

STATE OF UTAH

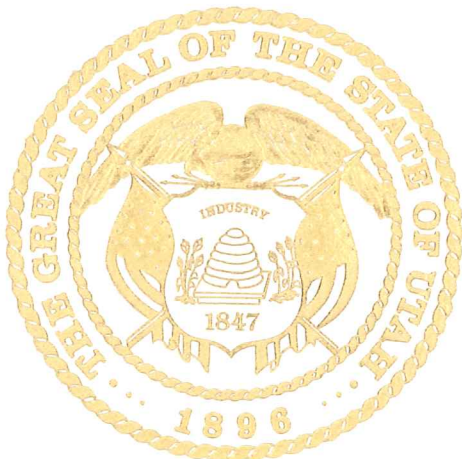


OFFICE OF THE LIEUTENANT GOVERNOR

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 March 17th, 2009, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

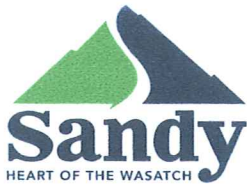
NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the SANDY CITY, located in Salt Lake County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 13th day of April, 2009 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 #09-08 Westbrook Annexation, adopted by the Sandy City Council on March 17, 2009, 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 8th day of April, 2009.



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

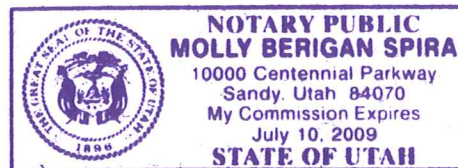
On the 8th day of April, 2009, personally appeared before me, Dianne H. Aubrey, who being duly sworn before me executed the above referenced certificate and I certify that said person is an officer and employee of the Office of the City Recorder of Sandy City and is the legal custodian of the records and files of said department and that her signature affixed hereto is genuine.

Molly Berigan Spira
Notary Public

My Commission expires:

7/10/2009
Received

APR 13 2009



Gary R. Herbert
Lieutenant Governor 10000 Centennial Parkway, Sandy, Utah, 84070

WESTBROOK ANNEXATION

ORDINANCE # 09-08

28-14-178-013-0000

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 10543 DIMPLE DELL ROAD, SALT LAKE COUNTY, COMPRISING APPROXIMATELY 1.44 ACRES, INTO 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, in that : (1) the area proposed to be annexed, located at approximately 10543 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 January 27, 2009, the City adopted Resolution 09-10 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 March 10, 2009, 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.

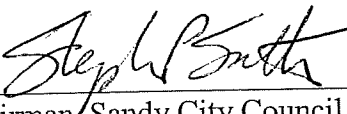
6. The annexation of the Area is completed and takes effect on the date of the lieutenant governor's issuance of a certification of amended articles of incorporation as per Section 10-2-425(5), Utah Code Annotated.

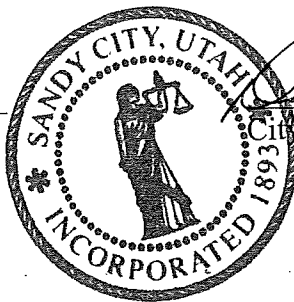
NOW, THEREFORE, BE IT ORDAINED by the City Council that it does hereby :

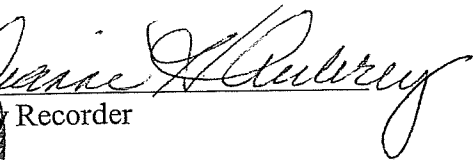
1. Adopt an ordinance annexing the Area as shown on the plat filed in the office of the Sandy City Recorder.
2. Zone the Area to an R-1-40A zone (single family residential on a minimum of 40,000 square foot lots with animal rights).
3. Confirm that, pursuant to Section 10-2-425(5), Utah Code Annotated, 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 17 day of March, 2009.

ATTEST:


Chairman, Sandy City Council




City Recorder


Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this 20 day of March, 2009.

APPROVED by the Mayor of Sandy City this 20 day of March, 2009.

Summary Published March 26, 2009

"A"

WESTBROOK ANNEXATION

RESOLUTION #09-10C

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 10543 S. Dimple Dell Road, 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 interests 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 March 10, 2009 at 7:05 p.m. to consider the annexation.

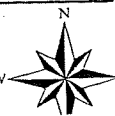
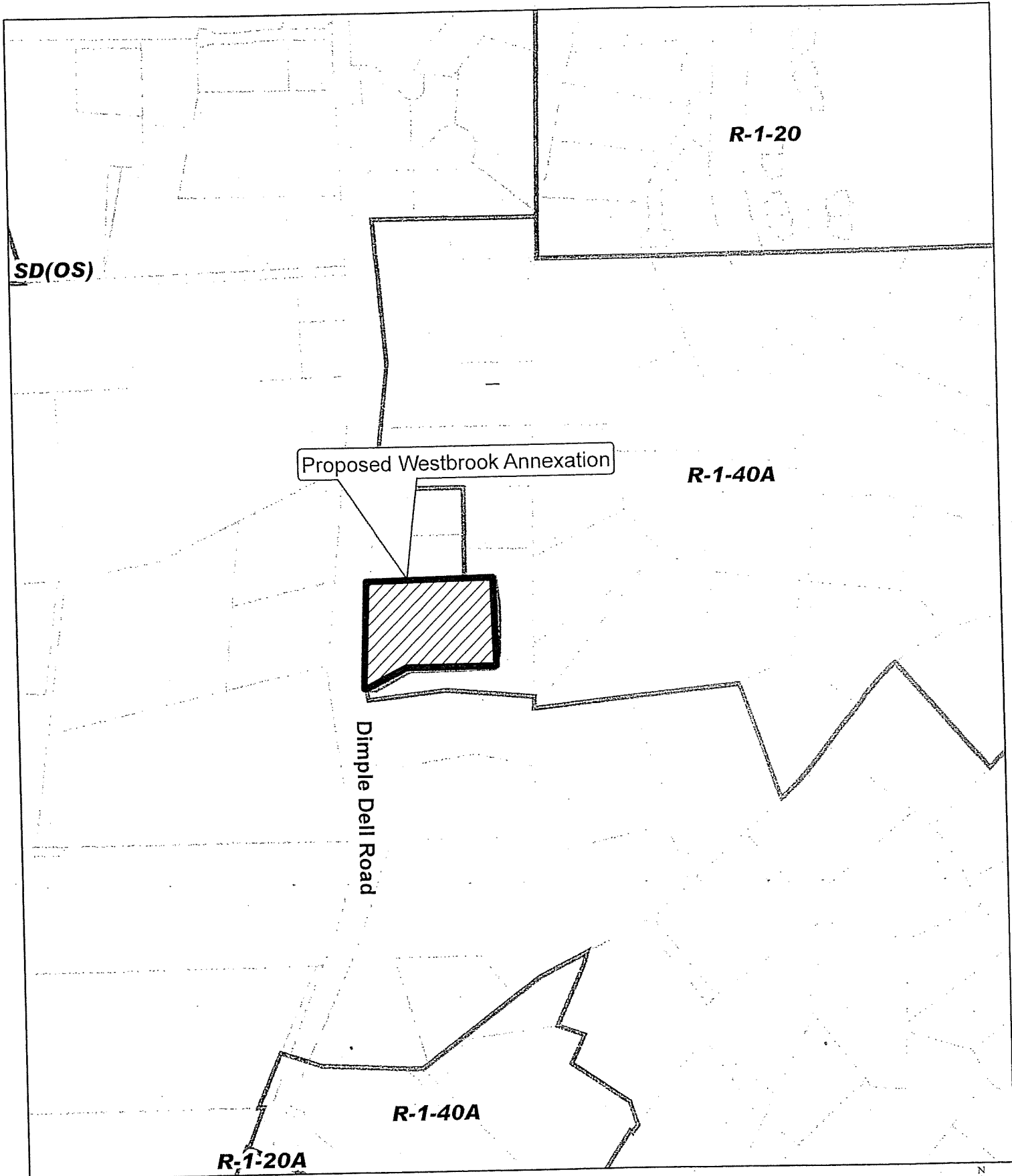
3. Direct the City Recorder to publish and send notice of such hearing in accordance with Utah Code Ann. § 10-2-418(2)(a).

ADOPTED by the Sandy City Council this ___ day of January, 2009 .

Sandy City Council Chair

DESCRIPTION OF THE WESTBROOK ANNEXATION TO SANDY CITY

Beginning at a point on the current Sandy City boundary established by a previous annexation to Sandy City adopted January 13, 2009 by the Sandy City Council as Ordinance No. 09-04, said point being South 0°36'52" West along the quarter section line 2308.39 feet, North 85°06'03" West 212.15 feet, South 83°23'46" West 178.65 feet and North 8°17'30" West 23.80 feet from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian; said point also lies on the easterly line of Dimple Dell Road; thence along said easterly line the following two (2) courses: (1) North 8°17'30" West 22.27 feet; (2) North 4°31'33" East 223.44 feet; thence North 89°11'46" East 212.42 feet to intersect said current Sandy City boundary; thence along said current Sandy City boundary the following seven (7) courses: (1) North 89°11'46" East 69.364 feet; (2) South 7°32'44" East 63.387 feet; (3) thence South 1°11'38" West 110.11 feet; (4) South 17°58'58" West 31.60 feet; (5) South 88°48'51" West 193.88 feet; (6) South 61°37'38" West 87.84 feet; (7) West 21.33 feet to the point of beginning. The above described parcel contains approximately 1.44 acres.



" 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 10543 South Dimple Dell Road, into the Municipality of Sandy City. On March 10, 2009, 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 current Sandy City boundary established by a previous annexation to Sandy City adopted January 13, 2009 by the Sandy City Council as Ordinance No. 09-04, said point being South 0°36'52" West along the quarter section line 2308.39 feet, North 85°06'03" West 212.15 feet, South 83°23'46" West 178.65 feet and North 8°17'30" West 23.80 feet from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian; said point also lies on the easterly line of Dimple Dell Road; thence along said easterly line the following two (2) courses: (1) North 8°17'30" West 22.27 feet; (2) North 4°31'33" East 223.44 feet; thence North 89°11'46" East 212.42 feet to intersect said current Sandy City boundary; thence along said current Sandy City boundary the following seven (7) courses: (1) North 89°11'46" East 69.364 feet; (2) South 7°32'44" East 63.387 feet; (3) thence South 1°11'38" West 110.11 feet; (4) South 17°58'58" West 31.60 feet; (5) South 88°48'51" West 193.88 feet; (6) South 61°37'38" West 87.84 feet; (7) West 21.33 feet to the point of beginning.

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 1.44 acres. It is being proposed to annex this property to the City with the R-1-40A Zone (single family residential on a minimum 40,000 square foot lot with animal rights). The City Council may consider approving a density that is either higher or lower than the proposed R-1-40A 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 January 28, 2009 Salt Lake Community College
Sandy Parks and Recreation
Sandy City Hall

Published January 28, February 4 & 11, 2009 - Salt Lake Tribune

"C"

Date: Dec 15, 2008

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

My name is Mike Westbrok 509-4459

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

1054135

10521 50 Dimple Del
28-14178-013

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: 509-4459

Thank you very much.

Mike Westbrok
Signature

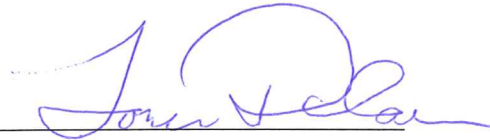
Signature

**AMENDED ARTICLES OF INCORPORATION
OF
SANDY CITY**

Pursuant to the provisions of the Utah Municipal Code, Title 10, Utah Code Ann. 1999, Sandy City does hereby amend its Articles of Incorporation as per the annexation that was approved by the City Council of Sandy City by Ordinance No. 09-08 on the 17th day of March 2009, as follows:

1. Name. The name of this municipal corporation is Sandy City.
2. Geographical Description. The geographical description of this municipality is amended to include according to the property descriptions, Attachment A, and map, Attachment B, which are attached hereto and incorporated herein
3. Class. Sandy City is a First Class City, as proclaimed by the Governor and certified by the Lieutenant Governor on August 12, 1999.

DATED this 24th day of March, 2009.



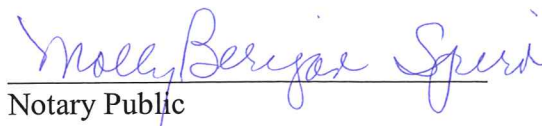
Mayor

VERIFICATION

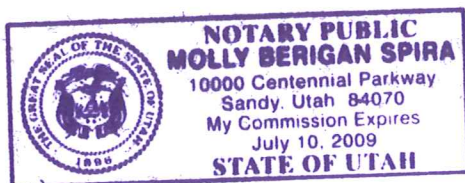
STATE OF UTAH)
 : ss
County of Salt Lake)

Thomas M. Dolan, being first duly sworn , deposes and says: I am the Mayor of Sandy City, a municipal corporation of the State of Utah; I am the person who signed the foregoing instrument; and the foregoing Amended Articles of Incorporation of Sandy City are truthful and accurate to the best of my knowledge, information and belief.

Subscribed and sworn to before me this 24th day of March 2009.

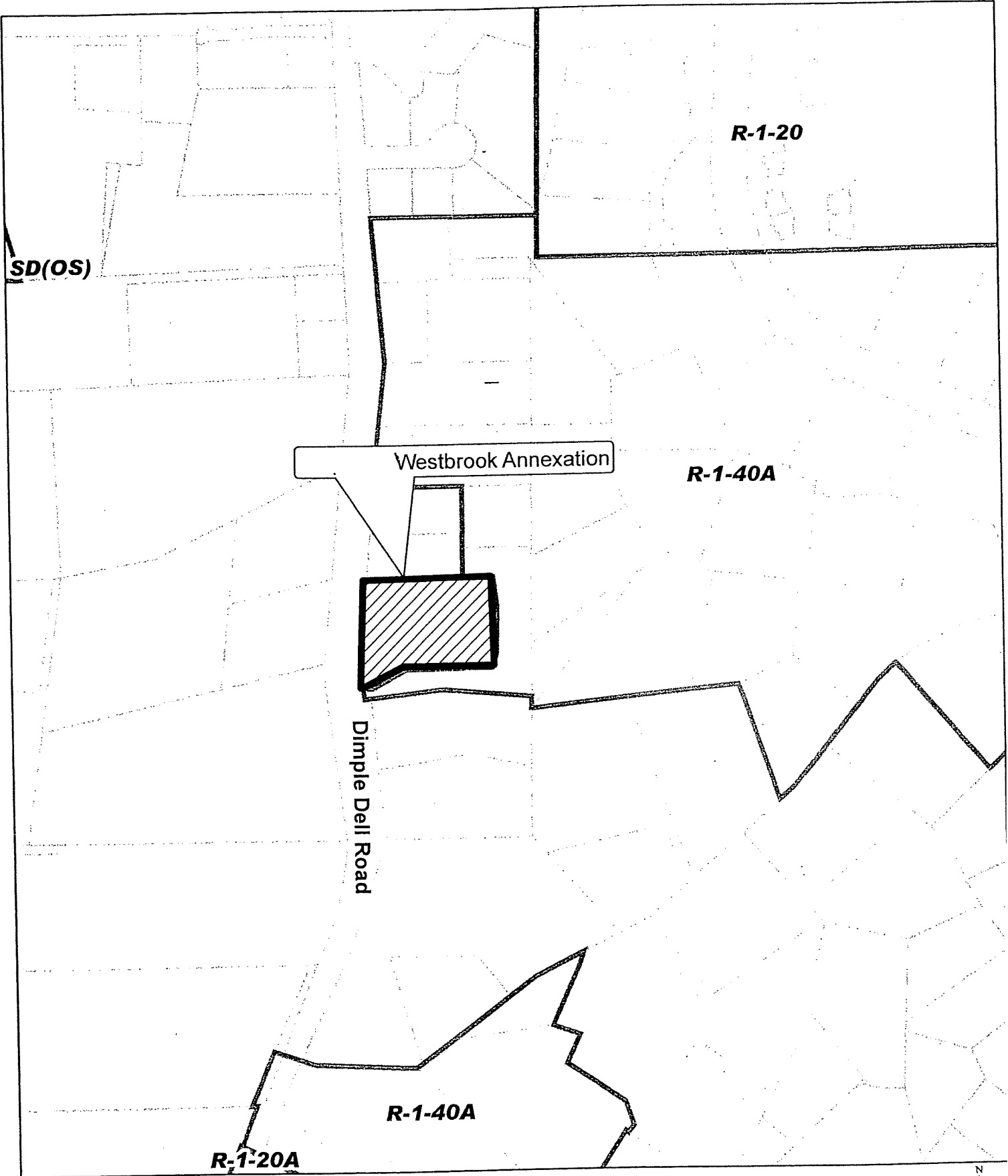


Notary Public



Attachment "A"

Beginning at a point on the current Sandy City boundary established by a previous annexation to Sandy City adopted January 13, 2009 by the Sandy City Council as Ordinance No. 09-04, said point being South 0°36'52" West along the quarter section line 2308.39 feet, North 85°06'03" West 212.15 feet, South 83°23'46" West 178.65 feet and North 8°17'30" West 23.80 feet from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian; said point also lies on the easterly line of Dimple Dell Road; thence along said easterly line the following two (2) courses: (1) North 8°17'30" West 22.27 feet; (2) North 4°31'33" East 223.44 feet; thence North 89°11'46" East 212.42 feet to intersect said current Sandy City boundary; thence along said current Sandy City boundary the following seven (7) courses: (1) North 89°11'46" East 69.364 feet; (2) South 7°32'44" East 63.387 feet; (3) thence South 1°11'38" West 110.11 feet; (4) South 17°58'58" West 31.60 feet; (5) South 88°48'51" West 193.88 feet; (6) South 61°37'38" West 87.84 feet; (7) West 21.33 feet to the point of beginning. The above described parcel contains approximately 1.44 acres.



Produced by:
James Sorensen
Community Development Department

