

Lance & Robyn Platt
10980 Secret View Dr.
Sandy, UT 84092
April 28, 2018

Sandy City Planning Commission
10000 Centennial Pkwy
Sandy, UT 84070

Planning Commission:

We are pleased to submit to the Planning Commission for approval to build on the property designated as Lot 1 in Firefly Forest Subdivision located at 3392 Deer Hollow Circle. The unique circumstances, history and interests with this property warrant a detailed background as it relates to the request for approval. The objective with this letter is to provide the Planning Commission the information most relevant to the request.

The proposed new subdivision consists of two lots. The first is an existing property identified on the plans as the Guo residence located at 10765 South 3350 East (Firefly Forest Subdivision Lot 2). The second is the subject lot consisting of a one-acre parcel owned by Lynnette Slattery combined with a second one-acre parcel owned by Massoud Parvar (Lot 1). These two acres are being proposed as a new two-acre flag lot with additional frontage along the dead-end road, to the west of Kirk Olsen's home.

History

The history of this property has two stories—that of Claire Payzant and Massoud Parvar. In 1963 Claire Payzant purchased a 5-acre parcel located on the east side of Deer Hollow Ranches, immediately west of the Sandy City water storage. Payzant was one of the original land owners in the area and owned the land with the intent to build his family residence. In September 1989, Payzant sold one acre of his land to David & Marilyn Williams for \$70,000. This one-acre lot is located at 3398 Deer Hollow Circle (Parcel #28-14-428-019). The Williams built their family residence on this lot in 1990. Later, in 1996, Payzant intended to further divide his remaining four acres of land by creating a one-acre lot that is located at 3392 Deer Hollow Circle (Parcel #28-14-428-025). Payzant traded this lot to Lynnette Slattery for an equivalent lot in St. George

where he ultimately built his family home. At the time of the trade in July 1996, the St. George lot which Slattery owned was valued at \$120,000. Although it was understood between Slattery and Payzant that the lot located at 3392 Deer Hollow Circle had a greater market value than the lot in St. George, they agreed to exchange parcels based on a market value of \$120,000. It is important to note that Payzant followed the same process in creating the lot sold to the Williams (3398 Deer Hollow Circle) in 1989 as he did in creating the lot sold to Slattery (3392 Deer Hollow Circle) in 1996. Payzant still retains the remaining three acres on the east side.

In 1980, Parvar purchased 1 5/8 acres of land located at 10765 So 3350 E. He built his permanent residence on this lot in 1985. Parvar recognized an opportunity to build a future second home on his lot for his children but understood that the zoning would require him to have two one-acre parcels to do so. Eight years later, in 1993, Parvar acquired an additional 1/3 acre that allowed him to meet the zoning requirements for two homes on this land. In addition to acquiring enough land to eventually create two separate lots, Parvar also secured two key rights-of-way providing access to this lot from both the North and the West. It was not until September of 2004, that Parvar subdivided the land to become two separate parcels. His original home remains on the first parcel and a new lot was created on the second parcel which is identified as parcel #28-14-428-034. At the time of subdividing the land, Parvar had the ability to develop the second parcel under SL County ordinances.

Sandy Annexation

In 2012, the remaining three undeveloped parcels of land in this area included Payzant's 3.03 acres (28-14-428-026), Parvar's one acre (28-14-428-034) and Slattery's one acre (28-14-428-025). These three land owners recognized they were in a stage of life where they would not use the land personally, so they collectively agreed to develop the land with the intent to sell. At the time, this property was in the jurisdiction of Salt Lake County. Each of these properties met the legal requirements of Salt Lake County that allowed the land owners to proceed with developing the property. However, they were faced with one significant limitation—The County could not provide water. Sandy City owned the water system making these landowners subject to the City for access to water. Sandy City agreed to provide the water but made it necessary that these landowners annex into Sandy City. The annexation process began in May 2012, with the understanding that the annexation was taking place to get access to water from Sandy City to enable development. This became known as the Payzant Annexation recorded with Sandy City on October 25, 2012.

On September 18, 2012, the City Council adopted an ordinance approving the Payzant annexation under Ordinance #12-35 based on the understanding that it met all the statutory requirements. Part of these requirements included the following (See Appendix B):

- “The majority of the island or peninsula consists of residential or commercial development”
- “The Area requires the delivery of municipal-type services”
- “The City has provided one or more municipal-type services to the island or peninsula and to the Area for more than one year”

In the process of annexation, the area was zoned to an R-1-40A zone. It was the general understanding of the parties involved in the process that the annexation was taking place to support the residential development of this land.

Here lies the contradiction. Had the City been willing to provide municipal services (specifically water) to these landowners, they would have been able to legally develop these properties under the ordinances governed by SL County. On the other hand, if these property owners had created legal lots of record in the County prior to the annexation into Sandy City, the property would have been grandfathered into the Salt Lake County ordinances allowing Sandy City to approve the development without the request for exceptions as noted below. The City has been quick to remind those involved in the annexation that the process of annexation does not guarantee approval to develop. The three property owners on the other hand argue that the only purpose for annexation was specifically to develop. If these property owners had been advised of the limitations associated with developing these parcels under Sandy City subdivision ordinances, they would have not pursued, nor agreed to, the annexation.

Lot of Record

The emphasis on the process of annexation into the City is due to the understanding that the primary issues related to this lot are specific to whether the lot is a legal lot of record. If the lots were recorded as legal lots of record, it would *not* be necessary to request the special exceptions from the Planning Commission. This is evidenced in the most recent development of the Pearce home, originally designated as Lot 3 in the Deer Hollow Ranches subdivision, presently located at 3382 Deer Hollow Circle (parcel #28-14-428-039). This lot is adjacent to the subject lot and is most similar in nature in terms of the opportunity to develop. The construction on the Pearce home was completed in late 2017. The underlying distinction between this lot and the lot in question is that the Pearce lot was platted as a legal lot of record under SL County allowing the development of the lot to be grandfathered into the County requirements. If the subject lot were determined to be a legal lot of record, the limitations we are facing within the Sandy City Subdivision Ordinance Requirements are no longer limitations.

Taxes

While it is understood the Planning Commission places little, if any, emphasis on the opinions of the taxing authority, it is important to note that the value of the subject land is most strongly correlated to the determination of whether the land is considered an approved residential lot or not. As noted, prior to the annexation the property was under the jurisdiction of Salt Lake County. The taxation history for this property shows a very clear representation that Salt Lake County both had, and continues to, tax this as a residential lot with a value commensurate with its ability to be developed for a residential home. Copies of the tax records are provided in Appendix C. Here is a list of the tax assessments and amounts paid since the time Slattery acquired the land in 1998:

<u>Year</u>	<u>Assessment</u>	<u>Taxes Paid</u>
1997	\$91,800	\$1,244
1998	\$91,800	\$1,158
1999	\$91,800	\$1,326
2000	\$91,800	\$1,406
2001	\$91,800	\$1,491
2002	\$148,300	\$2,398
2003	\$148,300	\$2,430
2004	\$148,300	\$2,462
2005	\$223,100	\$3,612
2006	\$330,800	\$4,697
2007	\$363,800	\$4,511
2008	\$618,000	\$7,369
2009	\$316,900	\$4,484
2010	\$288,100	\$4,459
2011	\$288,100	\$4,565
2012	\$270,800	\$4,737
2013	\$271,300	\$4,198
2014	\$271,300	\$4,014
2015	\$319,000	\$4,626
2016	\$342,500	\$4,596
2017	\$342,500	\$4,443

In the last 20 years, Slattery has paid a total of \$74,226 in taxes on this parcel. Likewise, Parvar has paid a similar amount on his land. If the property is not approved to build on, the value of this land is negligible, in effect negating the investment that both property owners have maintained over the years. While the tax history, in and of itself, is not an indication of whether the lot is a buildable lot, it is important to note that this lot has been zoned, taxed and viewed as a residential lot in the same way that the surrounding lots have been. The subject lot is most similar in all respects to the neighboring lots that have received approval to build.

Special Exceptions

It is our desire to request approval from the Planning Commission to build in a similar manner to the neighbors in the Deer Hollow area on “like” property. As such, we are seeking an exemption from the Planning Commission for the following items:

Two Points of Access

Subdivision Design Standards 15A-21-10(D) calls for two points of ingress/egress. There is currently only a single point of access to the subject property using Deer Hollow Drive. Every avenue has been explored to identify and/or create a second point of access without success.

Special exceptions to the two points of access are allowed for approval by the Planning Commission after considering a recommendation from the City Engineer and Fire Marshal, under the following circumstances:

1. 30 or fewer lots are accessed from a single ingress/egress
2. The City Engineer and Fire Marshal have reviewed the potential for impairment of such single access resulting from vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access and have made either a positive or negative recommendation to the Planning Commission with regards to a single point of ingress/egress
3. The proposed development project has **one or more** of the following, as determined and recommended for approval by the City Engineer and Fire Marshal to the Planning Commission:
 - Turn-around approved by the Fire Marshal and City Engineer
 - All buildings are equipped throughout with automatic sprinkler systems approved by the Fire Marshal and Chief Building Official

All three circumstances have been met as it relates to the special exception being requested for the two points of access. There are currently 12 lots accessed from the single ingress/egress of

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Deer Hollow Drive, making the subject property number 13. Likewise, the City Engineer and Fire Marshall have reviewed the potential for impairment of the single access and either have made, or will make, a recommendation to the Planning Commission regarding the single point of access. Lastly, both conditions under item #3 have or will be met in that a proposed turn-around has been approved by the Fire Marshal and City Engineer, and an automatic sprinkler system has been designed into the home.

Dead End in excess of 600 feet

Due to the limitations presented by a single point of access, the home will be located on a dead-end parcel that exceeds 600 feet in length. Provision 15A-15-04(B)(7)(b) in the Sensitive Area Overlay Zone requirements outlines this limitation and subsequently provides for a special exception:

"A cul-de-sac may not exceed 600 feet in length. However, the Planning Commission may grant a special exception to extend the length of the cul-de-sac after considering a recommendation from the City Engineer and Fire Marshal based upon geographical constraints or if public safety will be improved above existing conditions."

While this provision includes an "or" injunction, it is our intent to meet both conditions required for approval. Both the City Engineer and Fire Marshall have been consulted extensively on this project and will be making a recommendation to the Planning Commission. Additionally, the provision allows for an alternative condition as it relates to whether public safety will be improved above existing conditions. The proposal before the Planning Commissions outlines an undeniable improvement in public safety as well as the intent to improve the overall existing conditions. The supporting arguments for the improvement to public safety are contained in the paragraph titled: "Public Safety and Other Interests."

Road Width

Deer Hollow Circle is a private street originating at Wasatch Blvd., continuing East and then South ultimately coming to a dead end at Lot 2 in the proposed Firefly Forest Subdivision. This street is currently 20 feet wide (with an enlarged area of pavement on the hairpin turn) from Wasatch Blvd to the fire hydrant located on the East side of the Pearce home. At the point where the road turns East, the portion that continues to the South tapers to a width of 10 to 12 feet. This portion is the proposed stem of the Flag Lot for the subdivision that will be widened to 20 feet.

Subdivision Design Standards 15A-21-10(F) specify the road width for Private Streets shall not be less than 32 feet (27 feet pavement width minimum) and 20 feet pavement width minimum for Private Lanes. While the proposal meets the road width requirements for the private lane portion of the road as defined in Section 15A-21-11(B), the existing road from Wasatch Blvd to

the private lane does not meet the current subdivision design standards. There has been considerable discussion related to the road widths in the Deer Hollow Ranches neighborhood and whether the road widths are sufficient to support one additional home. The possibility of widening the existing road has been debated heavily with the existing neighbors as well as the Development Committee. It is strongly advised that the Planning Commission does not add this burden as the result of widening the existing road would have a devastating impact on the neighborhood.

Section 15A-21-10(G) of the Design Standards provides for a special exception to the road widths, claiming “The Planning Commission may grant a special exception to allow less than a full-width dedication and improvements only in the following circumstances:”

1. Where it can be shown by the developer that it is essential to the development of the subdivision; and
2. All other aspects of the subdivision are in conformance with the other requirements of these regulations; and
3. The City Engineer recommends to the Planning Commission that it will be practicable to require the dedication and improvements to the other half when the adjoining property is developed.
4. A minimum pavement width of 20 feet will be required as recommended by the City Engineer.

These conditions have also been met in that the use of the existing road is essential to the proposed subdivision; As developers, we have made every effort to bring this subdivision in conformance with the city’s requirements and regulations (including minimizing this exception on road widths by creating a Flag Lot accounting for a portion of the road); The City Engineer has been consulted and is prepared to make a recommendation to the Planning Commission specific to the road widths; and lastly, the existing road consists of pavement width of 20 feet.

We believe it is appropriate here to call attention to Section 15A-20-01 of city’s Residential Development Standards which states: “R-1 districts are established to provide residential environments within Sandy City that strive to emphasize a minimum of vehicular traffic and create quiet neighborhoods favorable for single family detached homes. These districts are further established with a *focus towards the preservation of natural vegetation and land features.*” If the Planning Commission were to invoke this requirement of widening the existing road, it would not only run contrary to the claim within the Development Standards, but it would be wholly unnecessary as the Fire Marshall has deemed the existing road sufficient to meet the safety needs and requirements of the homeowners. As the addition of only one home to the neighborhood will have very little bearing on the overall traffic flow, we represent the remaining home owners in making a plea to the Planning Commission for an exception on the road widths.

Curb, Gutter, Sidewalk

Section 15A-21-02 of the Subdivision Design Standards states: “The City Engineer *may* recommend that curbs, gutters, and sidewalks be installed on all existing and proposed streets and along the frontage of any lot within a subdivision in conformance with the Sandy City Standard Specifications and Details for Municipal Construction.” The part that is missing from this section of the Design Standards is that the city may also recommend that curbs, gutters and sidewalks *not* be installed. In this case, the addition of curb and gutter to this private drive only increases the burden of runoff water since there is not an existing storm drain within the vicinity. While it has already been determined that curb and gutter are not appropriate for this development area, the design standards still maintain that “Unless waived by the Planning Commission upon recommendation from the City Engineer, these improvements will be required. For this reason, we reference the criteria outlined in section 15A-21-10(N) that provides merit for waiving these improvements. In addition to the length of the cul-de-sac and configuration of the lots, the three primary criteria offered for consideration here are as follows:

- The number of homes within the subdivision: The requirement is unnecessary as there are only two homes in the proposed subdivision, one of which is existing. Moreover, the new lot has been designed to support a 100-year storm minimizing any value that may be derived from new curb and gutter.
- The precedence of adjoining improvements: The precedence has clearly been set as no other home owner has been required to include curb, gutter or sidewalks on their property.
- Where the only other alternative is a private road design: Since the community only exists on private roads, by its vary nature it is the alternative design.

Frontage

Frontage requirements for lots within the R-1-40A zone call for 110’ of frontage. The frontage for Lot 1 that resides along the improved Deer Hollow Circle private lane was 102.64’. To avoid the need for an exception here, it was suggested by the Development Committee that the lot become a Flag Lot creating frontage along the north property line of 288’ (well in excess of the 110’ requirement). However, since this new frontage does not border a “dedicated and improved street” as defined in Section 15A-21-21(B), it requires a separate exception from the Planning Commission. The exception language is addressed in paragraph one of this same section: “Residential building lots that do not have frontage upon a public street shall obtain a special exception from the Planning Commission as part of the preliminary review process.” Although there is now sufficient length of frontage, the new frontage is not along a public street necessitating an exception to the frontage requirement of being on a public street.

Public Safety and Other Interests

While considering the exceptions outlined above, it is important to note that we have gone to great lengths to ensure that this project adds value to the neighborhood as well as the City. Every effort has been utilized to approach this project as one that will benefit Sandy City by, among other things, improving public safety. The following list includes the improvements that are included in the proposal to the Planning Commission:

1. Improving the existing dead-end road from what is now roughly eleven feet wide to a 20' width providing better access to both the Olsen residence and the Guo residence.
2. The creation of a fire apparatus turnaround on the new lot which will support both the subject lot as well as the Guo home.
3. Installing an additional fire hydrant that will provide fire protection for the Guo home in addition to the subject residence.
4. The removal of some existing vegetation thereby reducing the fire threat to other homes in the area.
5. The installation of a fire suppression system throughout the structures even though it is not required.
6. The use of building materials that comply with the Sensitive Overlay Area requirements.
7. Lastly, a comprehensive drainage retention system will be developed to support the 100-year storm that will retain all storm water on the property minimizing the runoff impact on the surrounding area.

In addition to the impact on public safety, there are other benefits of approving the exceptions outlined here:

1. The creation of a single lot from two existing one-acre parcels helps minimize the impact on the area by avoiding the potential of *two* residential homes going into this same area.
2. In the words of one Development Committee member, the bringing together of these two lots helps to “put humpty dumpty back together”. The City will benefit from the creation of a new lot that “cleans up” some existing parcels that have created difficulty over time.
3. This proposal addresses the needs of two existing land owners whose rights to the land have been challenged over the years. A letter from the primary landowner in this project is attached as Appendix A.

4. This proposal takes further burden away from Sandy City by removing these two properties from the market and protecting against others who will likely continue to pursue development options in the future.

Lastly, it is important to note the aforementioned circumstances are truly unique to the subject lot. It is understood that the Planning Commission faces the inherent risk of creating a “slippery slope” in granting these exceptions that could possibly open the opportunity to others interested in subdividing their property. The most obvious scenario is one where a property owner with multiple acres of land on a single existing lot desiring to subdivide that land into multiple residential homes. Our proposal is intended to accomplish the opposite effect, wherein we are combining parcels that have proven to be problematic over time. One member of the Development Committee commented recently that Parvar had “illegally subdivided his lot” creating problems for the owner and the City. The opportunity to combine two distinct parcels into a single lot having access to the same benefits as those on similar properties makes this a unique request.

Seeking an Objective Review

The pursuit of approval to develop the land in question has not been without its challenges. We have had to learn how to overcome existing biases, political pressures, neighbor concerns, and legal constraints, in addition to following the natural course of environmental hurdles, engineering limitations and code restrictions. It has certainly been an educational experience at a minimum. With that said, we deem it necessary to highlight one such hurdle to bring it to light before the Planning Commission.

We were recently asked if we understood the definition of an “Environmentalist.” After a few moments of attempted recall, we were advised that an environmentalist is “the last person to build.” It may come with no surprise that Deer Hollow development is filled with “environmentalists.” We have heard countless statements to the effect of “I would never have purchased my home if I knew that someone was going to develop that land,” or “The only reason I purchased my home was because I was told no one could ever develop that land.” There has been a very real pressure against us from the neighbors starting on the day we made the offer to purchase Slattery’s lot, and it has only escalated since that time. We recognize there have been significant efforts to make the lot unbuildable and even threats of lawsuits if we were to proceed. Nevertheless, we have been remarkably impressed at the caliber of those that reside in the neighborhood and look forward to the positive relationships that will be developed. We simply seek an objective review from the Planning Commission that is not persuaded by the political pressures from others with a vested interest in the outcome.

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Summary

We acknowledge the addition of any homes in the East bench of Sandy City presents complex problems with meaningful, persuasive arguments from numerous directions. We also recognize that it is unlikely there will be a solution that will satisfy every interest, hope and even wish, at least as it relates to the subject land being presented before the Planning Commission. For this reason, we have tried to bring not only perspective to this decision, but also the ability to find solutions using different approaches.

The first approach is to consider this lot under the premise of a legal buildable lot thereby allowing it to be grandfathered into the guidelines that govern other lots in the area such as the Pearce residence. The history of the property at 3392 E. Deer Hollow Circle cannot be overlooked as there has been an undeniable implicit understanding for well over 20 years that it is in fact a buildable lot deserving of the same rights, privileges and benefits available to the neighboring property owners. The history alone of this property makes it unique from other land in the area in that the requested purpose is consistent with its original intended use.

To the extent the Planning Commission is not able to consider this land under the guidelines established for legal lots of record, we have taken the approach of following the established requirements by Sandy City for the creation of a new subdivision. In so doing, we have worked closely with the City to meet every expectation established by the Subdivision Ordinance Requirements limited only by the exceptions identified in this letter. We believe the Planning Commission has a path to approving these exceptions and that such approval will benefit the city and its residents as outlined in this letter.

We welcome the opportunity to discuss this further with the Planning Commission and answer any questions not addressed here.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is more stylized and appears to be 'Lance Platt'. The signature on the right is more cursive and appears to be 'Robyn Platt'. Both signatures are written in a fluid, connected style.

Lance & Robyn Platt

Mar. 16, 2018

Sandy City

Lynette Slattery-Culley
4536 S. 1900 S. Apt. 10
Roy, UT 84067

Re: 3392 E. Deer Hollow Cir.
Sandy City, UT parcel # 28-14-428-025-0000

To Whom It May Concern:

I am writing this letter in the hopes of explaining why the sale of this property is so important, even life changing, to me.

In 1993 my husband, Joe Slattery, passed away of brain cancer. We had both been raised in Utah, but were living in California at the time of his passing. He left me with two properties in St. George, UT. One was to build on, the other was an investment with which to build. This was where we had planned to retire.

With life's curve ball thrown at me, I now had to return to Utah and fall back on my teaching degree. I began teaching 2nd grade. Twenty 23 years later, I'm still teaching.

Twenty-two years ago Mr. Clair Payzant presented me with an offer to exchange one of my properties in St. George for one of his on Deer Hollow. Knowing I needed help beyond my own instincts, I hired a certified land appraiser who took several days looking at both properties. He assured me it would be advantageous for me to make the trade. I agreed to a 1031 exchange of property with Clair Payzant, who is still owner of 3 one acre parcels of the adjoining property. The appraiser assured me it was in fact an excellent exchange and could only increase in value through the years. After a great

deal of consideration, I made the exchange with Mr. Payzant. I knew at the time I would never build on this property. It was an investment property only. Sandy City is a very prestigious city and a full acre at the base of the mountains was far too expensive for me to consider building on. I did, however know it would be a great investment for my retirement. I have always felt that though the taxes were a big burden for me as a teacher, the rewards would be worth it when I retired.

I have remarried, but my husband had a stroke and suffers from memory loss. It has been my responsibility to support us through the years.

Last Fall, I decided the time had come for me to retire. My husband does not have a retirement, and aside from my state pension, the only “nest egg” I have is that beautiful piece of property that has become so contentious. I don’t understand how I could have received tax notices with high valuations for 22 years, only to hear it can’t be built on???

I was not surprised, when buyers made an offer on this beautiful piece of property. I was so happy for this new couple to start their lives together in this secluded area, a true bit of paradise, only to find out they are facing such resistance. I only met Lance and Robyn Platt once, but can readily see that they would be an impressive and positive influence on this neighborhood as well as on Sandy City.

I understand neighbors being upset by change. I want what I feel is fair and just. It has been a hardship over the years saving for and paying hefty taxes on my salary, expecting that I would have something in my retirement years to sell.

It is my hope that whatever is standing in the way of this property being sold, can be remedied. Yes, it may be inconvenient for neighbors, but as a tax payer, I too, feel I deserve fair compensation and should be allowed to sell what I have been taxed on throughout the years. This is in fact a “life changer” for two families.

Thank you for your time and consideration.
Lynette Slattery-Culley

PAYZANT ANNEXATION
ORDINANCE # 12-35

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 3436 DEER HOLLOW CIR., SALT LAKE COUNTY, COMPRISING APPROXIMATELY 5.03 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, in that : (1) the area proposed to be annexed, located at approximately 3436 Deer Hollow Cir. in Salt Lake County ("Area"), is a contiguous area and is contiguous to the City; (2) the Area consists of a portion of an unincorporated Salt Lake County island or peninsula within the City; (3) the island or peninsula, a portion of which is being annexed, has fewer than 800 residents; (4) the majority of the island or peninsula consists of residential or commercial development; (5) the Area requires the delivery of municipal-type services; and (6) the City has provided one or more municipal-type services to the island or peninsula and to the Area for more than one year.
3. On July 31, 2012, the City adopted Resolution 12-54 C, 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 September 11, 2012, the City Council held a public hearing on the proposed annexation. Prior to the public hearing, the owners of at least 75% of the total private land area representing at least 75% of the value of the private real property within the Area consented in writing to the annexation. Such consent is attached hereto as Exhibit "C". As such, the City may adopt an ordinance annexing the Area without allowing or considering protests and the Area is conclusively presumed to be annexed, as per Section 10-2-418(3)(b), Utah Code Annotated. Only those property owners living within the area proposed for annexation have standing to protest the proposed annexation, as per Section

10-2-418 (2)(b)(iv), Utah Code Annotated.

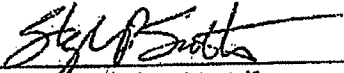
6. The annexation of the Area is completed and takes effect on the date of the lieutenant governor's issuance of a certificate of annexation as per Section 10-2-425(4), Utah Code Annotated.

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

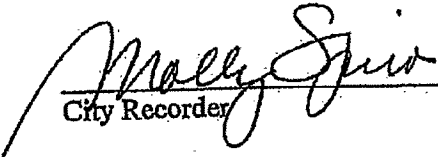
1. Adopt an ordinance annexing the Area as shown on the plat filed in the office of the Sandy City Recorder.
2. Determine that not annexing the entire island or peninsula is in the City's best interest.
3. Zone the Area to an R-1-40A zone.
4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, 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 publication as provided by law.

PASSED AND APPROVED by vote of the Sandy City Council this 18th day of September 2012.

ATTEST:



Chair, Sandy City Council



City Recorder



Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this 19th day of September, 2012.

APPROVED by the Mayor of Sandy City this 19th day of September, 2012.

2014 28-14-428-025-0000
SLATTERY, LYNETTE; TR
4536 S 1900 W # 10
ROY UT

BEG E 2035.599 FT & S 3387.457 FT & S 02^19'34" W 217.799 FT
FR N 1/4 COR SEC 14, T 35, R 1E, S1M; S 02^19'34" W 120.132
FT; S 35^03' W 28.392 FT; S 86^10' W 145 FT; N 32^30' W 216
FT; N 03^20' W 60 FT; S 72^39'43" E 298.987 FT TO BEG. 1.00
ACRE.

840672631

2014 28-14-428-025-0000
ID NUMBER: 0000
DISTRICT: 35
B OF E: 08/11/2009
AMEND NOTICE:

TAX CLASS 1: N
TAX CLASS 2: 0000
TAX CLASS 3:
TAX SALE: N

ATT GARB: N
ATT PERS PROP: N
MTG HLD: 0000
BANKRUPT YR:
APPENDIX YR:

RELIEF
VETERAN: 0.00
BLIND: 0.00
LOC CRC BR: 0.00
ST CRC BR: 0.00
INDIGENT: 0.00
DISABL: 0.00
HARDSHIP: 0.00

LAND:	271,300	+ RETURNED CHECK:	0.00
+ BUILDINGS:	0	= TOTAL CHARGES:	4,013.61
= FULL MARKET VAL:	271,300	- TAX RELIEF:	0.00
- GREENBLT REDUCT:	0	- PREPAYMENTS:	0.00
- EXEMPT REDUCTION:	0	= TOTAL TAXES DUE:	4,013.61
- STATUTE REDUCT:	0	- COLLECTIONS:	4,013.61
- RESIDENT EXEMPT:	0	= BALANCE DUE:	0.00
= TAXABLE VALUE:	271,300		
- VETERAN EXEMPT:	0	PENALTY AMOUNT:	0.00
- BLIND EXEMPT:	0	RET CK FEE PD:	0.00
= RESIDUAL VALUE:	271,300		
* TAX RATE:	.0147940	REFUND CHECK AMT:	
= COMPUTED TAXES:	4,013.61		

BOARD LTR: 0.00
C/B BRD LTR: 0.00

COLLECTIONS
PREPAY: 0.00
PAYMENT: 4,013.61
REC/TRN: 2006001 / 8
REC DATE: 11/24/2014
MACH/RUN: 71 / 57
PAID PROTEST: N

-----> END OF PARCEL: 28-14-428-025-0000 <----- END OF PARCEL

2015 28-14-428-025-0000
SLATTERY, LYNETTE; TR
4536 S 1900 W # 10
ROY UT

BEG E 2035.599 FT & S 3387.457 FT & S 02^19'34" W 217.799 FT
FR N 1/4 COR SEC 14, T 3S, R 1E, SIM; S 02^19'34" W 120.132
FT; S 35^03' W 28.392 FT; S 86^10' W 145 FT; N 32^30' W 216
FT; N 03^20' W 60 FT; S 72^39'43" E 298.987 FT TO BEG. 1.00
ACRE.

B40672631

2015 28-14-428-025-0000
ID NUMBER: 0000
DISTRICT: 35
B OF E: 08/11/2009
AMEND NOTICE:

ATT GARB: N
ATT PERS PROP: N
MIG HLDR: 0000
BANKRUPT YR:
APPENDIX YR:

RELIEF
VETERAN: 0.00
BLIND: 0.00
LOC CRC BR: 0.00
ST CRC BR: 0.00
INDIGENT: 0.00
DISABL: 0.00
HARDSHIP: 0.00

LAND:	319,000	+ RETURNED CHECK:	0.00
+ BUILDINGS:	0	= TOTAL CHARGES:	4,626.14
= FULL MARKET VAL:	319,000	- TAX RELIEF:	0.00
- GREENBLT REDUCT:	0	- PREPAYMENTS:	0.00
- EXEMPT REDUCTION:	0	= TOTAL TAXES DUE:	4,626.14
- STATUTE REDUCT:	0	- COLLECTIONS:	4,626.14
- RESIDENT EXEMPT:	0	= BALANCE DUE:	0.00
= TAXABLE VALUE:	319,000		
- VETERAN EXEMPT:	0	PENALTY AMOUNT:	0.00
- BLIND EXEMPT:	0	RET CK FEE PD:	0.00
= RESIDUAL VALUE:	319,000		
* TAX RATE:	.0145020	REFUND CHECK AMT:	
= COMPUTED TAXES:	4,626.14		

BOARD LTR: 0.00
C/B BRD LTR: 0.00
COLLECTIONS
PREPAY: 0.00
PAYMENT: 4,626.14
REC/TRN: 1538001 / 9
REC DATE: 11/18/2015
MACH/RUN: 71 / 4516
PAID PROTEST: N

-----> END OF PARCEL: 28-14-428-025-0000 <----- END OF PARCEL

2016 28-14-428-025-0000
SLATTERY, LYNETTE; TR
4536 S 1900 W # 10
ROY UT

BEG E 2035.599 FT & S 3387.457 FT & S 02^19'34" W 217.799 FT
FR N 1/4 COR SEC 14, T 3S, R 1E, SIM; S 02^19'34" W 120.132
FT; S 35^03' W 28.392 FT; S 86^10' W 145 FT; N 32^30' W 216
FT; N 03^20' W 60 FT; S 72^39'43" E 298.987 FT TO BEG. 1.00
ACRE.

840672631

2016 28-14-428-025-0000
ID NUMBER: 0000
DISTRICT: 35
B OF E: 08/11/2009
AMEND NOTICE:

ATT GARB: N
ATT PERS PROP: N
MTG HLDR: 0000
BANKRUPT YR:
APPENDIX YR: N

RELIEF

VETERAN: 0.00
BLIND: 0.00
LOC CRC BR: 0.00
ST CRC BR: 0.00
INDIGENT: 0.00
DISABL: 0.00
HARDSHIP: 0.00

LAND:	342,500	+ RETURNED CHECK:	0.00
+ BUILDINGS:	0	= TOTAL CHARGES:	4,596.35
= FULL MARKET VAL:	342,500	- TAX RELIEF:	0.00
- GREENBLT REDUCT:	0	- PREPAYMENTS:	0.00
- EXEMPT REDUCTION:	0	= TOTAL TAXES DUE:	4,596.35
- STATUTE REDUCT:	0	- COLLECTIONS:	4,596.35
- RESIDENT EXEMPT:	0	= BALANCE DUE:	0.00
= TAXABLE VALUE:	342,500		
- VETERAN EXEMPT:	0	PENALTY AMOUNT:	0.00
- BLIND EXEMPT:	0	RET CK FEE PD:	0.00
= RESIDUAL VALUE:	342,500		
* TAX RATE:	.0134200	REFUND CHECK AMT:	
= COMPUTED TAXES:	4,596.35		

BOARD LTR: 0.00
C/B BRD LTR: 0.00

COLLECTIONS
PREPAY: 0.00
PAYMENT: 4,596.35
REC/TRN: 50715718 / 189
REC DATE: 11/21/2016
MACH/RUN: 40 / 1201
PAID PROTEST: N

-----> END OF PARCEL: 28-14-428-025-0000 <----- END OF PARCEL
