

STATE OF UTAH

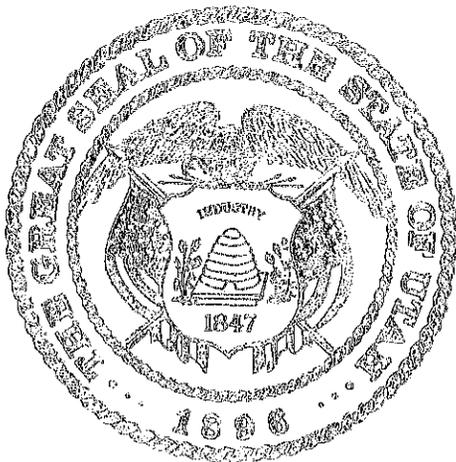


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from COTTONWOOD HEIGHTS CITY, dated September 10th, 2014, 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 COTTONWOOD HEIGHTS 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 16th day of September, 2014 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor

COTTONWOOD HEIGHTS

NOTICE TO THE UTAH LIEUTENANT GOVERNOR OF IMPENDING BOUNDARY ACTION

(“OLD COVENTRY” ANNEXATION)

PLEASE TAKE NOTICE that:

A. Effective 9 September 2014, the city council of the city of Cottonwood Heights (“*Cottonwood Heights*”) enacted its ordinance no. 228 annexing approximately 26 acres located at or near 1900 East Creek Road; and

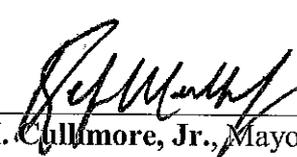
B. An approved final local entity plat showing such annexation (the “*Annexation*”) has been or soon will be filed with the office of the Utah Lieutenant Governor by the office of the Salt Lake County Surveyor, and all other requirements applicable to the Annexation have been met; and

C. Pursuant to UTAH CODE ANN. 67-1a-6.5(3)(e)(i), Cottonwood Heights certifies that all requirements applicable to the Annexation have been met.

D. Pursuant to UTAH CODE ANN. 10-2-425(4), the Annexation will be effective 1 January 2014.

DATED 10 September 2014.

COTTONWOOD HEIGHTS

By 
Kelvyn H. Cullmore, Jr., Mayor

ATTEST:


Kory Solorio, Recorder



VERIFICATION

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

Kelvyn H. Cullimore, Jr. and Kory Solorio, being sworn, say that they are the mayor and the recorder, respectively, of COTTONWOOD HEIGHTS, a Utah municipality, and that the facts set forth in the foregoing "Notice of Impending Boundary Action" are true, accurate, and complete to the best of their knowledge and belief.



[Signature]
Kelvyn H. Cullimore, Jr., Mayor

[Signature]
Kory Solorio, Recorder

SUBSCRIBED AND SWORN to before me this 10 day of September 2014.



[Signature]
Notary Public

COTTONWOOD HEIGHTS

ORDINANCE No. 228

AN ORDINANCE ANNEXING APPROXIMATELY 26 ACRES LOCATED NEAR 1900 EAST CREEK ROAD (“OLD COVENTRY” ANNEXATION)

WHEREAS, the city council (the “*Council*”) of the city of Cottonwood Heights, Utah (the “*City*”) met in regular session on 9 September 2014 to consider, among other things, annexing an area of approximately 26 acres (the “*Property*”) located near 1900 East Creek Road, commonly known as the Old Coventry annexation; and

WHEREAS, various owners of the Property caused a petition for annexation (the “*Petition*”) to be filed with the City, together with an accurate plat of the Property which was prepared by a licensed surveyor; and

WHEREAS, the Council accepted the Petition for further consideration; and

WHEREAS, on or about 31 July 2014, the Council received a notice of certification (the “*Certification*”) from the City Recorder certifying that the Petition meets the requirements of state law; and

WHEREAS, the Council caused notice of the proposed annexation to be published in the Salt Lake Tribune and the Deseret News on 3 August 2014, 10 August 2014 and 17 August 2014; to be timely posted on the Utah Public Notice Website; and to be timely mailed to all “affected entities,” all as required by applicable law, and no timely protests were filed; and

WHEREAS, the Council caused notice of a public hearing regarding the proposed annexation to be published in the Salt Lake Tribune and the Deseret News on 31 August 2014, and to be timely posted on the Utah Public Notice Website, all as required by applicable law;

WHEREAS, on 9 September 2014, the Council held the required public hearing regarding the proposed annexation; and

WHEREAS, after public comment and careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City and its residents to annex the Property and to grant the Petition.

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. ***Annexation of the Property***. Pursuant to UTAH CODE ANN. §10-2-407(3)(b) and/or §10-2-408, the real property described on the attached exhibits is hereby annexed to the City and the corporate limits of the City are hereby extended accordingly.

Section 2. **Notices and Filings.** The City shall provide all required notices and make all required filings concerning this annexation, including, without limitation, those required by UTAH CODE ANN. §10-2-425.

Section 3. **Zoning.** Pursuant to UTAH CODE ANN. §10-9a-504, the Council hereby finds that the Property may be unregulated as of the effective date of its annexation into the City, which the Council deems to be of compelling, countervailing public interest. Based upon such finding, the Council (a) establishes temporary zoning regulations for the annexed Property to be effective immediately upon the effective date of this annexation under UTAH CODE ANN. §10-2-425(4), which is anticipated to be 1 January 2015, and (b) pursuant to such temporary zoning regulations, imposes on the Property the zoning designations specified on the attached exhibit, except that any planned unit development conditional use under those zoning designations shall not be available to the Property during the pendency of such temporary zoning regulations; and (c) also imposes on the Property zoning conditions that are identical to any zoning conditions currently imposed on the Property by Salt Lake County. Such zoning designations and zoning conditions shall remain in effect until the first to occur of (y) re-zone of the annexed Property by the Council, or (z) six months from the effective date of the annexation, which is assumed to be 1 July 2015 (i.e., six months after the anticipated 1 January 2015 effective date of this annexation).

Section 4. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

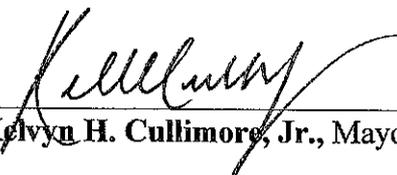
Section 5. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 6. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 7. **Effective Date.** This Ordinance, assigned no. 228, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by Utah statute; provided, however, that (a) the annexation effected hereby shall take effect as required by UTAH CODE ANN. §10-2-425(4), as amended; and (b) Section 3 of this Ordinance shall take effect upon the effective date of this annexation under UTAH CODE ANN. §10-2-425(4), as amended.

PASSED AND APPROVED this 9th day of September 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By 

Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Kory Solerio
Kory Solerio, Recorder



VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the Recorder's office this 9th day of September 2014.

POSTED this 10 day of September 2014.

EXHIBIT

(Attach Map Showing Annexation Property's
Zoning Designations Under Temporary Zoning Regulations)

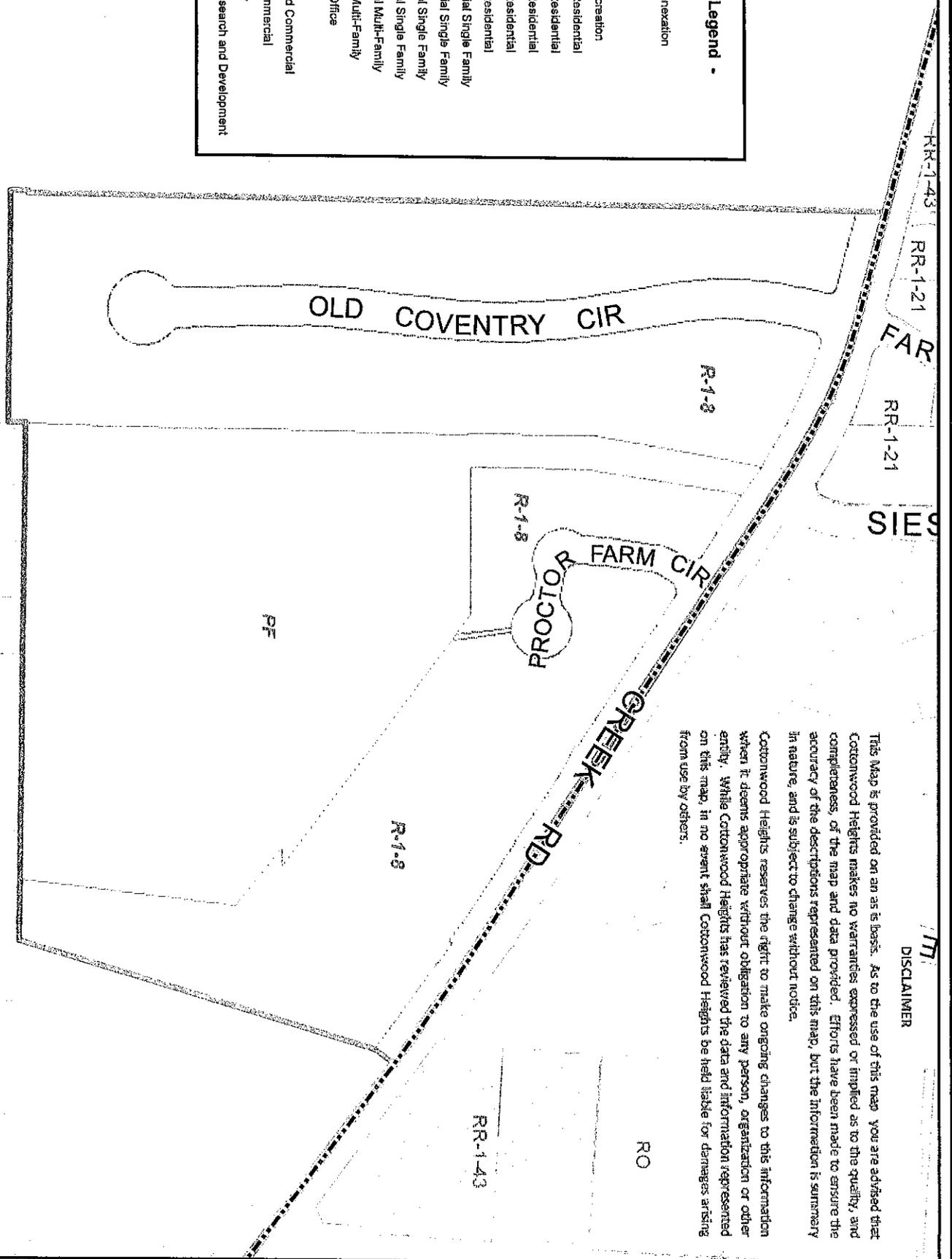
DISCLAIMER

This Map is provided on an as is basis. As to the use of this map, you are advised that Cottonwood Heights makes no warranties expressed or implied as to the quality, and completeness, of the map and data provided. Efforts have been made to ensure the accuracy of the descriptions represented on this map, but the information is summary in nature, and is subject to change without notice.

Cottonwood Heights reserves the right to make ongoing changes to this information when it deems appropriate without obligation to any person, organization or other entity. While Cottonwood Heights has reviewed the data and information represented on this map, in no event shall Cottonwood Heights be held liable for damages arising from use by others.

- Map Legend -

	City Boundary
	Old Coventry Annexation
	Parcels
CH Zoning	
	F-20 Foothill Recreation
	F-1-43 Foothill Residential
	F-1-21 Foothill Residential
	RR-1-43 Rural Residential
	RR-1-29 Rural Residential
	RR-1-21 Rural Residential
	R-1-15 Residential Single Family
	R-1-10 Residential Single Family
	R-1-8 Residential Single Family
	R-1-6 Residential Single Family
	R-2-8 Residential Multi-Family
	RM Residential Multi-Family
	RO Residential Office
	MU Mixed Use
	NC Neighborhood Commercial
	CR Regional Commercial
	PF Public Facility
	O-R-D Office, Research and Development



Cottonwood Heights
City between the mountains

Proposed Zoning Classifications for the Old Coventry Annexation

Published: 08 September 2014

SURVEYOR'S NARRATIVE.

THIS MAP HAS BEEN PREPARED FOR COTTONWOOD HEIGHTS CITY PARCELS AND GIS DATA FROM THE SALT LAKE COUNTY RECORDERS OFFICE AS WELL AS SECTION INFORMATION FROM THE SALT LAKE COUNTY SURVEYOR'S OFFICE. THIS PLAT DOES NOT PURPORT TO REPRESENT AN ACTUAL SURVEY ON THE GROUND. PROPERTY BOUNDARIES SHOWN ARE BASED ON THE PROPERTY OWNERSHIP LINES, BUT IS INTENDED SOLELY FOR THE PURPOSE OF ACCURATELY DEFINING THE AREAS DEPICTED ON THE CITY OF COTTONWOOD HEIGHTS 'OAKDALE ANNEXATION PLAT'. THIS PLAT WAS CREATED ON MAY 27TH 2014.

SURVEYOR'S CERTIFICATE.

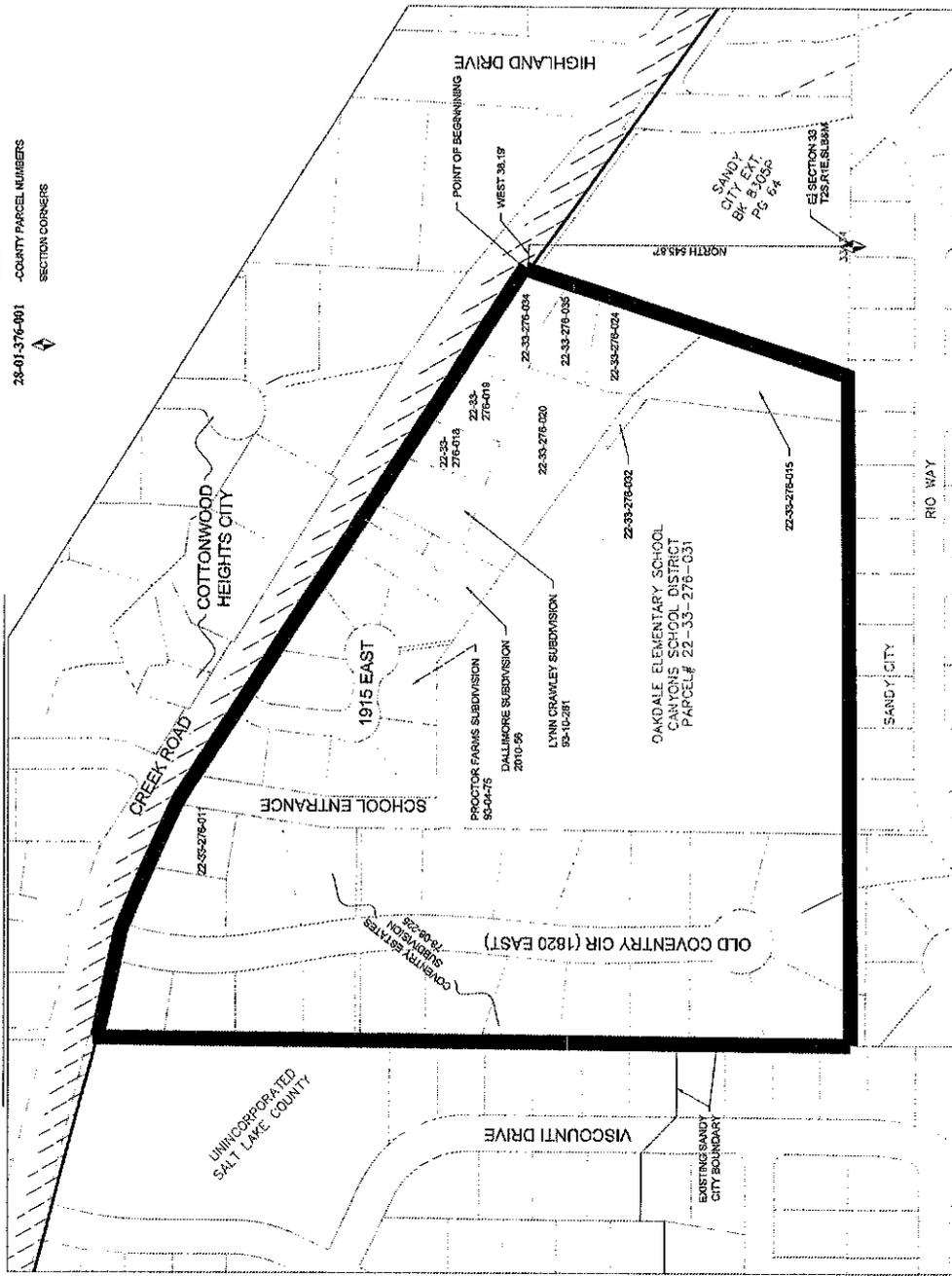
I, JOSH F. MADSEN, A PROFESSIONAL LAND SURVEYOR LICENSED UNDER TITLE 55, CHAPTER 22, PROFESSIONAL SURVEYING, OF THE STATE OF UTAH, AND BEING DULY SWORN, DO HEREBY CERTIFY THAT A FINAL LOCAL ENTITY PLAT, IN ACCORDANCE WITH SECTION 17-23-3, WAS MADE UNDER MY DIRECTION AND SHOWN HEREON, IS A TRUE AND CORRECT REPRESENTATION OF SAID FINAL LOCAL ENTITY PLAT.



LEGAL DESCRIPTION

MULTIPLE PARCELS OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING THE INTERSECTION OF THE SOUTHERLY LINE OF THE EXISTING COTTONWOOD HEIGHTS CITY BOUNDARY, PER 2006 MAP UPDATE PLAT, RECORDED AT THE SALT LAKE COUNTY RECORDERS OFFICE IN BOOK 2006, AT PAGE 111 OF PLATS, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF SAID COTTONWOOD HEIGHTS CITY AND THE SOUTHERLY LINE OF THE STEPHEN A. MICHALOS PROPERTY, IDENTIFIED AS PARCEL 22-33-276-024 AS DESCRIBED IN BOOK 10049 PAGE 780 IN THE OFFICE OF SAID RECORDER, ALSO SAID POINT BEING LOCATED NORTH 54.87 FEET AND WEST 38.19 FEET MORE OR LESS FROM THE INTERSECTION OF THE SOUTHERLY LINE OF THE SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 10.00 DEGREES WEST 100.00 FEET TO THE POINT OF BEGINNING, THEREAFTER ALONG SAID COTTONWOOD HEIGHTS CITY BOUNDARY TO THE NORTHERLY PROJECTION OF THE WESTERLY LINE OF THE COVENTRY ESTATES SUBDIVISION AS RECORDED IN THE SALT LAKE COUNTY RECORDERS OFFICE IN BOOK 784 PAGE 228; THE SALT LAKE COUNTY RECORDERS OFFICE IN BOOK 784 PAGE 228; COVENTRY ESTATES SUBDIVISION TO THE SOUTHWESTERLY CORNER OF SAID SUBDIVISION, THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION TO THE SOUTHWEST CORNER OF THE CANYONS SCHOOL DISTRICT PARCEL # 22-33-276-024 AS DESCRIBED IN BOOK 10180 PAGE 281 IN THE SALT LAKE COUNTY RECORDERS OFFICE, THENCE NORTHEASTERLY ALONG THE SAID PARCEL 22-33-276-015, THENCE NORTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL #22-33-276-018, THENCE NORTH 22.33-276-024, 22-33-276-024, 22-33-276-024, AND A NORTHEASTERLY EXTENSION THEREOF, TO THE POINT OF BEGINNING.

**FINAL LOCAL ENTITY PLAT
OAKDALE ANNEXATION PLAT 2014
COTTONWOOD HEIGHTS CITY**



GILSON ENGINEERS & ARCHITECTS
 CONSULTANTS FOR COTTONWOOD HEIGHTS CITY
 1000 S. 1000 E. SUITE 100
 SANDY, UT 84084
 (801) 771-8411
 FAX (801) 771-8441
 www.gilsoneng.com

**SALT LAKE COUNTY, UTAH
SECTION 33
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE & MERIDIAN**

DATE: December 2013	DIVISION: COMMUNITY DEVELOPMENT
DRAWING NAME: LOCAL ENTITY PLAT	COMMENTS:
DESIGNED BY: JFM	DATE: 12/13/13
CHECKED BY: JFM	DATE: 12/13/13
APPROVED BY: JFM	DATE: 12/13/13

BAR SCALE MEASURES 1" ON FULL SIZE SHEETS ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS

LOCAL ENTITY APPROVAL
 APPROVED THIS 9 DAY OF December 2014
 BY COTTONWOOD HEIGHTS CITY
 MAYOR: *[Signature]*
 COUNCILMEMBER: *[Signature]*

SALT LAKE COUNTY SURVEYOR
 APPROVED THIS 9 DAY OF December 2014
 AS A FINAL LOCAL ENTITY PLAT BY THE SALT LAKE COUNTY SURVEYOR
 SURVEYOR: *[Signature]*
 SALT LAKE COUNTY SURVEYOR

SALT LAKE COUNTY RECORDER
 RECORDED IN BOOK 2014 PAGE 111
 STATE OF UTAH COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
 DATE: 12/13/13 TIME: 1:00 PM PAGE: 1
 \$ FEE: SALT LAKE COUNTY RECORDER



Spencer Hadley <spencerhadley@utah.gov>

Cottonwood Heights--Notices of Impending Boundary Action

1 message

Shane Topham <wstopham@cnmlaw.com>
To: Spencer Hadley <spencerhadley@utah.gov>

Tue, Sep 16, 2014 at 4:04 PM

Spencer—

Thank you for alerting me that the two notices of impending boundary action filed a few days ago by Cottonwood Heights concerning two pending annexations each contain the same "typo:" specifically, they state that the annexations will be effective January 1, 2014 rather than January 1, 2015. The correct effective date for both annexations is January 1, 2015. Please consider both notices of impending boundary action to be amended accordingly.

Please contact me if you need anything further to evidence the subject correction.

Kind regards--

Shane Topham

Cottonwood Heights City Attorney

Wm. Shane Topham
Attorney At Law



CALLISTER NEBEKER
& McCULLOUGH
Attorneys at Law