

## ORDINANCE 21-05

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 1170 EAST 8600 SOUTH, IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 0.21 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 1170 East 8600 South, in Salt Lake County, comprising approximately 0.21 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 21-01C, 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. 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.

4. 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*  
02C674B7B4514E8...  
Cyndi Sharkey, Sandy City Council



ATTEST:

DocuSigned by:  
*Wendy P.*  
088E7E8272014B1...  
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 #21-01c

FAYEWAY 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:

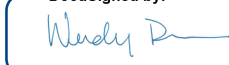
1. Sandy City (“City”) desires to annex multiple parcels of contiguous unincorporated area, totaling approximately 0.21 acres, located at approximately 1170 East 8600 South. The area currently is in Salt Lake County, Utah, and more specifically described in the description attached hereto as **Appendix “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:  
  
 28D9B8A417C845C...  
 Sandy City Council Chair

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

RECORDED this 7th day of January, 2021.



## **APPENDIX “A”**

### FAYEWAY ANNEXATION DESCRIPTION

Beginning at a point on the current Sandy City boundary established by a previous annexation to Sandy City recorded April 8, 1971 as Entry No. 2379062 in Book II of plats at Page 94 in the office of the Salt Lake County Recorder, said Point also being on the westerly right-of-way line of Fayeway Drive as established by WARE SUBDIVISION # 1, recorded February 29, 1960 as Entry No. 1703171 in Book U of plats at Page 80 in the office of said Recorder, said Point lies North 89°59'10" West 1195.00 feet along the section line and centerline of 8600 South Street from the Southeast Corner of Section 32, Township 2 South, Range 1 East, Salt Lake Base and Meridian;

thence along said westerly right-of-way line of Fayeway Drive and said current Sandy City boundary, North 0°10'10" East 360.00 feet;

thence departing from said current Sandy City boundary, South 89°59'10" East 25.00 feet to the centerline of said Fayeway Drive;

thence along said centerline of Fayeway Drive, South 0°10'10" West 360.00 feet to intersect the section line, the centerline of 8600 South Street and the current Sandy City boundary established by a previous annexation to Sandy City recorded March 27, 1969 as Entry No. 2281891 in Book GG of plats at Page 41 in the office of said Recorder;

thence along said line, North 89°59'10" West 25.00 feet to the Point of Beginning.

The above-described area to be annexed into the corporate limits of Sandy City contains approximately 9,000 square feet in area or 0.21 acre.

## **Exhibit "B"**

**SANDY CITY PUBLIC NOTICE  
INTENT TO ANNEX – FAYEWAY 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 a point on the current Sandy City boundary which lies North 89°59'10" West 1195.00 feet along the section line and centerline of 8600 South Street from the Southeast Corner of Section 32, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence North 0°10'10" East 360.00 feet; thence South 89°59'10" East 25.00 feet; thence South 0°10'10" West 360.00 feet; thence North 89°59'10" West 25.00 feet to the Point of Beginning. The above-described area contains approximately 9,000 square feet in area or 0.21 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 0.21 acres. 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://pmn.utah.gov>)

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

Salt Lake Tribune