

WHEN RECORDED, MAIL TO;  
79 West 900 North  
Suite B  
Springville, UT 84663

Ent 1282524 Blk 2242 Pg 774  
Date: 9-Apr-2021 09:32 AM Fee \$0.00  
Cache County, UT  
Devron Andersen, Rec. - Filed By SAN  
For PROVIDENCE CITY

## QUIT-CLAIM DEED (CORPORATE FORM)

**CITY OF PROVIDENCE, A MUNICIPAL CORPORATION**, a corporation organized and existing under the laws of the State of Utah, with its principal office at Providence, of County of Cache, State of Utah, grantor, hereby QUIT CLAIMS to

**PROVIDENCE PARTNERS, LLC, A UTAH LIMITED LIABILITY COMPANY**

grantee of 79 West 900 North, Suite B, Springville, UT 84663, for the sum of TEN DOLLARS, the following described tract of land in Cache County, State of Utah:

See Exhibit A attached hereto and made a part hereof.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 1st day of April, A.D. 2021.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein written above.

City of Providence

By: [Signature]  
John Drew, Mayor

Attest: [Signature]  
Skarlet Bankhead, Recorder

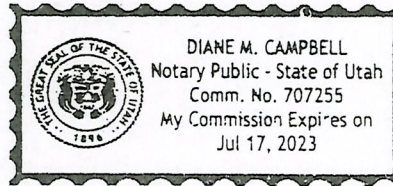
STATE OF UTAH )  
:  
County of Cache )

On the 2 <sup>April</sup> ~~March~~ 2021, personally appeared before me, John Drew, and Skarlet Bankhead, who did say that they are the Mayor and City Recorder respectively of Providence, Utah, a Utah municipal corporation, and that the said instrument was signed in behalf of said corporation by authority of a resolution of the City Council and the aforesaid officers acknowledged to me that said corporation executed the same.

[Signature]  
Notary Public

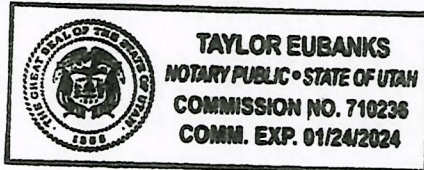
CA Fullmer Family LLC

[Signature]  
By: Charles A Fullmer  
Its: Manager



STATE OF UTAH )  
:  
County of Cache )

On this 30 day of March, 2021 personally appeared before me, Charles Fullmer, who is personally known to me  whose identity I proved of the basis of drivers license  whose identity I proved on the oath/affirmation of \_\_\_\_\_, and who by me duly sworn/affirmed, did say that he/she is the manager of CA Fullmer Family LLC, and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors, and said Charles Fullmer acknowledged to me that said Corporation executed the same.



[Signature]  
Notary Public  
Commission Expires: 1/24/24

Exhibit A

**Gateway Drive Road Vacation Area**

A part of Gateway Drive, GATEWAY BUSINESS PARK SUBDIVISION filed September 27, 1999 as Filing No. 725110. *NEC*

Beginning at the Northwest Corner of lot 1 of said Subdivision and running thence along the Westerly Right of Way of Gateway Drive Southwesterly along the arc of a 15.00 foot radius curve to the right a distance of 18.10 feet (21.61 Record) (Central Angle equals  $69^{\circ}07'11''$  ( $82^{\circ}33'36''$  Record) Long Chord bears South  $43^{\circ}42'46''$  West 17.02 feet (North  $40^{\circ}44'59''$  East 19.79 feet Record)) to a point of reverse curvature; thence continuing along said Gateway Drive Southwesterly, Southerly and Northwesterly along the arc of a 55.00 foot radius curve to the left a distance of 237.56 feet (Central Angle equals  $247^{\circ}28'27''$  Long Chord bears South  $41^{\circ}42'27''$  East 91.48 feet); thence North  $14^{\circ}33'20''$  East 7.51 feet more or less, to a point that is 1.00 foot perpendicularly distance from the westerly side of the existing side walk; thence Northwesterly along the arc of a 450.65 foot radius curve to the right a distance of 80.69 foot [said arc being a best fit curve 1.00 foot perpendicular distance from the back of walk] (Central Angle equals  $10^{\circ}15'31''$  Long Chord bears North  $24^{\circ}41'42''$  West 80.58 feet) to an extension of the boundary between said lot 1 and lot 2; thence North  $89^{\circ}38'20''$  West 17.32 feet more or less, to the Point of Beginning.

Containing 9465 Square Feet

02-171-0001

## Ordinance No. 2021-001

1  
2  
3 AN ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS LOCATED  
4 IN THE GENERAL AREA OF 293 NORTH GATEWAY DRIVE  
5

6 WHEREAS UCA § 10-3-701 states, "except as otherwise specifically provided, the governing body of each  
7 municipality shall exercise its legislative power through ordinances." And  
8

9 WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the  
10 prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its  
11 present and future inhabitants and businesses, to protect the tax base, to secure economy in  
12 governmental expenditures, to foster the state's agricultural and other industries, to protect both urban  
13 and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide  
14 fundamental fairness in land use regulation, and to protect property values in areas that may be  
15 considered sensitive, including but not limited to fire danger, slope, soil content.

- 16 • On January 5, 2021, Providence City received a petition to vacate a portion of city right-of-way  
17 and public utility easements located in the general area of 293 North Gateway Drive.
- 18 • On January 27, 2021, the Providence Planning Commission reviewed the request and made the  
19 following recommendation:

20 *Motion to make a recommendation to the City Council regarding the request to vacate a portion*  
21 *of the city right-of-way located in the general area of 293 North Gateway Drive, the little bulb,*  
22 *with the good cause being that it will make the development better and it is a part that the city is*  
23 *not using, so it will be to the benefit of the city if this occurs: — R Cecil, second — R Perry*

24 *Vote:*

25 *Yea: K Alder, L Banda, R Cecil, M Fortune, R Perry*

26 *Nay:*

27 *Abstained:*

28 *Excused:*

- 29 • The City Council considered the following:

30 Findings of Fact:

- 31 ○ 10-9a-609.5(4) states the legislative body may adopt an ordinance granting a petition to  
32 vacation some or all of a public street or municipal utility easement if the legislative  
33 body finds that: (a) good cause exists for the vacation; and (b) neither the public interest  
34 nor any person will be materially injured by the vacation.

35 Conclusions of Law:

- 36 ○ The City Council is the legislative body for Providence City.
- 37 ○ On March 17, 2021, pursuant to UCA 10-9a-609.5 the City Council held a public hearing  
38 to determine whether good cause exists for the vacation; and the public interest or any  
39 person will be materially injured by the proposed vacation.
- 40 ○ Good cause exists for the vacation:
  - 41 ▪ the petitioner would like to develop a mixed use development;
  - 42 ▪ after the extension of Gateway Drive in 2011, the City has not improved or  
43 utilized this area;
  - 44 ▪ neither the Park, Trails, and Recreation Master Plan nor the Transportation  
45 Master Plan indicate this area will be improved or utilized;
  - 46 ▪ vacating the circular portion of right-of-way shown on the illustration below,  
47 will allow retail buildings planned for the area to locate nearer to Gateway  
48 Drive.



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- Neither the public interest nor any person will be materially injured by the vacation.
  - At the present time, traffic does not use the circular portion of the right-of-way.

Conditions:

- The petitioner will continue to meet all applicable federal, state, county, and local codes, rules, laws, policies, etc.

THEREFORE be it ordained by the Providence City Council

- The petition to vacate the circular portion of right-of-way and public utility easement (does not include the public utility easement adjacent to Gateway Drive) as show in the above illustration shall be granted; and
- This ordinance shall become effective immediately upon passage and posting or 30 days after final passage, whichever is closer to the date of final passage.

Passed by vote of the Providence City Council this 17th day of March 2021.

Council Vote:

Eck, Kristina	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
Kirk, Carrie	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
Paulsen, Joshua	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
Sealy, Jeanell	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
Speth, Brent	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent

Signed by Mayor John Drew this 19th day of March 2021.

Providence City

John Drew, Mayor


Attest:



Ordinance No. 2021-001

Vacating a portion of city right-of-way and public utility easements located in the general area of 293 North Gateway Drive

- 1 Skarlet Bankhead, Recorder
- 2
- 3

  
I, Skarlet Bankhead, the City Recorder  
for Providence City, do hereby  
certify this is a true and correct  
copy of the original document.

