

ORDINANCE # 17-15 _____

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY
3202 EAST 10000 SOUTH IN SALT LAKE COUNTY, COMPRISING
APPROXIMATELY 7.84 ACRES INTO SANDY CITY; ESTABLISHING ZONING
FOR THE ANNEXED PROPERTIES; 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 areas proposed to be annexed, located at approximately 3202 East 10000 South in Salt Lake County, comprising approximately 7.84 acres ("Areas"), are contiguous areas and are contiguous to the City; (2) the Areas consists of a portion of one or more unincorporated Salt Lake County islands within or unincorporated peninsulas contiguous to the City, which have fewer than 800 residents; (3) the majority of the island or peninsula consists of residential or commercial development; (4) the Areas require 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 Areas for more than one year.
3. On March 28, 2017, the City adopted Resolution 17-13c, 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 2, 2017, 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 Areas consented in writing to the annexation. Such consent is attached hereto as **Exhibit "C"**. As such, the City may adopt an ordinance annexing the Areas without allowing or considering protests and the Areas are 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 Areas 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 Areas 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 Areas to an R-1-15.
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 Areas 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 _____ day of _____, 2017.

ATTEST:

City Recorder

Chair, Sandy City Council

Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this _____ day of _____, 2017.

APPROVED by the Mayor of Sandy City this _____ day of _____, 2017.

EXHIBIT A

MOCK ANNEXATION
RESOLUTION # 17-13c

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 7.84 acres, located at approximately 3202 East 10000 South 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, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

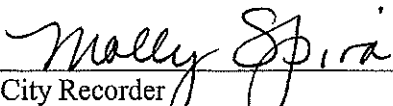
1. Indicate the City Council's intent to annex the area described in Appendix "A".
2. Determine that not annexing the entire unincorporated island or unincorporated peninsula is in the City's best interest.
3. Set a public hearing for May 2, 2017, at 7:05 p.m. to consider the annexation.
4. Direct the 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 28th day of March, 2017.



Stephen P. Smith, Chair
Sandy City Council

ATTEST:



City Recorder

RECORDED this 30th day of March, 2017.



**Appendix A
of Resolution #17-13c**

**MOCK ANNEXATION DESCRIPTION
MARCH 6, 2016**

Beginning at the southeast corner of the DIMPLE DELL ESTATES ANNEXATION to Sandy City, according to the official plat thereof recorded August 30, 2002 as Entry No. 8338339 in Book 2002P of plats at Page 238 in the office of the Salt Lake County Recorder, said point lies, South 990.00 feet from the Center Quarter Corner of Section 11, Township 3 South, Range 1 East, Salt Lake Base and Meridian; thence departing from the current Sandy City boundary, East 8.36 feet, more or less, to intersect the quarter section line; thence along said quarter section line, South 0°29'01" East 49.47 feet, more or less to the northwest corner of CARDIFF ESTATES SUBDIVISION AMENDED, recorded June 6, 2012 as Entry No. 11405511 in Book 2012P of plats at Page 73 in the office of said Salt Lake County Recorder; thence along the northerly boundary of said CARDIFF ESTATES SUBDIVISION AMENDED, North 89°30'59" East 150.41 feet, more or less; thence North 0°58'00" East 1.03 feet, more or less, to the southwest corner of the FUR HOLLOW ANNEXATION to Sandy City, recorded July 23, 2013 as Entry No. 11690058 in Book 2013P of plats at Page 140 in the office of said Salt Lake County Recorder; thence along the current Sandy City boundary established by said FUR HOLLOW ANNEXATION, North 89°40'00" East 572.50 feet to the southwest corner of the GRANITE POINT ANNEXATION to Sandy City, recorded October 24, 2013 as Entry No. 11747586 in Book 2013P of plats at Page 224 in the office of said Salt Lake County Recorder; thence along the current Sandy City boundary established by said GRANITE POINT ANNEXATION, North 89° 40'00" East 330.99 feet, more or less, to a point in the current Sandy City boundary established by the GARSIDE ANNEXATION to Sandy City, recorded December 29, 2014 as Entry No. 11969103 in Book 2014P of plats at Page 325 in the office of said Salt Lake County Recorder; thence along the current Sandy City Boundary as established by said GARSIDE ANNEXATION the following three (3) courses: (1) South 38.41 feet; (2) South 0°29'01" East 51.23 feet; (3) South 30°13'23" West 231.80 feet, more or less, to the northerly boundary of the BELL CANYON ROAD ANNEXATION to Sandy City, recorded December 17, 2009 as Entry No. 10861404 in Book 2009 of plats at Page 184 in the office of said Salt Lake County Recorder; thence along the current Sandy City boundary as established by said BELL CANYON ROAD ANNEXATION the following three (3) courses: (1) North 89°53'54" West 298.15 feet, more or less; (2) North 1.13 feet; (3) West 741.74 feet to the centerline of Dimple Dell Road and the easterly boundary of the DIMPLE DELL ANNEXATION TO SANDY CITY AMENDED, recorded July 18, 2005 as Entry No. 9435231 in Book 2005P of plats at Page 211 in the office of said Salt Lake County Recorder; thence along said centerline of Dimple Dell Road and the current Sandy City Boundary as established by said DIMPLE DELL ANNEXATION TO SANDY CITY AMENDED the following two (2) courses: (1) Northwesterly 44.84 feet along the arc of a 120.46 foot radius non-tangent curve to the left whose center bears South 89°58'05" West 120.46 feet, has a central angle of 21°19'40" and a chord bearing and length of North 10°41'46" West 44.58 feet; (2) North 21°21'35" West 307.50 feet, more or less, (record = 303.38 feet) to intersect the southerly boundary of said DIMPLE DELL ESTATES ANNEXATION; thence along the current Sandy City boundary as established by said DIMPLE DELL ESTATES ANNEXATION, East 213.74 feet, more or less, (record = 215.48 feet) to the Point of Beginning.

The above described area contains approximately 7.84 acres.

EXHIBIT B

NOTICE OF PUBLIC HEARING

On **Thursday, April 20, 2017**, at approximately 6:15 pm, the Sandy City Planning Commission will consider annexing properties located at approximately 3202 East 10000 South, in Salt Lake County.

The area under consideration for annexation comprises 13 contiguous unincorporated areas, totaling approximately 7.84 acres respectively. It is being proposed to annex these properties to the City with the R-1-15 Zone (single family residential on 15,000 square foot lots).

The Planning Commission will make a recommendation concerning annexation and zoning of these properties and forward them to the City Council. **The Council will hold a public hearing on Tuesday, May 2, 2017 at approximately 7:05 p.m.**, at which time a final decision on the annexation and zoning will be made.

If you have questions or comments concerning this proposal, please attend the Planning Commission Meeting to be held in the City Council Chamber, located on the west end of the main level of City Hall, 10000 South Centennial Parkway (170 West), or please call Brian McCuiston, Planning Director at 568-7268 or by email at: bmcuiston@sandy.utah.gov and he will forward your comments to the Commission.

Posted	March 30, 2017	Sandy City Hall Sandy Parks & Recreation Salt Lake County Library - Sandy Sandy City Website (http://www.sandy.utah.gov) Utah Public Notice Website (http://pmn.utah.gov)
Published	April 6, 2017	Salt Lake Tribune

EXHIBIT C

RECEIVED

JAN 31 2017

SANDY CITY
COMMUNITY DEVELOPMENT

Date: 1/31/2017

Attn: James Sorensen
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

My name is SUSAN MARSHALL + RAY DODD

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at :

3171 E 10,000 S Note: includes several parcels

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at : 303-668-4029

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.

Susan Marshall
Signature

Ray Dodd
Signature

Date: 1-29-17

Attn: James Sorensen
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

RECEIVED
JAN 31 2017
SANDY CITY
COMMUNITY DEVELOPMENT

My name is Vaselis Lyhrakis.

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at :

3149 east 10000 south Sandy, Utah 84092

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at : 801.750.6509

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.


Signature


Signature

Date: Jan 14, 2017

Attn: James Sorensen
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

RECEIVED
JAN 31 2017
SANDY CITY
COMMUNITY DEVELOPMENT

My name is Bruce & Beckie Meisenheimer

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at:

9979 South 3100 East Sandy, UT 84092

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) CONSENT to have Sandy City annex this property.

I (we) can be reached at: 801-718-4996

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.

Bruce Meisenheimer
Signature 1/14/17

Beckie Meisenheimer
Signature 1-14-2017

Date: Jan. 14, 2017

Attn: James Sorensen
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

RECEIVED
JAN 31 2017
SANDY CITY
COMMUNITY DEVELOPMENT

My name is Terry Trost

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at:

3151 E. 10000 SO., Sandy, UT. 84092

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at: 801-891-5252

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.



Signature

Signature

Date: 1/25/17

Attn: James Sorensen
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

RECEIVED
JAN 31 2017
SANDY CITY
COMMUNITY DEVELOPMENT

My name is David Mock, Trustee

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at :

3202 East 10000 South, Sandy, Utah 84092
(Formerly 10004 South 3100 East)

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at : 801-301-9970

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.

David Mock, Trustee
Signature
James Sorensen, Trust.

Signature

Date: 1-5-2017

Attn: James Sorensen
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

RECEIVED
JAN 31 2017
SANDY CITY
COMMUNITY DEVELOPMENT

My name is WASATCH OVERLOOK, LLC

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at :

3202 East 10000 South, Parcel # 2811404021

This property is part of an island or peninsula and is contiguous to Sandy City.

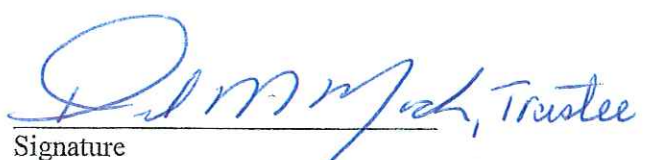
I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at : 662-931-6671

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.


Signature
GME Wasatch Overlook, LLC


Signature
Jeanne C Mack 101 TRUST

Date: 1-25-17

Attn: James Sorensen
Sandy City Community Development
10000 Centennial Parkway
Sandy, Utah 84070

RECEIVED
JAN 31 2017
SANDY CITY
COMMUNITY DEVELOPMENT

My name is David Mock, David Mock, Trustee

I am (we are) the property owner(s) of property in the unincorporated area of Salt Lake County located at :

3140 East 10000 South, Sandy, Utah 84092
(Formerly 9993 South 3100 East,)

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) **CONSENT** to have Sandy City annex this property.

I (we) can be reached at : 801-301-9970

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.

David Mock, Trustee
Signature

David Mock, Revocable Trust,
i Mullen Investments LLC
Signature