

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 SANDY CITY, dated January 20th, 2015, 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 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 6th day of February, 2015 at Salt Lake City, Utah.

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

SPENCER J. COX
Lieutenant Governor



February 6, 2015

Spencer Cox, Lieutenant Governor
Lieutenant Governor's Office
Utah State Capital Complex, Suite 200
350 North State Street
Salt Lake City, Utah 84114

Re: Funk II Annexation

Dear Lieutenant Governor Cox:

The legislative body of Sandy City is filing the following documents with the lieutenant governor for the Funk II Annexation:

1. a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and
2. a copy of an approved final local entity plat, as defined in Section 67-1a-6.5.

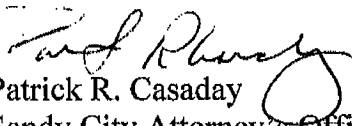
As per instructions from your office, the local entity plats have been reduced in size to a standard letter size and we have also attached copies of the ordinances annexing the Funk II area.

We understand that within ten days, as per Subsection 67-1a-6.5(2), you will issue the annexation certificates if you determine the notices of the impending boundary action meet the requirements of Subsection 67-1a-6.5(3), and the notices are accompanied by approved local entity plats.

If you are unable to issue the annexation certificate, please notify us as soon as possible.

Thank you very much.

Sincerely


Patrick R. Casaday
Sandy City Attorney's Office

Enclosures

1. Notice of Impending Boundary Action – Funk II Annexation
2. Approved Final Local Entity Plat – Funk II Annexation
3. Funk II Annexation Ordinance

Notice of Impending Boundary Action with Approved Final Local Entity Plan

January 20, 2015

Spencer Cox, Lieutenant Governor
Lieutenant Governor's Office
Utah State Capital Complex, Suite 200
350 North State Street
Salt Lake City, Utah 84114

Dear Lieutenant Governor Cox:

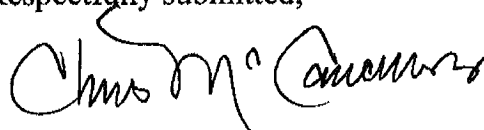
Annexations in Sandy City are approved by the City Council - the City's legislative body. On or about January 20, 2015, the City Council adopted an ordinance approving the following annexation:

Funk II Annexation to Sandy City

As chair of the Sandy City Council during this time, and on behalf of Sandy City, I hereby notify you of this impending boundary action which is more fully described in the Approved Final Local Entity Plan which accompanies this notice. I further certify that all requirements applicable to this annexation have been met.

Accordingly, on behalf of the Sandy City Council, I request that you issue a Certificate of Annexation for this boundary action as described in Section 67-1a-6.5 of the Utah Code. Section 10-2-425(4)(b) of the Utah Code provides that the effective date of the annexation is the date on which you issue the Certificate of Annexation

Respectfully submitted,



Chair, Sandy City Council

FUNK II ANNEXATION
ORDINANCE # 15-07

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 10253 SOUTH DIMPLE DELL RD IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 0.017 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, in that : (1) the areas proposed to be annexed, located at approximately 10253 South Dimple Dell Rd in Salt Lake County and comprising about 0.017 acres ("Areas"), are contiguous areas and are contiguous to the City; (2) the Areas consists of a portion of one or more unincorporated Salt Lake County islands within or unincorporated peninsulas contiguous to the City, which have fewer than 800 residents; (3) the majority of the island or peninsula consists of residential or commercial development; (4) the Areas require 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 Areas for more than one year.
3. On December 2, 2014, the City adopted Resolution 14-69 C, attached hereto as Exhibit "A", describing the Area and indicating the City's intent to annex the Areas. 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 Areas. 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 Areas, and the City sent written notice to the board of each special district whose boundaries contain some or all of the Areas, 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 January 13, 2015, 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 Areas consented in writing to the annexation. Such consent is attached hereto as Exhibit "C". As such, the City may adopt an ordinance annexing the Areas without allowing or considering protests and the Areas are 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 Areas 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 :

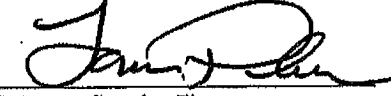
1. Adopt an ordinance annexing the Areas as shown on the plat filed in the office of the Sandy City Recorder.
2. Determine that not annexing the entire island or peninsula is in the City's best interest.
3. Zone the Areas to an R-1-20A.
4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, 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 Areas 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 publication as provided by law.

PASSED AND APPROVED by vote of the Sandy City Council this 20th day of January 2015.

ATTEST:


Chris M. Conners
Chair, Sandy City Council


Molly J. ...
City Recorder


...
Mayor, Sandy City



PRESENTED to the Mayor of Sandy City this 21 day of January 2015.

APPROVED by the Mayor of Sandy City this 21 day of January 2015.

EXHIBIT "A"

FUNK II ANNEXATION
10253 South Dimple Dell Rd.

RESOLUTION #14-69 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 a certain contiguous unincorporated area, consisting of a part of a peninsula contiguous to the City, totaling approximately 0.017 acres, located at approximately 10253 South Dimple Dell Rd., Salt Lake County, Utah, shown in the map attached hereto as Exhibit "A", attached hereto, and more specifically described in the metes and bounds description contained in the plat, attached hereto as Exhibit "B" (the "Subject Area").

2. The area to be annexed has fewer than 800 residents, and the City has provided culinary water, fire suppression, and emergency services to the Subject Area for more than one year.

3. The City is authorized to annex the Subject Area without a petition pursuant to Section 10-2-418 Utah Code Annotated, the requirements of which are met by this annexation.

4. The annexation of the Subject Area which is a portion of an island or peninsula, if leaving unincorporated the remainder of that island or peninsula, is in the City's best interest.

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 Subject Area;
2. Determine that if it is not annexing the entire unincorporated island or unincorporated peninsula, doing so is in the City's best interest;
3. Set a public hearing for January 13, 2015 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 Ann. Section 10-2-418(2)(a).

ADOPTED by the Sandy City Council this 2nd day of December, 2014.

SANDY CITY COUNCIL

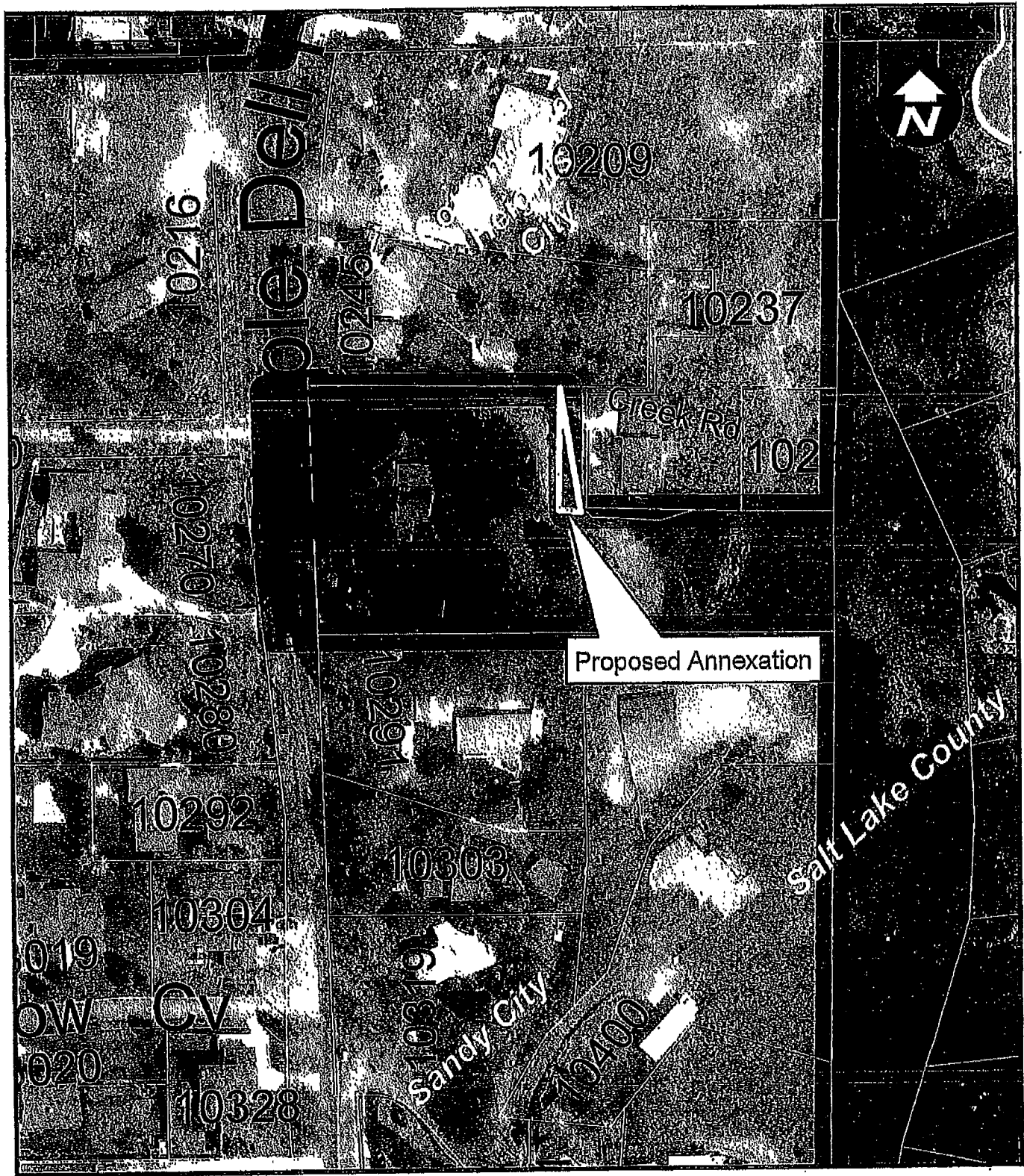
ATTEST:

Steve Fairbanks
Steve Fairbanks, Chairman

Molly Spira
City Recorder



RECORDED this 8th day of December, 2014.

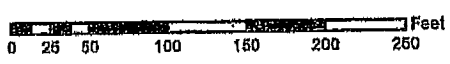


Proposed Annexation

Salt Lake County



Funk II Annexation 10253 S Dimple Dell Rd



PRODUCED BY
THE COMMUNITY DEVELOPMENT DEPARTMENT
RAY LINDENBURG, PLANNER

**SANDY CITY PUBLIC NOTICE
INTENT TO ANNEX - FUNK II ANNEXATION**

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 S. Dimple Dell Road, into the Municipality of Sandy City. On January 13, 2015, 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: A parcel of land located in the Northwest Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian described by metes and bounds as follows: Beginning at a point on a southerly line of the current Sandy City boundary established by the FUNK ANNEXATION to Sandy City, recorded June 10, 2008 in Book 2008 of plats at Page 158 in the office of the Salt Lake County Recorder, said point lies South 0°36'52" West 390.35 feet along said quarter section line and North 89°23'08" West 211.85 feet from the North Quarter Corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian; thence along a southerly and westerly line of said current Sandy City boundary the following two (2) courses: (1) North 89°23'08" West 18.35 feet; (2) North 0°36'52" East 93.77 feet to an existing fence line; thence departing from said current Sandy City boundary, along the easterly boundary of that parcel of land currently identified by the Salt Lake County Assessor as Parcel No. 28-14-127-052 and described in that certain Quit Claim Deed recorded February 9, 2012 as Entry No. 11330426 in Book 9990 at Pages 2555-2556 in the office of said Salt Lake County Recorder, the following two (2) courses: (1) South 8°35'04" East 90.36 feet; (2) Southeasterly 6.03 feet along the arc of a 25.00 foot radius non-tangent curve to the left, (center bears North 57°01'33" East and the long chord bears South 39°52'40" East 6.01 feet with a central angle of 13°48'57") 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 0.017 acres. It is being proposed to annex these properties to the City with the R-1-20A Zone. Any questions you may have regarding this annexation, may be directed to James Sorensen in the Community Development Department - 568-7270, jsorensen@sandy.utah.gov

Posted December 9, 2014

Sandy City Hall
Sandy Parks & Recreation
Sandy Library
Sandy City Website (<http://www.sandy.utah.gov>)
Utah Public Notice Website (<http://pmn.utah.gov>)

Published December 16, 23 & 30, 2014

Salt Lake Tribune

EXHIBIT "C"

Date: 11-12-2014

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

RECEIVED
NOV 13 2014
SANDY CITY
COMMUNITY DEVELOPMENT

My name is Pam Funk

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

10253 Dimple Dell Road Sandy UT 84092

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: 801-631-5753

Thank you very much.

Pam Funk
Signature

Signature