

## ORDINANCE 21-06

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 9565 SOUTH WASATCH BOULEVARD, IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 1.1 ACRES INTO THE MUNICIPALITY OF SANDY CITY; ESTABLISHING ZONING FOR THE ANNEXED PROPERTY; ALSO PROVIDING A SEVERANCE AND EFFECTIVE DATE FOR THE ANNEXATION.

The Sandy City Council finds:

1. Section 10-2-418, Utah Code Annotated, authorizes the City to annex contiguous areas within unincorporated county islands without a petition if it satisfies certain statutory requirements.
2. The City has complied with all statutory requirements, including without limitation: (1) the properties proposed to be annexed, located at approximately 9565 South Wasatch Boulevard, in Salt Lake County, comprising approximately 1.1 acres (“**Area**”) are contiguous areas and are contiguous to the City; (2) the areas proposed to be annexed are within the City’s adopted expansion area; and (3) the annexation meets the requirements of Section 10-2-418.
3. On January 5, 2021, the City adopted Resolution 21-03C, attached hereto as **Exhibit “A”** describing the Area and indicating the City’s intent to annex the Area. The City determined that not annexing the entire island or peninsula was in its best interest.
4. The City published Notice to hold a public hearing on the proposed annexation of the Area. The Notice was published at least once a week for three successive weeks in a newspaper of general circulation within the City and within the Area, and the City sent written notice to the board of each special district whose boundaries contain some or all of the Area, and to the Salt Lake County legislative body. The Notice, a copy of which is attached hereto as **Exhibit “B”**, complied with all statutory requirements.
5. On or about February 16, 2021, the City Council held a public hearing on the proposed annexation.
6. The annexation of the Area is completed and takes effect on the date of the lieutenant governor’s issuance of a certificate of annexation as per Section 10-2-425(4), Utah Code Annotated.

NOW, THEREFORE, BE IT ORDAINED by the City Council that it does hereby:

1. Adopt an ordinance annexing the Area as shown in **Exhibit “A”** and on the plat filed in the office of the Sandy City Recorder.
2. Determine that not annexing the entire island or peninsula is in the City’s best interest.

3. Annex these properties to the City with the R-1-40 zone for the subject area.
4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, this annexation is completed and takes effect upon the date of the lieutenant governor's issuance of a certification of annexation.
5. Declare that all parts of this ordinance are severable and that if the annexation of the Area shall, for any reason, be held to be invalid or unenforceable, this shall not affect the validity of any associated or subsequent annexation.
6. Affirm that this ordinance shall become effective upon the later of publication as provided by law or adoption of a Salt Lake County resolution consenting to the annexation.

PASSED AND APPROVED by vote of the Sandy City Council this 16 day of February, 2021.

DocuSigned by:  
*Cyndi Sharkey*  
02C671B7B4514E8...  
Cyndi Sharkey, Sandy City Council

ATTEST:

DocuSigned by:  
*Wendy D*  
688E7E8272014B1...  
City Recorder



DocuSigned by:  
*Kurt Bradburn*  
1921B3EB6D3D4D3...  
Kurt Bradburn, Mayor

PRESENTED to the Mayor of Sandy City this 22 day of February, 2021.

APPROVED by the Mayor of Sandy City this 22 day of February, 2021.

## **Exhibit "A"**

RESOLUTION #21-03c

MONTE CRISTO ANNEXATION

A RESOLUTION INDICATING INTENT TO ANNEX AN UNINCORPORATED AREA, SETTING A HEARING TO CONSIDER SUCH AN ANNEXATION, AND DIRECTING PUBLICATION OF HEARING NOTICE.

The City Council of Sandy City, State of Utah, finds and determines as follows:


1. Sandy City (“**City**”) desires to annex multiple parcels of contiguous unincorporated area, totaling approximately 1.1 acres, located at approximately 9565 South Wasatch Boulevard. The area currently is in Salt Lake County, Utah, and more specifically described in the description attached hereto as **Appendix “A”**.
2. The annexation of that portion of an island or peninsula, leaving unincorporated the remainder of that island or peninsula, is in the City’s best interests.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

1. Indicate the City Council’s intent to annex the area described in **Appendix “A”**.
2. Determine that not annexing the entire unincorporated island or unincorporated peninsula is in the City’s best interest.
3. Indicate the City Council’s intent to withdraw the area described in **Appendix “A”** from the municipal services district.
4. Set a public hearing for February 16, 2021, at 6:00 p.m. to consider the annexation.
5. Direct the City Recorder to publish and send notice of such hearing in accordance with Utah Code.

ADOPTED by the Sandy City Council this 5th day of January, 2021.

DocuSigned by:  
  
 \_\_\_\_\_  
 2BD9B8A417C845C...  
 Sandy City Council Chair

ATTEST:  
 DocuSigned by:  
  
 \_\_\_\_\_  
 688E7E8272014B1...  
 City Recorder

RECORDED this 7th day of January, 2021.



## **APPENDIX “A”**

## MONTE CRISTO ANNEXATION DESCRIPTION

Beginning at the most southwesterly corner of that parcel of land described in that certain Warranty Deed, recorded November 5, 2020 as Entry No. 13452071 in Book 11054 at Pages 8439-8442 in the office of the Salt Lake County Recorder, according to said Warranty Deed, said point lies North 89°51'28" East 1372.44 feet along the section line and North 827.38 feet from the West Quarter Corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base and Meridian, said point also lies on the easterly boundary of THE LA CAILLE SUBDIVISION, recorded January 30, 1995 as Entry No. 6012894 in Book 95-1P of plats at Page 17 in the office of said Recorder; thence along the westerly boundary of that parcel of land described in said Warranty Deed, Entry No. 13452071, and the easterly boundary of said THE LA CAILLE SUBDIVISION, the following two

(2) courses:

(1) North 3°13'01" East 68.36 feet (La Caille record = N 3°14'00" E);

(2) North 7°35'01" East 200.00 feet (La Caille record = N 7°36'00" E), more or less, to the centerline of Little Cottonwood Creek and the current boundary of Cottonwood Heights, established by the GRANITE ANNEXATION PLAT 2014, recorded December 18, 2014 as Entry No. 11964463 in Book 2014P of plats at Page 317 in the office of said Recorder;

thence along the meandering centerline of Little Cottonwood Creek and the current Cottonwood Heights boundary, Easterly (Warranty Deed, Entry No. 13452071 record = North 89°59'01" East 14.42 feet; South 15°18'15" West 13.18 feet; South 74°50'45" East 64.40 feet; North 70°05'26" East 114.78 feet; South 84°10'43" East 0.25 feet) to a northwesterly corner of the current Sandy City boundary established by the LITTLE COTTONWOOD LANE PART B annexation to Sandy City, recorded May 6, 2015 as Entry No. 12045561 in Book 2015P of plats at Page 106 in the office of said Recorder;

thence along the current boundary of Sandy City as established by said LITTLE COTTONWOOD LANE PART B annexation the following two (2) courses:

(1) South 3°00'57" West 229.54 feet, more or less (annexation record = S 3°00'00" W 227.64'±);

(2) South 86°00'59" East 40.34 feet (annexation record = S 86°00'00" E);

thence departing from said current Sandy City boundary and along the boundary of said parcel of land described in said Warranty Deed, Entry No. 13452071, the following three (3) courses:

(1) Southwesterly 34.00 feet along the arc of a 36.00 foot radius curve to the left (center bears South 3°59'01" West and the chord bears South 66°55'30" West 32.75 feet with a central angle of 54°07'02");

(2) Southwesterly 77.28 feet along the arc of a 150.00 foot radius curve to the right (center bears North 50°08'01" West and the chord bears South 54°37'35" West 76.43 feet with a central angle of 29°31'11");

(3) North 20°36'49" West 38.62 feet;

(4) South 62°57'20" West 51.54 feet;

(5) North 89°45'02" West 87.71 feet to the Point of Beginning.

The above described area to be annexed into the corporate limits of Sandy City contains approximately 1.1 acres.

## **Exhibit "B"**

**SANDY CITY PUBLIC NOTICE  
INTENT TO ANNEX – MONTE CRISTO ANNEXATION**

**NOTICE IS HEREBY GIVEN** that the Sandy City Council has adopted a resolution indicating its intent to annex an unincorporated area, located at approximately 1170 East 8600 South, into the Municipality of Sandy City. On February 16, 2021, at 6:00 p.m., in the City Council Chambers, Sandy City Hall, 10000 Centennial Parkway, Sandy, Utah, the Sandy City Council will hold a public hearing on the proposed annexation. The February 16th Sandy City Council meeting will be conducted virtually, via Zoom Webinar. Citizens wishing to comment on the proposed annexation must access the meeting via the Zoom Webinar link, which will be included on the February 16th meeting agenda. The February 16th agenda will be published at least 24 hours prior to the beginning of the meeting and can be found at <https://sandyutah.legistar.com/Calendar.aspx>.

If a citizen is unable to attend the meeting, he or she may e-mail the City Council Executive Director at [mapplegarth@sandy.utah.gov](mailto:mapplegarth@sandy.utah.gov) by 3:00 PM on February 16, 2021 to have those comments distributed to the City Council.

Legal Description: Beginning at the most southwesterly corner of that parcel of land described in that certain Warranty Deed, recorded November 5, 2020 as Entry No. 13452071 in Book 11054 at Pages 8439-8442 in the office of the Salt Lake County Recorder, according to said Warranty Deed, said point lies North 89°51'28" East 1372.44 feet along the section line and North 827.38 feet from the West Quarter Corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base and Meridian; thence North 3°13'01" East 68.36 feet; thence North 7°35'01" East 200.00 feet, more or less, to the centerline of Little Cottonwood Creek and the current boundary of Cottonwood Heights; thence along the meandering centerline of Little Cottonwood Creek and the current Cottonwood Heights boundary, Easterly to a northwesterly corner of the current Sandy City boundary; thence South 3°00'57" West 229.54 feet; thence South 86°00'59" East 40.34 feet; thence Southwesterly 34.00 feet along the arc of a 36.00 foot radius curve to the left (center bears South 3°59'01" West and the chord bears South 66°55'30" West 32.75 feet with a central angle of 54°07'02"); thence Southwesterly 77.28 feet along the arc of a 150.00 foot radius curve to the right (center bears North 50°08'01" West and the chord bears South 54°37'35" West 76.43 feet with a central angle of 29°31'11"); thence North 20°36'49" West 38.62 feet; thence South 62°57'20" West 51.54 feet; thence North 89°45'02" West 87.71 feet to the Point of Beginning. Containing approximately 1.1 acres.

The City Council will annex the area unless written protests to the annexation are presented at the public hearing, or are filed by 5:00 p.m., on the day of such hearing, with the Sandy City Recorder, Suite 311, Sandy City Hall, 10000 Centennial Parkway, Sandy Utah, by the owners of private real property that:

- (A) is located within the area proposed for annexation;
- (B) covers a majority of the total private land area within the entire area proposed for annexation; and
- (C) is equal in value to at least ½ the value of all private real property within the entire area proposed for annexation.



The area under consideration for annexation comprises approximately 1.1 acres. It is being proposed to annex these properties to the City with the R-1-40 zone. Any questions you may have regarding this annexation, may be directed to Brian McCuistion in the Community Development Department – 801-568-7268, [bmccuistion@sandy.utah.gov](mailto:bmccuistion@sandy.utah.gov)

Posted January 14, 2021

Sandy City Hall  
Sandy Parks & Recreation  
Sandy Library  
Sandy City Website (<http://www.sandy.utah.gov>)  
Utah Public Notice Website (<http://pnn.utah.gov>)

Published Jan. 22, Jan. 29, and Feb 5, 2021

Salt Lake Tribune