

ORDINANCE #18-27

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY
2771 EAST TO 3036 EAST WILLOW CREEK IN SALT LAKE COUNTY,
COMPRISING APPROXIMATELY 14.9 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 2771 East to 3036 East Willow Creek in Salt Lake County, comprising approximately 14.9 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 July 31, 2018, the City adopted Resolution #18-39C, 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 September 11, 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. Re-adopt an ordinance annexing the Area as shown in Exhibit "A" and on the plat filed in the office of the Sandy City Recorder.

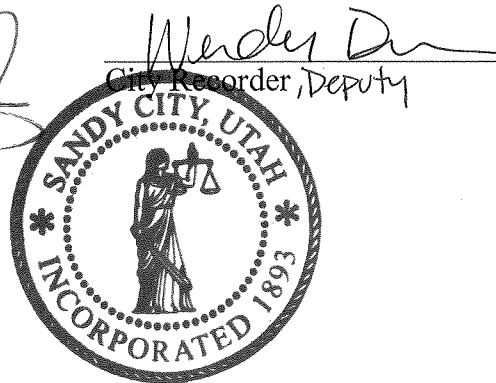
2. Determine that not annexing the entire island or peninsula is in the City's best interest.
3. Zone the Area to R-2-10 for the six townhome units and R-1-10 for the other parcels.
4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, this annexation is completed and takes effect upon 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 9th day of October, 2018.

ATTEST:


Chair, Sandy City Council


Mayor, Sandy City



PRESENTED to the Mayor of Sandy City this 11TH day of OCTOBER, 2018.

APPROVED by the Mayor of Sandy City this 11TH day of OCTOBER, 2018.

EXHIBIT A

EAST WILLOW CREEK ANNEXATION
RESOLUTION #18-39C

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

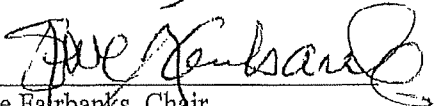
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, totaling approximately 14.9 acres, located at approximately 2771 East to 3036 East Willow Creek 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.

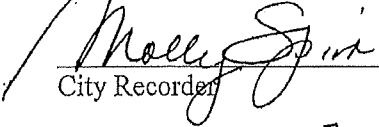
NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

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 September 11, 2018, 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 31st day of July, 2018.


Steve Fairbanks, Chair
Sandy City Council

ATTEST:


City Recorder

RECORDED this 7th day of AUGUST, 2018.



APPENDIX A

APPENDIX A – LEGAL DESCRIPTION

EAST WILLOW CREEK DRIVE ANNEXATION

TO SANDY CITY

JULY 3, 2018

Beginning at a Northwesterly Corner of the current Sandy City Boundary established by the COBBLE CANYON LANE ANNEXATION to Sandy City, recorded August 21, 2014 as Entry No. 11900999 in Book 2014P of Plats at Page 214 in the office of the Salt Lake County Recorder, said point lies North 89°55'05" West 231.70 feet, more or less, along the Section Line (record bearing for this Section Line shown on the recorded plat of said COBBLE CANYON LANE ANNEXATION is North 89°54'48" West) from the South Quarter Corner of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence from said point of beginning, along said current Sandy City Boundary the following three (3) courses (Note: The record bearings of the current Sandy City Boundary established by said COBBLE CANYON LANE ANNEXATION have been rotated 0°00'17" counterclockwise to coincide with the bearing base of this description):

(1) South 30°57'21" West 193.42 feet (record = South 30°57'38" West);
(2) South 35°27'32" West 86.32 feet (record = South 35°27'49" West);
(3) South 45°32'03" West 83.72 feet (record = South 45°32'20" West) to intersect an easterly line of the current Sandy City Boundary established by the OAK VALLEY DRIVE ANNEXATION to Sandy City, recorded August 21, 2014 as Entry No. 11901003 in Book 2014P of Plats at Page 215 in the office of said Salt Lake County Recorder;

thence along said current Sandy City Boundary the following four (4) courses:

(1) North 0°00'03" East 295.12 feet (record = North 0°00'20" East) to intersect the Section Line;
(2) North 89°55'05" West 1216.70 feet (record = North 89°54'48" West) along said Section Line to intersect the southwesterly right-of-way line of Tracy Drive;
(3) North 30°00'17" West 82.902 feet (record = North 30°00'00" West) along said southwesterly right-of-way line of Tracy Drive;
(4) Northwesterly 150.976 feet along the arc of a tangent curve to the left having a radius of 224.683 feet, a central angle of 38°30'00" and a chord bearing and length of North 49°15'17" West 148.151 feet (record North 45°15'00" West) along said southwesterly right-of-way line of Tracy Drive;

thence departing from the current Sandy City Boundary, along the southerly right-of-way line of Willow Creek Drive as dedicated by WILLOW CREEK SUBDIVISION NO. 12, recorded April 7, 1971 as Entry No. 2378809 in Book II of Plats at Page 89 in the office of said Salt Lake County Recorder, North 68°30'00" West 445.51 feet; thence crossing said Willow Creek Drive, to and along the westerly boundary of that parcel of land currently identified by Parcel No. 22-35-352-015 described by that certain Warranty Deed, Entry No. 11274260, Book 9964, Pages 2891-2892, North 21°30'00" East 180.00 feet to the Northwest Corner of said Parcel; thence South 77°01'51" East 202.24 feet along the northerly boundary of the following five (5) parcels of land identified as follows:

(1) said Parcel No. 22-35-352-015;
(2) Parcel No. 22-35-352-019 described by Warranty Deed, Entry No. 12729032, Book 10653, Pages 2283-2285;

- (3) Parcel No. 22-35-352-023 described by Warranty Deed, Entry No. 9583713, Book 9230, Pages 7422-7423;
- (4) Parcel No. 22-35-352-024 described by Corrective Warranty Deed, Entry No. 12150863, Book 10370, Page 1626;
- (5) Parcel No. 22-35-352-017 described by Warranty Deed, Entry No. 12603219, Book 10591, Pages 7589-7590;

thence South 68°30'00" East 311.34 feet along the northerly boundary of the following five (5) parcels of land identified as follows:

- (1) said Parcel No. 22-35-352-017;
- (2) Parcel No. 22-35-352-018 described by Trust Transfer Deed, Entry No. 11498929, Book 10069, Pages 5209-5210;
- (3) Parcel No. 22-35-352-013 described by Warranty Deed, Entry No. 10671823, Book 9708, Page 7991;
- (4) Parcel No. 22-35-352-014 described by Warranty Deed, Entry No. 10352606, Book 9572, Page 2495;
- (5) Parcel No. 22-35-352-010 described by Quit Claim Deed, Entry No. 11686995, Book 10160, Pages 6781-6785, to the Northwest Corner of Lot 1, said WILLOW CREEK SUBDIVISION NO. 12; thence along the north boundary of said WILLOW CREEK SUBDIVISION NO. 12, East 892.568 feet to the Northwest Corner of WILLOW CREEK SUBDIVISION 12 PLAT "A" subdivision, recorded October 1, 1976 as Entry No. 2862041 in Book 76-10 of Plats at Page 205 in the office of said Salt Lake County Recorder; thence along the north boundary of said subdivision, East 275.72 feet, more or less, to the Southwest Corner of that parcel of land currently identified by Parcel No. 22-35-377-012 and described in that certain Warranty Deed, Entry No. 12624085, Book 10602, Pages 5328-5329; thence along the boundary of said Parcel the following four (4) courses: (1) North 60.015 feet; (2) North 88°08'07" East 44.459 feet; (3) North 65°07'57" East 17.156 feet; (4) South 9.891 feet, more or less, to the Northwest Corner of that parcel of land currently identified by Parcel No. 22-35-377-022 described by that certain Warranty Deed, Entry No. 6966512, Book 7980, Page 2035; thence along the boundary of said Parcel the following two (2) courses: (1) East 194.904 feet; (2) South 107.06 feet; thence along the easterly boundary of that parcel of land currently identified as Parcel No. 22-35-377-019 described by that certain Warranty Deed, Entry No. 12682525, Book 10631, Pages 410-411, South 275.22 feet;
- thence along the easterly boundary of that parcel of land currently identified as Parcel No. 22-35-378-014 described by that certain Quit Claim Deed, Entry No. 9552449, Book 9216, Pages 5182-5183, South 18.00 feet, more or less, to intersect the Section Line; thence along said Section Line, South 89°55'05" East 18.30 feet to the Point of Beginning.

The above-described area contains approximately 14.9 acres.

EXHIBIT B

NOTICE OF PUBLIC HEARING

On **Thursday, September 6, 2018, at approximately 6:15 pm**, the Sandy City Planning Commission will consider annexing a certain contiguous unincorporated area, totaling approximately 14.9 acres, located at approximately 2771 – 3036 East Willow Creek Drive (8500 South), in Salt Lake County. It is being proposed to annex these properties into the City with the R-2-10 zone for the six townhome units and R-1-10 for the other parcels.

The Planning Commission will make a recommendation concerning annexation and zoning of these properties and forward them to the City Council. **The Council will hold a public hearing on Tuesday, September 11, 2018 at approximately 7:05 p.m.**, at which time a final decision on the annexation and zoning will be made.

If you have questions or comments concerning this proposal, please attend the Planning Commission, or City Council Meeting to be held in the City Council Chamber, located on the west end of the main level of City Hall, 10000 South Centennial Parkway (170 West), or please call Brian McCuistion, Planning Director at 801-568-7268 or by email at: bmccuistion@sandy.utah.gov and he will forward your comments to the Commission or Council.

Posted	August 18, 2018	Sandy City Hall Sandy Parks & Recreation Salt Lake County Library - Sandy Sandy City Website (http://www.sandy.utah.gov) Utah Public Notice Website (http://pmn.utah.gov)
Published	August 23, 2018	Salt Lake Tribune