

Ordinance 2023-13

SHORT TITLE:

AN ORDINANCE APPROVING THE PETITION TO ANNEX APPROXIMATELY 106 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2550 SOUTH 950 EAST. EAST BAY NEIGHBORHOOD. (PLANEX20220317)

I
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

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

This ordinance was passed by the Municipal Council of Provo City, on the 18th day of April 2023, on a roll call vote as described above. Signed this 11th day of May 2023



Chair

II
APPROVAL BY MAYOR

This ordinance is approved by me this 11th day of May 2023.



Mayor

Ordinance 2023-13

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 22nd day of May 2023 and was published on the Utah Public Notice Website on the 19th day of April 2023. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2023-13.



Deirdre Allman

City Recorder

ORDINANCE 2023-13.

AN ORDINANCE APPROVING THE PETITION TO ANNEX APPROXIMATELY 106 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2550 SOUTH 950 EAST. EAST BAY NEIGHBORHOOD. (PLANEX20220317)

WHEREAS, on February 14, 2023, the Municipal Council approved a resolution accepting an annexation petition for further consideration of annexing approximately 106 acres of property generally located at 2550 South Kuhni Road, as shown in the attached Exhibit A; 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 22, 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 5:0 vote; and

WHEREAS, on April 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 106 acres of property generally located at 2550 South Kuhni Road, as shown in the attached Exhibit A.

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

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to be 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 A



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0 0.05 0.1 0.2 mi

Author: Provo City Date: 3/14/2023

This map is for graphical representation only and not for construction or defining feature locations.