

ORDINANCE #19-13 _____

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 1785 EAST 11400 SOUTH IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 1.4 ACRES INTO 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 area proposed to be annexed, located at approximately 1785 East 11400 South in Salt Lake County, comprising approximately 1.4 acres ("Area"), is contiguous area and is contiguous to the City; (2) the area proposed to be annexed is within the City's adopted expansion area; and (3) the annexation meets the requirements of section 10-2-418.
3. On April 16, 2019, the City adopted Resolution #19-14C, 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 May 21, 2019, 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. Zone the Area to R-1-40A. _____.

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 _____ day of _____, 2019.

ATTEST:

City Recorder

Chair, Sandy City Council

Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this _____ day of _____, 2019.

APPROVED by the Mayor of Sandy City this _____ day of _____, 2019.

APPENDIX "A"

RESOLUTION #19-14C

DEAN/COUCH ANNEXATION

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

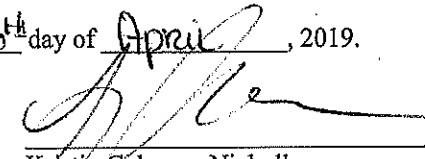
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, totaling approximately 1.4 acres, located at approximately 1785 East 11400 South. The parcel is in Salt Lake County, Utah, and more specifically described in the description attached hereto as **Appendix "A"**.
2. The City is authorized to annex the area without a petition pursuant to Utah Code Annotated §10-2-418.
3. 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, BET 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 May 21, 2019, 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 Annotated §10-2-418.

ADOPTED by the Sandy City Council this 16th day of April, 2019.


Kristin Coleman-Nicholl
Sandy City Council

ATTEST:


City Recorder

RECORDED this 17 day of April, 2019.



APPENDIX "A"

DEAN/COUCH ANNEXATION DESCRIPTION

MARCH 26, 2019

A portion of unincorporated Salt Lake County located in the Northeast Quarter of Section 21, Township 3 South, Range 1 East, Salt Lake Base and Meridian more particularly described as follows:

Beginning at the southeast corner of the ROBERTSON ANNEXATION to Sandy City, recorded October 13, 1989 as Entry No. 4835126 in Book 89-10 of plats at Page 101 in the office of the Salt Lake County Recorder, said point lies South 89°43'07" East 804.09 feet along the quarter section line and the centerline of 11400 South Street from the Center Quarter Corner of said Section 21; thence along the current Sandy City boundary established by said ROBERTSON ANNEXATION and the easterly boundary of PARK LANE SUBDIVISION, recorded May 29, 1990 as Entry No. 4921718 in Book 90-5 of plats at Page 55 in the office of said Recorder, North 0°15'49" East 663.96 feet, more or less, to intersect the current Sandy City boundary established by a previous annexation to Sandy City, recorded February 15, 1973 as Entry No. 2518889 in Book NN of plats at Page 20 in the office of said Recorder; thence along said Sandy City boundary, East 95.82 feet, more or less, to the northwest corner of the SHAW ANNEXATION to Sandy City, recorded June 29, 2010 as Entry No. 10980283 in Book 2010P of plats at Page 113 in the office of said Recorder; thence along the current Sandy City boundary as established by said SHAW ANNEXATION, South 0°32'43" West 664.43 feet, more or less, to the quarter section line, centerline of 11400 South Street and the current Sandy City boundary as established by the CHYTRAUS ANNEXATION to Sandy City, recorded December 12, 2016 as Entry No. 12431678 in Book 2016P of plats at Page 326 in the office of said Recorder; thence along said line, North 89°43'07" West 92.55 feet to the Point of Beginning.

The above-described area contains approximately 1.4 acres.

DEAN/COUCH ANNEXATION ABBREVIATED DESCRIPTION

A portion of unincorporated Salt Lake County located in the Northeast Quarter of Section 21, Township 3 South, Range 1 East, Salt Lake Base and Meridian more particularly described as follows:

Beginning at the southeast corner of the ROBERTSON ANNEXATION to Sandy City, said point lies South 89°43'07" East 804.09 feet along the quarter section line and the centerline of 11400 South Street from the Center Quarter Corner of Section 21, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence North 0°15'49" East 663.96 feet,

thence East 95.82 feet,

thence South 0°32'43" West 664.43 feet;

thence North 89°43'07" West 92.55 feet to the Point of Beginning.

The above-described area contains approximately 1.4 acres.

APPENDIX "B"

**SANDY CITY PUBLIC NOTICE
INTENT TO ANNEX - DEAN/COUCH 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 1785 East 11400 South, into the Municipality of Sandy City. On May 21, 2019, 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.

Legal Description: A portion of unincorporated Salt Lake County located in the Northeast Quarter of Section 21, Township 3 South, Range 1 East, Salt Lake Base and Meridian more particularly described as follows:
Beginning at the southeast corner of the ROBERTSON ANNEXATION to Sandy City, said point lies South 89°43'07" East 804.09 feet along the quarter section line and the centerline of 11400 South Street from the Center Quarter Corner of Section 21, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence North 0°15'49" East 663.96 feet,
thence East 95.82 feet,
thence South 0°32'43" West 664.43 feet;
thence North 89°43'07" West 92.55 feet to the Point of Beginning.
The above-described area contains approximately 1.4 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 1.4 acres. It is being proposed to annex these properties to the City with the R-1-40A 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

Posted April 18, 2019

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

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