

ORDINANCE # 24-22

HERZBERG ANNEXATION

AN ORDINANCE ANNEXING TERRITORY LOCATED AT 10479 SOUTH DIMPLE DELL ROAD IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 0.49 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 10479 South Dimple Dell Road in Salt Lake County, comprising approximately 0.49 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 October 8, 2024, the City adopted Resolution 24-42C, 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 Public Notice to hold a public hearing on the proposed annexation of the Area was posted in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website – <https://www.sandy.utah.gov>, and the Utah Public Notice Website – <https://www.utah.gov/pmn> on October 15, 2024. The required notices were posted in ten places.
5. 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.
6. On or about November 12, 2024, the City Council held a public hearing on the proposed annexation.
7. 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. Annex these properties with the Zone of R-1-20 for the subject area.

3. Determine that not annexing the entire island or peninsula is in the City's best interest.
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 12 day of November, 2024.

DocuSigned by:



2BD9B8A417C845C...
Zach Robinson, Sandy City Council Chair

ATTEST:

DocuSigned by:



689E7E8272014B1...
City Recorder

DocuSigned by:



2FEF8CAE412042D...
Monica Zoltanski, Mayor



PRESENTED to the Mayor of Sandy City this 15th day of November, 2024.

APPROVED by the Mayor of Sandy City this 15th day of November, 2024.

RESOLUTION #24-42C

HERZBERG 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:

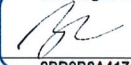
1. Sandy City (“City”) desires to annex a parcel of contiguous unincorporated area, totaling approximately 0.49 acres, located at 10479 South Dimple Dell Road. The parcel of land is currently in Salt Lake County, Utah, and more specifically shown on the map attached hereto as **Appendix “A”**.
2. The 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 November 12, 2024, no earlier than 5:15 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 8th day of October, 2024.

DocuSigned by:


Zach Robinson

Sandy City Council Chair

ATTEST:

DocuSigned by:


City Recorder

RECORDED this 9th day of October, 2024.



Appendix “A”

LEGAL DESCRIPTION



MERIDIAN
ENGINEERING, INC.

1628 West 11010 South, Suite 102
South Jordan, UT 84095

T 801.569.1315 • F 801.569.1319
www.MElamerica.com

24225-06_HERZBERG ANNEXATION DESCRIPTION

A parcel of land to be annexed from Salt Lake County to Sandy City, situate in the Northwest Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base & Meridian, Salt Lake County, Utah. The boundaries of said parcel of land are described as follows:

Beginning at a point in the current Sandy City boundary line established by JESSOP ANNEXATION TO SANDY CITY, recorded February 2, 2009 as Entry No. 10612295 in Book 2009P at Page 18 in the Office of the Salt Lake County Recorder, said point is also in the current Sandy City boundary line established by EXTENSION OF SANDY CITY LIMITS (SIEVERTS ANNEXATION), recorded February 14, 1994 as Entry No. 5738565 in Book 94-2 at Page 37 in the Office of the Salt Lake County Recorder, said point is also the Northeast Corner of property described in Warranty Deed in favor of William and Roberta Herzberg recorded as Entry No. 13236779 in Book 10922 at Page 9406 in the Office of the Salt Lake County Recorder, said point is 1833.42 feet S.00°36'52"W. along the quarter section line and 13.14 feet WEST to a point in the current Sandy City boundary line, said point is the Northeast Corner of said JESSOP ANNEXATION TO SANDY CITY and the Northeast Corner of JESSOP TRUST SUBDIVISION recorded as Entry No. 10828225 in Book 2009P at Page 157 in the Office of the Salt Lake County Recorder and 155.62 feet (155.517 feet per said JESSOP ANNEXATION TO SANDY CITY) WEST along said current Sandy City Boundary line to the point of beginning (Basis of Bearing is S.89°02'20"W. along the section line between the monuments representing the North Quarter Corner and the Northwest Corner of said Section 14); and running thence along said current Sandy City Boundary line as established by said JESSOP ANNEXATION TO SANDY CITY and the easterly boundary line of said described property S.00°24'15"W. (S.00°31'28"W. per said JESSOP ANNEXATION TO SANDY CITY)(SOUTH per said described property) 106.42 feet to the Southeast Corner of said described property; thence along the southerly boundary line of said described property WEST 205.47 feet (204.14 feet per said described property) to the Southwest Corner of said described property, said point is also in the easterly right of way line of Dimple Dell Road; thence along the westerly boundary line of said described property and said easterly right of way line N.04°31'33"E. (N.04°41'33"E. per said described property) 106.75 feet a point in said current Sandy City boundary line established by said EXTENSION OF SANDY CITY LIMITS (SIEVERTS ANNEXATION), said point is also the Northwest Corner of said described property; thence along said current Sandy City boundary line and the northerly boundary line of said described property EAST 197.79 feet (195.71 feet per said described property) to the point of beginning.

The above described parcel of land contains 21,457 square feet or 0.49 acre in area, more or less.

SANDY CITY PUBLIC NOTICE INTENT TO ANNEX – HERZBERG ANNEXATION

NOTICE IS HEREBY GIVEN that the Sandy City Council has adopted a resolution, 24-42C, indicating its intent to annex an unincorporated area, located at approximately 10479 South Dimple Dell Road . **November 12, 2024**, no earlier than 5:15 pm in a hybrid meeting, in accordance with Utah Code 52-4-207(4) Open and Public Meeting Act the Sandy City Council will hold a public hearing regarding the proposed Herzberg Annexation. The November 12, 2024 Sandy City Council meeting will be conducted in-person and virtually, via Zoom Webinar. Citizens wishing to comment virtually on the proposed annexation must access the meeting via the Zoom Webinar link, which will be included on **November 12, 2024** meeting agenda. The meeting 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, they may leave an eComment by following the appropriate link as listed on the meeting agenda, or by emailing CitizenComment@sandy.utah.gov.

Legal Description:

A parcel of land to be annexed from Salt Lake County to Sandy City, situate in the Northwest Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base & Meridian, Salt Lake County, Utah. The boundaries of said parcel of land are described as follows:

Beginning at a point in the current Sandy City boundary line established by JESSOP ANNEXATION TO SANDY CITY, recorded February 2, 2009 as Entry No. 10612295 in Book 2009P at Page 18 in the Office of the Salt Lake County Recorder, said point is also in the current Sandy City boundary line established by EXTENSION OF SANDY CITY LIMITS (SIEVERTS ANNEXATION), recorded February 14, 1994 as Entry No. 5738565 in Book 94-2 at Page 37 in the Office of the Salt Lake County Recorder, said point is also the Northeast Corner of property described in Warranty Deed in favor of William and Roberta Herzberg recorded as Entry No. 13236779 in Book 10922 at Page 9406 in the Office of the Salt Lake County Recorder, said point is 1833.42 feet S.00°36'52"W. along the quarter section line and 13.14 feet WEST to a point in the current Sandy City boundary line, said point is the Northeast Corner of said JESSOP ANNEXATION TO SANDY CITY and the Northeast Corner of JESSOP TRUST SUBDIVISION recorded as Entry No. 10828225 in Book 2009P at Page 157 in the Office of the Salt Lake County Recorder and 155.62 feet (155.517 feet per said JESSOP ANNEXATION TO SANDY CITY) WEST along said current Sandy City Boundary line to the point of beginning (Basis of Bearing is S.89°02'20"W. along the section line between the monuments representing the North Quarter Corner and the Northwest Corner of said Section 14); and running thence along said current Sandy City Boundary line as established by said JESSOP ANNEXATION TO SANDY CITY and the easterly boundary line of said described property S.00°24'15"W. (S.00°31'28"W. per said JESSOP ANNEXATION TO SANDY CITY)(SOUTH per said described property) 106.42 feet to the Southeast Corner of said described property; thence along the southerly boundary line of said described property WEST 205.47 feet (204.14 feet per said described property) to the Southwest Corner of said described property, said point is also in the easterly right of way line of Dimple Dell Road; thence along the westerly boundary line of said described property and said easterly right of way line N.04°31'33"E. (N.04°41'33"E. per said described property) 106.75 feet a point in said current Sandy City boundary line established by said EXTENSION OF SANDY CITY LIMITS (SIEVERTS ANNEXATION), said point is also the Northwest Corner of said described property; thence along said current Sandy City boundary line and the northerly boundary line of said described property EAST 197.79 feet (195.71 feet per said described property) to the point of beginning. The above described parcel of land contains 21,457 square feet or 0.49 acre in area, more or less.

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 $\frac{1}{2}$ the value of all private real property within the entire area proposed for annexation.

The area under consideration for annexation comprises approximately 0.49 acres. It is being proposed to annex these properties to the City with the R-1-20 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: October 15, 2024

Utah Public Notice Website - <https://www.utah.gov/pmn/>
Sandy City Website – <https://www.sandy.utah.gov/>
Sandy City Hall
Sandy Parks & Recreation
Salt Lake County Library - Sandy