

STATE OF UTAH

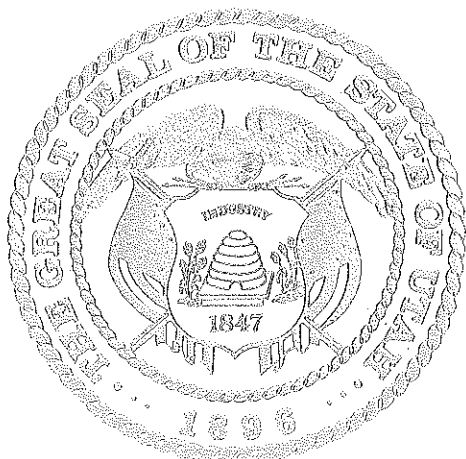


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from SANDY CITY, dated May 13th, 2008, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the SANDY CITY, located in Salt Lake County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 3rd day of July, 2008 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT
Lieutenant Governor



CUSTODIAN'S CERTIFICATE

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

I, Dianne H. Aubrey, the duly chosen, qualified and acting City Recorder of the City of Sandy, County of Salt Lake, State of Utah and legal custodian of the records and files thereof, do hereby certify that attached hereto is a true, correct and complete copy of Sandy City Ordinance #08-19 Funk Annexation, adopted by the Sandy City Council on May13, 2008, and do further certify that these records are kept in the ordinary course of business.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed the seal of the City of Sandy, this 1 day of July, 2008.



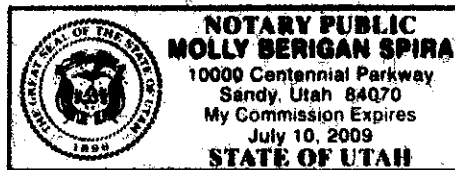
Dianne H. Aubrey
Dianne H. Aubrey, MMC
City Recorder

On the 1st day of July, 2008 personally appeared before me, Dianne H. Aubrey, who being duly sworn before me executed the above referenced certificate and I certify that said person is an officer and employee of the Office of the City Recorder of Sandy City and is the legal custodian of the records and files of said department and that her signature affixed hereto is genuine.

Molly Berigan Spira
Notary Public

My Commission expires:

July 10, 2009



FUNK ANNEXATION
ORDINANCE # 08- 19

24-14-127-044-0000

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 10253 SOUTH DIMPLE DELL ROAD, SALT LAKE COUNTY, COMPRISING APPROXIMATELY 1.69 ACRES, INTO SANDY CITY; ESTABLISHING ZONING FOR THE ANNEXED PROPERTY; ALSO PROVIDING A SEVERANCE AND EFFECTIVE DATE FOR THE ANNEXATION

Received

JUL 02 2008

The Sandy City Council finds:

- Gary R. Herbert
Leutnant Governor
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 area proposed to be annexed, located at approximately 10253 South Dimple Dell Road in Salt Lake County ("Area"), is a contiguous area and is contiguous to the City; (2) the Area consists of a portion of an unincorporated Salt Lake County island or peninsula within the City; (3) the island or peninsula, a portion of which is being annexed, has fewer than 800 residents; (4) the majority of the island or peninsula consists of residential or commercial development; (5) the Area requires 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 Area for more than one year.
 3. On or about April 1, 2008, the City adopted Resolution 08- 24 C, 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 May 6, 2008, 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 Area consented in writing to the annexation. Such consent is attached hereto as Exhibit "C". As such, the City may adopt an ordinance annexing the Area without allowing or considering protests and the Area is 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 Area is completed and takes effect on the date of the lieutenant governor's issuance of a certification of amended articles of incorporation as per Section 10-2-425(5), 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 on the plat filed in the office of the Sandy City Recorder.
2. Zone the Area to an R-1-20A zone (single family residential on a minimum of 20,000 square foot lots with animals rights).
3. Confirm that, pursuant to Section 10-2-425(5), Utah Code Annotated, this annexation is completed and takes effect upon the date of the lieutenant governor's issuance of a certification of amended articles of incorporation.
4. 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.
5. Affirm that this ordinance shall become effective upon publication as provided by law.

PASSED AND APPROVED by vote of the Sandy City Council this 13th day of May, 2008.

ATTEST:

Chris M. Caudill
Chairman, Sandy City Council



James A. Aubrey
Recorder

Tom Dolan
Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this 16 day of May, 2008.

APPROVED by the Mayor of Sandy City this 16 day of May, 2008.

Published May 22, 2008.

"A"

FUNK ANNEXATION

RESOLUTION #08-24 C

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 certain unincorporated property at approximately 10253 South Dimple Dell Rd., Sandy, Utah. The City is authorized to annex the property without a petition pursuant to 10-2-418 Utah Code Annotated.

2. The territory proposed to be annexed consists of a portion of an unincorporated island or peninsula that has fewer than 800 residents.

3. The City has provided one or more municipal-type services to the area for at least one year.

4. The territory for proposed annexation is contiguous to Sandy City.

5. The annexation of the proposed territory is in the best interest of the City.

6. The territory is within the area declared by the City for municipal expansion.

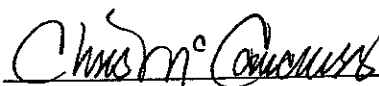
NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

1. Indicate the City Council's intent to annex the area described in Appendix "A".

2. Set a public hearing for May 6th, 2008 at 7:05 p.m. to consider the annexation.

3. Direct the City Recorder to publish and send notice of such hearing in accordance with Utah Code Ann. § 10-2-418(2)(a).

ADOPTED by the Sandy City Council this 1st day of April, 2008.



Chris McCandless, Chairman
Sandy City Council

ATTEST:

Dawn H. Murray
City Recorder



RECORDED this 3 day of April, 2008.

DESCRIPTION OF THE FUNK ANNEXATION TO SANDY CITY

Beginning at a point on the quarter section line and current Sandy City boundary established by annexation approved September 3, 1996, the recorded plat of which may be found as Entry No. 6531818 in Book 96-12P of Plats at Page 418 in the office of the Salt Lake County Recorder, said point being South 0°36'52" West 390.35 feet along said quarter section line from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian, said point of beginning also being East 186.76 feet to the quarter section line and North 0°36'52" East 700.99 feet along said quarter section line from a street monument found at the center of cul-de-sac Dimple Dell Circle, and running;

thence South 0°36'52" West 101.35 feet along said quarter section line and current Sandy City boundary;

thence departing from said current Sandy City boundary, North 89°30'18" West 215.00 feet;

thence North 89°23'08" West 260.51 feet;

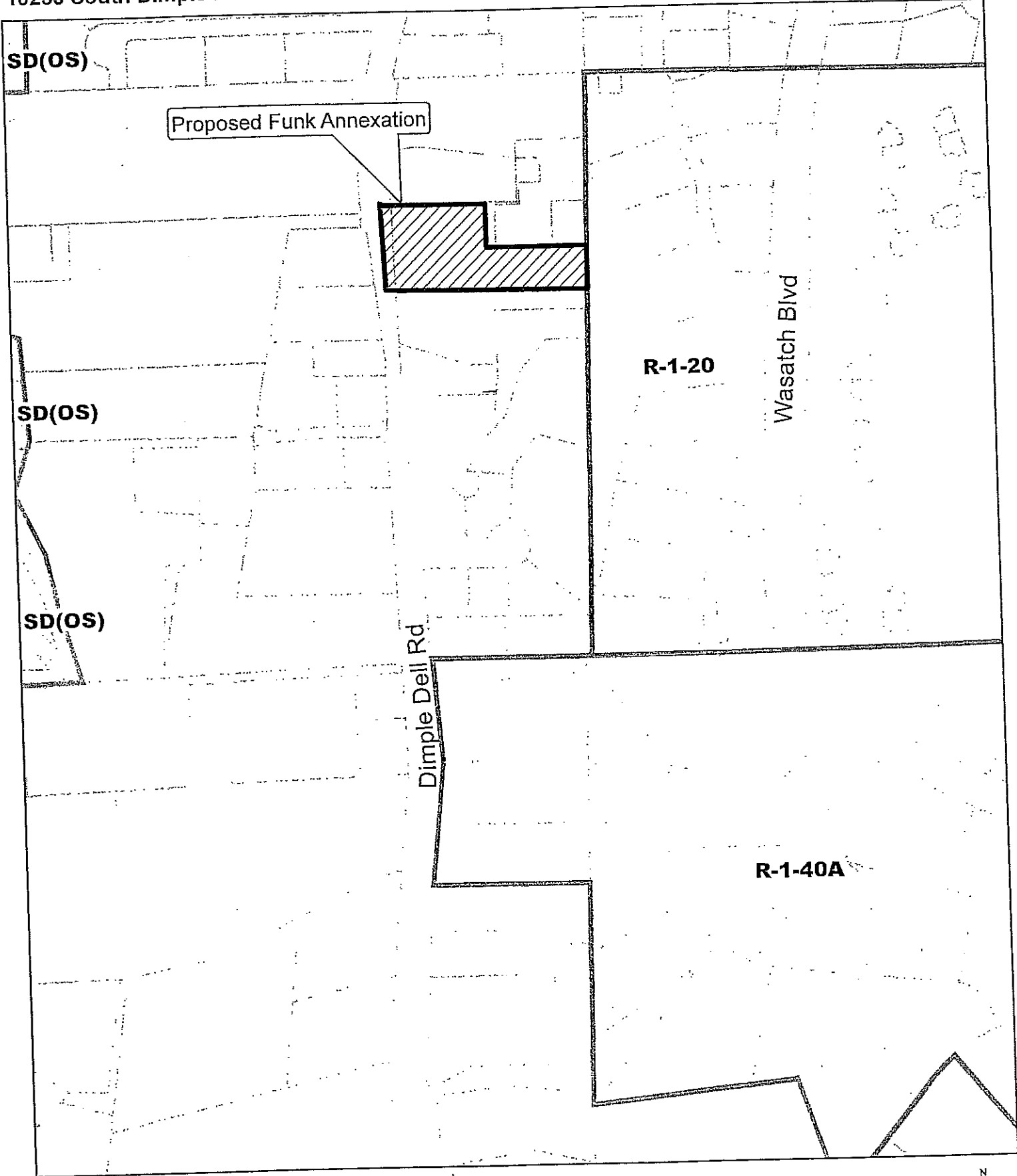
thence North 1°25'08" West 202.70 feet;

thence South 89°23'08" East 252.50 feet;

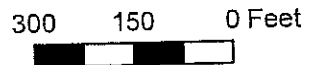
thence South 0°36'52" West 100.77 feet, (101.35 feet, Deed);

thence South 89°23'08" East 230.20 feet, (230.00 feet, Deed) to the point of beginning.

The above described parcel of land contains approximately 73,807 square feet in area or 1.69 acres.



Produced by:
James Sorensen
Community Development Department



Sent out April
8th, 2008

"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 10253 South Dimple Dell Road, into the Municipality of Sandy City. On May 6, 2008, 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 on the quarter section line and current Sandy City boundary established by annexation approved September 3, 1996, the recorded plat of which may be found as Entry No. 6531818 in Book 96-12P of Plats at Page 418 in the office of the Salt Lake County Recorder, said point being South 0°36'52" West 390.35 feet along said quarter section line from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian, said point of beginning also being East 186.76 feet to the quarter section line and North 0°36'52" East 700.99 feet along said quarter section line from a street monument found at the center of cul-de-sac Dimple Dell Circle, and running; thence South 0°36'52" West 101.35 feet along said quarter section line and current Sandy City boundary; thence departing from said current Sandy City boundary, North 89°30'18" West 215.00 feet; thence North 89°23'08" West 260.51 feet; thence North 1°25'08" West 202.70 feet; thence South 89°23'08" East 252.50 feet; thence South 0°36'52" West 100.77 feet, (101.35 feet, Deed); thence South 89°23'08" East 230.20 feet, (230.00 feet, Deed) to the point of beginning. The above described parcel of land contains approximately 73,807 square feet in area or 1.69 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.

It is being proposed to annex this property to the City with the R-1-20A Zone (single family residential on a minimum 20,000 square foot Lot). The Planning Commission and City Council may consider approving a density that is either higher or lower than the proposed R-1-20A Zone.

Any questions you may have regarding this annexation petition, may be directed to James Sorensen in the Community Development Department - 568-7270, jsorensen@sandy.utah.gov

Posted April 7, 2008 Salt Lake Community College
Sandy Parks and Recreation
Sandy City Hall

Published April 10, April 17, April 24, 2008 - Salt Lake Tribune

"C"

Date: 2-22, 2008

RECEIVED
FEB 22 2008
SANDY CITY
COMMUNITY DEVELOPMENT

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

My name is Pamela F. Funk.

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

10253 S Dimple Dell Road

This property is part of an island or peninsula and is contiguous to Sandy City.

I (we) would like Sandy City to consider annexing this property.

I (we) can be reached at : 801-631-5753.

Thank you very much.

Pamela F. Funk
Signature

Signature

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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SANDY CITY
1000 CENTENNIAL PARKWAY
SANDY UT 84070
BY: ZJM, DEPUTY - WI ~~1P~~
2P

Name: FUNK ANNEXATION TO SANDY CIT
Y

Desc: 28-14-12
28-14-127-044

Fee: NO FEE

of Pages: ONE PAGE

PLAT

SEE ONLINE PLATS AT
<http://slcorecorder.siredocs.com>