

ORDINANCE #18-33 \_\_\_\_\_

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 11465 SOUTH AND 11467 SOUTH OBERLAND ROAD IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 0.89 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 11465 South and 11467 South Oberland Road in Salt Lake County, comprising approximately 0.89 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 #18-48C, 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-1-20.
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

MOSHER ANNEXATION  
RESOLUTION #18-48C

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

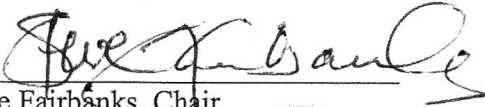
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, totaling approximately 0.89 acres, located at approximately 11465 South and 11467 South Oberland Road (two parcels) 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, BET 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"**

### **MOSHER ANNEXATION DESCRIPTION**

That portion of a parcel of land designated by the Salt Lake County Assessor for tax year 2018 as Parcel No. 28-23-326-006 described in that certain Warranty Deed recorded July 26, 2017 as Entry No. 12582516 in Book 10581 at Pages 5069-5070 in the office of the Salt Lake County Recorder, which does not lie within the current Sandy City boundary AND that portion of a parcel of land designated by the Salt Lake County Assessor for tax year 2018 as Parcel No. 28-23-326-007 described in that certain Warranty Deed recorded July 26, 2017 as Entry No. 12582517 in Book 10581 at Pages 5071-5072 in the office of the Salt Lake County Recorder, which does not lie within the current Sandy City boundary, situate in the Southwest Quarter of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian, being further described as follows:

Beginning at the Southwest Corner of Lot 7, HANSEN P.U.D., recorded July 23, 1986 as Entry No. 4283318 in Book 86-7 of plats at Page 120 in the office of the Salt Lake County Recorder, said point also being on the current Sandy City boundary as established by a previous annexation to Sandy City recorded January 4, 1985 as Entry No. 4035475 in Book 85-1 of plats at Page 4 in the office of said Salt Lake County Recorder, said point also being the Point of Beginning of the GARMISH COVE ANNEXATION to Sandy City, recorded March 31, 2016 as Entry No. 12250677 in Book 2016P of plats at Page 84 in the office of said Salt Lake County Recorder, said point lies West 1049.26 feet and South 326.70 feet from the Center Quarter Corner of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian as established by said HANSEN P.U.D.; thence along said current Sandy City boundary as established by said GARMISH COVE ANNEXATION, South 52°52'31" West 33.01 feet; thence departing from said current Sandy City boundary and along the easterly boundary of said parcel of land designated as Parcel No. 28-23-326-006 the following four (4) courses:

(1) South 52°52'31" West 26.86 feet; (2) South 33°48'26" West 36.65 feet;  
(3) South 24°48'34" West 29.19 feet; (4) South 4°02'11" West 30.69 feet to a point on the current Sandy City boundary established by the TEERLINK ANNEXATION to Sandy City, recorded December 12, 1995 as Entry No. 6234009 in Book 95-12P of plats at Page 353 in the office of said Salt Lake County Recorder; thence along said current Sandy City boundary and the southerly boundary of said Parcel 28-23-326-006 the following seven (7) courses:

(1) South 23°32'12" West 23.43 feet; (2) South 29°35'53" West 27.84 feet;  
(3) South 46°49'32" West 19.09 feet; (4) South 71°26'02" West 54.41 feet;  
(5) South 88°24'45" West 44.62 feet; (6) North 55°34'40" West 39.70 feet;  
(7) North 35°50'33" West 51.49 feet to intersect the westerly line of the Northeast Quarter of the Southwest Quarter of said Section 23 and the current Sandy City boundary established by a previous annexation to Sandy City, recorded December 19, 1979 as Entry No. 3379569 in Book 79-12 at Page 363 in the office of said Salt Lake County Recorder; thence along said line, North 0°08'35" East 137.70 feet, more or less, thence along said current Sandy City boundary established by said previous annexation to Sandy City recorded as Entry No. 4035475, South 89°49'12" East 278.30 feet to the Point of Beginning.

The above-described area contains approximately 0.89 acre.

## EXHIBIT B

