

ORDINANCE # 24-24

CUMMINGS ANNEXATION

AN ORDINANCE ANNEXING TERRITORY LOCATED AT 2152 E. AND 2162 E. CREEK ROAD IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 3.64 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 2152 E. and 2162 E Creek Road in Salt Lake County, comprising approximately 3.63 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 24-44C, 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 17, 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.

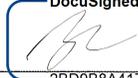
NOW, THEREFORE, BE IT ORDAINED by the City Council that it does hereby:

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-1-40 (for 2152 E. Creek Road) and R-1-20

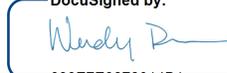
(for 2162 E. Creek Road).

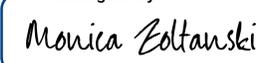
3. Determine that not annexing the entire island or peninsula is in the City's best interest.
4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, this annexation is completed and takes effect upon the date of the lieutenant governor's issuance of a certification of annexation.
5. Declare 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:

 638E7E8272014B1...
 City Recorder

DocuSigned by:

 2FF8CAF412042D...
 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 #24-44C

CUMMINGS ANNEXATION

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

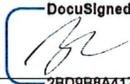
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City (“**City**”) desires to annex parcels of contiguous unincorporated area, totaling approximately 3.63 acres, located at 2152 E. and 2162 E. Creek Road. The parcels of land are 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.

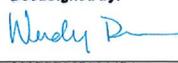
NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

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:

 2BD98BA417C845C...
 Zach Robinson
 Sandy City Council Chair

ATTEST:

DocuSigned by:

 688E7E8272014B1...
 City Recorder



RECORDED this 9th day of October, 2024.

Appendix "A"

LEGAL DESCRIPTION



24225-14_CUMMINGS ANNEXATION DESCRIPTION

A parcel of land to be annexed from Salt Lake County to Sandy City, situate in the Southwest Quarter of Section 34, Township 2 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 ROSSETT GREEN LANE ANNEXATION TO SANDY CITY, recorded November 4, 2020 as Entry No. 13450415 in Book 2020P at Page 274 in the Office of the Salt Lake County Recorder, said point is also in the current COTTONWOOD HEIGHTS BOUNDARY LINE established by CITY OF COTTONWOOD HEIGHTS INCORPORATION, recorded February 1, 2005 as Entry No. 9287827 in Book 2005P at Page 22 in the Office of the Salt Lake County Recorder, said point is 1323.02 feet N.89°41'22"W. along the section line from the Center Quarter Corner of said Section 34 (Basis of Bearing is N.89°41'22"W. along the section line between the monuments representing the Center Quarter Corner and West Quarter Corner of said Section 34); and running thence along said CURRENT COTTONWOOD HEIGHTS BOUNDARY LINE and said section line S.89°41'22"E. 188.02 feet to the Northeast Corner of property described in Quit Claim Deed in favor of BYRON THAD PETERSEN AND JANET YOSHIKO PETERSEN, TRUSTEES OF THE PETERSEN FAMILY TRUST U/A/D/ MAY 15, 2002 recorded as Entry No. 14118359 in Book 11426 at Page 1245 in the Office of the Salt Lake County Recorder, said point is also the intersection of said section line and the extension of the westerly boundary line of VARNEY SUBDIVISION recorded as Entry No. 5179079 in Book 92-1 at Page 1 in the Office of the Salt Lake County Recorder; thence along the easterly boundary line of said described property and said westerly boundary line and its extension S.00°18'38"W. (South by record) 291.516 feet to a point in the northerly boundary line of property described in Warranty Deed in favor CUMMINGS CONSULTING, LLC recorded as Entry No. 14088327 in Book 11409 at Page 8076 in the Office of the Salt Lake County Recorder; and running thence along said northerly boundary line S.89°41'22"E. 5.34 feet to the Northwest Corner of Lot 1 of BRENT STRONG SUBDIVISION recorded as Entry No. 7424302 in Book 99-7P at Page 206 in the Office of the Salt Lake County Recorder; thence along the westerly lot line of said Lot 1 SOUTH 137.53 feet to the Southwest Corner of said Lot 1; thence along the southerly lot line of said Lot 1 S.78°42'23"E. 62.04 feet to a point in the easterly boundary line of said described property in favor of CUMMINGS CONSULTING, LLC; thence along said easterly boundary line S.04°07'27"W. 314.80 feet to a point in the current SANDY CITY BOUNDARY LINE established by EXTENSION OF SANDY CITY LIMITS (HULL 2 ANNEXATION), recorded September 10, 1990 as Entry No. 4963640 in Book 90-9 at Page 110 and the southerly boundary line of said described property, said point is S.88°07'41"E. 38.22 feet from the Southwest Corner of said BRENT STRONG SUBDIVISION; thence along said current SANDY CITY BOUNDARY LINE and said southerly boundary line N.88°07'41"W. 230.10 feet to the Southwest Corner of said described property; thence along the westerly boundary line of said described property NORTH (N.00°09'15"E. by record) 138.71 feet to a point in current SANDY CITY BOUNDARY LINE established by said ROSSETT GREEN LANE ANNEXATION TO SANDY CITY, said point is also the Southeast Corner of ROSSETT GREEN P.U.D. recorded as Entry No. 8182623 in Book 2002P at Page 75 in the Office of the Salt Lake County Recorder; thence along said current SANDY CITY BOUNDARY LINE and the easterly boundary line of said ROSSETT GREEN P.U.D., NORTH 610.00 feet to the point of beginning.

The above described parcel of land contains 158,655 square feet or 3.64 acres in area, more or less.

**SANDY CITY PUBLIC NOTICE
INTENT TO ANNEX – CUMMINGS ANNEXATION**

NOTICE IS HEREBY GIVEN that the Sandy City Council has adopted a resolution, 24-44C, indicating its intent to annex an unincorporated area, located at approximately 2152 E. and 2162 E. Creek 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 Cummings 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 Southwest Quarter of Section 34, Township 2 South, Range 1 East, Salt Lake Base & Meridian, Salt Lake County, Utah. The boundaries of said parcel of land are described as follows:

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The above described parcel of land contains 158,651 square feet or 3.64 acres 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 ½ the value of all private real property within the entire area proposed for annexation.

The area under consideration for annexation comprises approximately 3.63 acres. It is being proposed to annex these properties to the City with the R-1-20 zone (for 2152 E. Creek Road) and R-1-40 (for 2162 E. Creek Road). 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 17, 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**