 FEET NORTH 88°02'53" WEST (WEST BY RECORD OF ANNEXATION PLAT 863965 AND NORTH 88°17'40" WEST BY RECORD OF THE FICKAS SUBDIVISION PLAT) FROM THE PROVIDENCE CITY CORPORATE LIMITS LINE PER ANNEXATION PLAT 863965; THENCE SOUTH 88°02'53" EAST (EAST BY RECORD OF ANNEXATION PLAT 863965 AND SOUTH 17'40" EAST BY RECORD OF THE FICKAS SUBDIVISION PLAT) 93.3 FEET TO THE POINT OF BEGINNING. CONTAINING 1.41 ACRES MORE OR LESS.  
(A PORTION OF PARCELS NO. 02-090-0018 AND 02-090-0011)

WHEREAS, the Petition was accepted by the Providence City Council for further consideration pursuant to Utah Code Section 10-2-405, by Resolution 007-2016 adopted and passed by the City Council on January 26, 2016; and

WHEREAS, pursuant to Utah Code Section 10-2-406, did give Notice of Certification of Annexation Petition; and

WHEREAS, the Notice of Annexation was published in the Herald Journal on February 28, March 6, and March 13, 2016; and

WHEREAS, a formal protest to the Petition has not been received; and

WHEREAS the Providence City Council advertised and held a public hearing, in accordance with Utah Code 10-2-407(3)(b), on April 12, 2016; and

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 each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values in areas that may be considered sensitive, including but not limited to fire danger, slope, soil content, by following its Annexation Policy Plan and its General Plan; and

1  
2 WHEREAS, Providence City Master Plan Sheet No. 5-C Zone Districts of Future Annexations, shows the  
3 above described property as within the Future Providence Corporation Limits.  
4

5 ~~WHEREAS, the Petitioner has asked that the parcel be annexed as a Commercial General District (CGD)~~  
6 ~~Zone.~~

7 WHEREAS, the Petitioner has asked that the parcel be annexed as the north half be zoned Commercial  
8 General District (CGD) and the south half be zoned Agricultural (ARG).  
9

10 THEREFORE, BE IT ORDAINED that the Providence City Council:

- 11 • Grants the Petition for Annexation filed by Mark A. Anderson, Managing Partner M&R LLC;  
12 and
- 13 • The Providence City Corporate limits will be modified to include said property as described  
14 above; and
- 15 • The Providence City Zoning Map will be revised to include the property as ~~CGD~~ north half zoned  
16 CGD and south half zoned as ARG.
- 17 • This Ordinance will become effective immediately upon passage and certification from the Lt.  
18 Governor's Office.  
19

20 Ordinance adopted by vote of the Providence City Council this 12<sup>th</sup> day of April 2016.  
21

22 Council Vote:

23 Allen, Kirk	(x) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
24 Baldwin, Jeff	(x) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
25 Drew, John	(x) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
26 Giles, Dennis	(x) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
27 Sneddon, Roy	(x) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent

28  
29 Signed by Mayor Don W Calderwood this 25th day of April 2016.

30  
31 Providence City

32 

34 Don W. Calderwood, Mayor

35  
36 Attest:

37   
38 Skarlet Bankhead, Recorder  
39  
40

