

ORDINANCE #18-34 _____

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 2893 EAST LITTLE COTTONWOOD ROAD AND ADJACENT PARCEL TO THE WEST IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 2.3 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, including without limitation: (1) the areas proposed to be annexed, located at approximately 2893 East Little Cottonwood Road and adjacent parcel to the west in Salt Lake County, comprising approximately 2.3 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 September 25, 2018, the City adopted Resolution #18-49C, 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 October 30, 2018, 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-1-15.
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 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 _____, 2018.

ATTEST:

City Recorder

Chair, Sandy City Council

Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this ____ day of _____, 2018.

APPROVED by the Mayor of Sandy City this ____ day of _____, 2018.

EXHIBIT A

GARZA ANNEXATION
RESOLUTION #18-49C

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

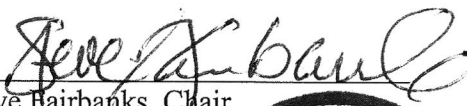
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, two parcels totaling approximately 2.3 acres. The main parcel is located at approximately 2893 East Little Cottonwood Road, the other is the adjacent parcel to the west which is a private road. Both parcels are 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.

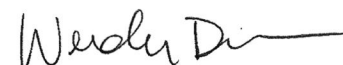
NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

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 October 30, 2018, at 7:00 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 25 day of September, 2018.


Steve Fairbanks, Chair
Sandy City Council

ATTEST:


City Recorder, Deputy

RECORDED this 26 day of September, 2018.



APPENDIX "A"

GARZA ANNEXATION DESCRIPTION

Those two (2) parcels of land designated by the Salt Lake County Assessor for tax year 2018 as Parcel No. 28-11-104-026, described in that certain Special Warranty Deed recorded September 6, 2018 as Entry No. 12844161 in Book 10710 at Pages 1977-1978 in the office of the Salt Lake County Recorder and Parcel No. 28-11-104-028 described in that certain Warranty Deed recorded September 5, 2017 as Entry No. 12610552 in Book 10595 at Pages 6244-6246 in the office of said County Recorder, situate in the Northwest Quarter of Section 11, Township 3 South, Range 1 East, Salt Lake Base and Meridian, being further described as follows:

Beginning at a point on the current Sandy City boundary established by the ISABELLA ESTATES ANNEXATION to Sandy City, recorded May 14, 2008 as Entry No. 10427584 in Book 2008P of Plats at Page 119 in the office of said County Recorder, said point also being the most southwesterly corner of PINECONE SUBDIVISION, recorded May 8, 2001 as Entry No. 7890962 in Book 2001P of Plats at Page 104 in the office of said County Recorder, said point lies North 89°43'53" East 983.23 feet along the section line and South 1016.00 feet from the Northwest Corner of Section 11, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence departing from said current Sandy City boundary, along the southerly boundary of said PINECONE SUBDIVISION, North 89°43'53" East 335.124 feet to the southeast corner of said PINECONE SUBDIVISION;

thence along the easterly and southerly boundary of said Parcel No. 28-11-104-028 the following three (3) courses:

(1) South 0°05'34" West (record = South) 286.89 feet, more or less, to a northwesterly corner of the current Sandy City boundary, established by the BENNION ANNEXATION to Sandy City, recorded December 23, 1996 as Entry No. 6534071 in Book 96-12P of Plats at Page 426 in the office of said County Recorder;

(2) South 0°05'34" West (record = South) along the westerly boundary of said BENNION ANNEXATION, 16.13 feet, more or less, to the northeast corner of the BEVERLY PARK ANNEXATION to Sandy City, recorded April 1, 1976 as Entry No. 2800062 in Book 76-4 of Plats at Page 66 in the office of said County Recorder;

(3) South 89°36'28" West (record = West) 332.33 feet, more or less, along said current Sandy City boundary established by said BEVERLY PARK ANNEXATION, to the southeast corner of said ISABELLA ESTATES ANNEXATION;

thence along the boundary of said ISABELLA ESTATES ANNEXATION the following two (2) courses:

(1) North 0°42'43" East 291.54 feet, more or less;

(2) North 25°56'32" West 13.57 feet to the Point of Beginning.

The above-described area contains approximately 2.3 acres.

EXHIBIT B

**SANDY CITY PUBLIC NOTICE
INTENT TO ANNEX**

NOTICE IS HEREBY GIVEN that the Sandy City Council has adopted a resolution indicating its intent to annex an unincorporated area, located at approximately 2893 East Little Cottonwood Road, the other is the adjacent parcel to the west which is a private road, in Salt Lake County, into the Municipality of Sandy City. On October 30, 2018, at 7:05 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:

Beginning at a point which lies North 89°43'53" East 983.23 feet along the section line and South 1016.00 feet from the Northwest Corner of Section 11, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence North 89°43'53" East 335.124 feet;

thence South 0°05'34" West 286.89 feet;

thence South 0°05'34" West 16.13 feet;

thence South 89°36'28" West 332.33 feet;

thence North 0°42'43" East 291.54 feet;

thence North 25°56'32" West 13.57 feet to the Point of Beginning.

The above-described area contains approximately 2.3 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 2.3 acres. It is being proposed to annex these properties to the City with the R-1-15 Zone. Any questions you may have regarding this annexation, may be directed to Brian McCuiston, Planning Director, at 801-568-7268 or by email at: bmccuiston@sandy.utah.gov and he will forward your comments to the Council.

Posted

October 1, 2018

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

October 9, 2018

Salt Lake Tribune

October 16, 2018

October 23, 2018