

ORDINANCE # 17-24

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY
3121 DEER HOLLOW DRIVE IN SALT LAKE COUNTY, COMPRISING
APPROXIMATELY 1.0 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 3121 Deer Hollow Drive in Salt Lake County, comprising approximately 1.0 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 August 29, 2017, the City adopted Resolution #17-45C, 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 3, 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 R-1-40A.
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

HONEYSETT ANNEXATION
RESOLUTION #17-45C

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

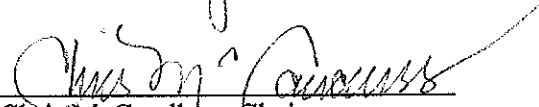
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, totaling approximately 1.0 acre, located at approximately 3121 Deer Hollow Dr. 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.

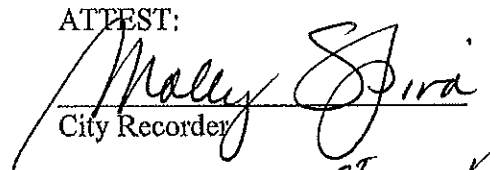
NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

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 3, 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.

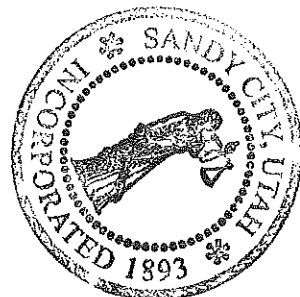
ADOPTED by the Sandy City Council this 29 day of August, 2017.


Chris McCandless, Chair
Sandy City Council

ATTEST:


City Recorder

RECORDED this 31ST day of AUGUST, 2017.



APPENDIX A



ANEX-08-17-5288

Honeysett Annexation

3121 Deer Hollow Dr.



*PRODUCED BY THE COMMUNITY DEVELOPMENT DEPARTMENT
WADE SANNER, PLANNER*

HONEYSETT ANNEXATION TO SANDY CITY

Beginning at an angle point on a northerly line of the current Sandy City boundary established by the ALSTON ANNEXATION to Sandy City, the official plat of which was recorded December 14, 2012 as Entry No. 11536552 in Book 2012P of plats at Page 207 in the office of the Salt Lake County Recorder, said point lies West 13.08 feet and South 2663.60 feet, more or less, from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence along the current Sandy City boundary as established by said ALSTON ANNEXATION the following two (2) courses:

(1) North 77°17'00" East 278.87 feet;

(2) South 19°33'20" East 141.14 feet (record per Honeysett deed = 141.20 feet) to intersect a northwesterly line of the current Sandy City Boundary established by the MENLOVE ANNEXATION to Sandy City recorded December 17, 2009 as Entry No. 10861407 in Book 2009P of plats at Page 185 in the office of said Salt Lake County Recorder;

thence along said current Sandy City boundary South 48°12'10" West 113.54 feet;

thence departing from said current Sandy City boundary, along the southerly and westerly boundary of that parcel of land described in that certain Warranty Deed recorded March 28, 2017 as Entry No. 12503893 in Book 10542 at Pages 315-316 in the office of said Salt Lake County Recorder the following two (2) courses:

(1) South 63°11'50" West 75.00 feet;

(2) North 42°47'30" West 246.82 feet, more or less, to the Point of Beginning.

The above described area contains approximately 1.0 acre.

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 3121 Deer Hollow Dr. in Salt Lake County, Utah, into the Municipality of Sandy City. On **October 3, 2017**, 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 an angle point on a southerly line of the current Sandy City boundary established by the ALSTON ANNEXATION to Sandy City, the official plat of which was recorded December 14, 2012 as Entry No. 11536552 in Book 2012P of plats at Page 207 in the office of the Salt Lake County Recorder, said point lies South 89°02'20" West (Record = West) 13.08 feet along the Section Line and South 2663.60 feet, more or less, from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence along the current Sandy City boundary as established by said ALSTON ANNEXATION the following two (2) courses:

(1) North 77°17'00" East 278.87 feet;

(2) South 19°33'20" East 141.14 feet (record per Honeysett deed = 141.20 feet) to intersect a northwesterly line of the current Sandy City Boundary established by the MENLOVE ANNEXATION to Sandy City recorded December 17, 2009 as Entry No. 10861407 in Book 2009P of plats at Page 185 in the office of said Salt Lake County Recorder;

thence along said current Sandy City boundary South 48°12'10" West 113.54 feet to a northwesterly corner in the current Sandy City boundary;

thence departing from said current Sandy City boundary, along the southerly and westerly boundary of that parcel of land described in that certain Warranty Deed recorded March 28, 2017 as Entry No. 12503893 in Book 10542 at Pages 315-316 in the office of said Salt Lake County Recorder the following two (2) courses:

(1) South 63°11'50" West 75.00 feet;

(2) North 42°47'30" West 246.82 feet, more or less, to the Point of Beginning.

The above described area contains approximately 1.0 acre.

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.

EXHIBIT C

Date: 4/10/12

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

My name is Chris Honeysett

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

3121 EAST DEER HOLLOW DRIVE, SANDY

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 : (415) 305-7219

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, a 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

