

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 February 23<sup>rd</sup>, 2016, 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 28<sup>th</sup> day of March, 2016 at Salt Lake City, Utah.

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

SPENCER J. COX  
Lieutenant Governor



March 17, 2016

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

Re: Garmish Cove Annexation

Lieutenant Governor Cox:

The legislative body of Sandy City is filing the following documents with the lieutenant governor for the above-referenced 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 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
2. Approved Final Local Entity Plat
3. Annexation Ordinance

**Notice of Impending Boundary Action with Approved Final Local Entity Plan**

March 11, 2016

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:

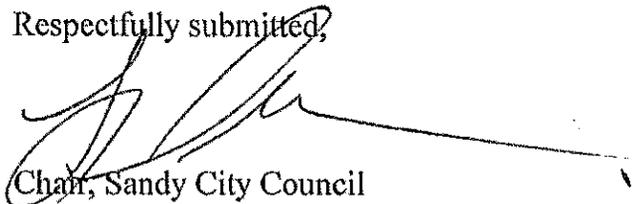
Annexations in Sandy City are approved by the City Council - the City's legislative body. On or about February 23, 2016 the City Council adopted an ordinance approving the following annexation:

**Garmish Cove 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 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



GARMISH COVE ANNEXATION  
ORDINANCE # 16-09

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 2970 EAST GARMISH COVE IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY .73 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 2970 East Garmish Cove in Salt Lake County and comprise about .73 acres ("Area"), are contiguous areas and are 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 19, 2016, the City adopted Resolution 16-07C, 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 February 23, 2016, 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(5)(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 (4)(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 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 Area 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 Area to an R-1-40.
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 publication as provided by law.

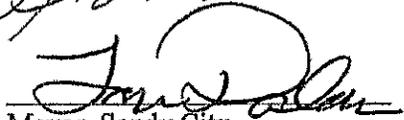
PASSED AND APPROVED by vote of the Sandy City Council this 23<sup>rd</sup> day of February 2016.

ATTEST:

  
Chair, Sandy City Council

  
City Recorder



  
Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this 25<sup>th</sup> day of February 2016.

APPROVED by the Mayor of Sandy City this 25<sup>th</sup> day of February 2016.

EXHIBIT "A"

GARMISH COVE ANNEXATION

RESOLUTION # 16- 07C

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 0.73 acres, located at approximately 2970 E. Garmish Cove in Salt Lake County, Utah, and more specifically described in the legal description attached hereto as Appendix "A".

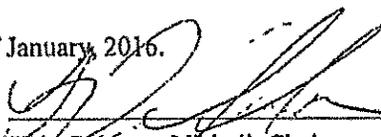
2. The City is authorized to annex the area without a petition pursuant to 10-2-418 Utah Code Annotated.

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.

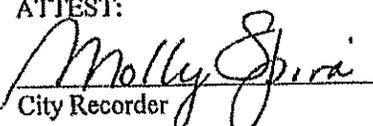
NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

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 February 23, 2016, 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. § 10-2-418(2)(a).

ADOPTED by the Sandy City Council this 19<sup>th</sup> day of January, 2016.

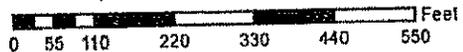
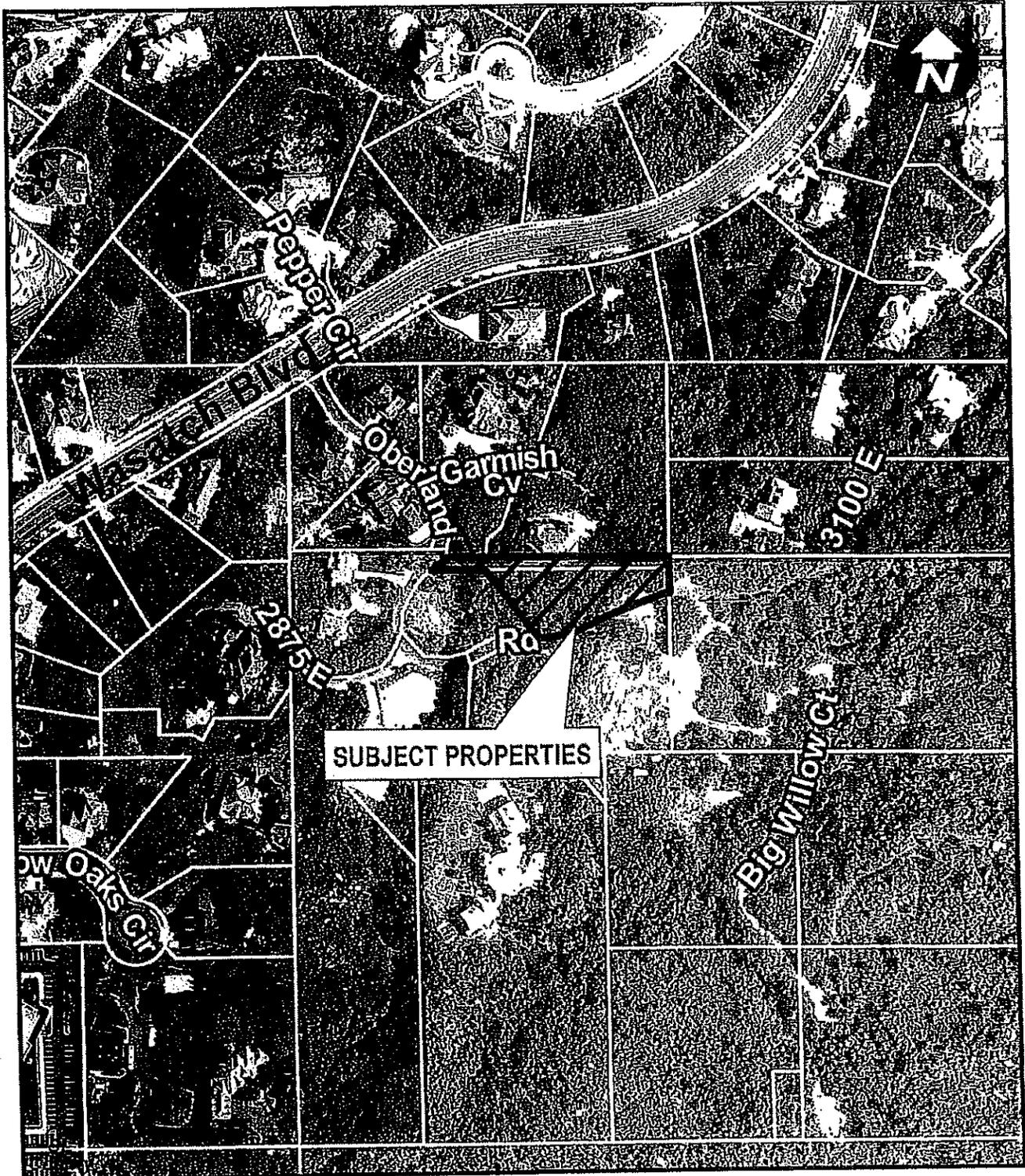
  
Kris Coleman-Nicholl, Chair  
Sandy City Council

ATTEST:

  
Molly Spira  
City Recorder

RECORDED this 21<sup>st</sup> day of January 2016.





### Garmish Cove Annexation 2970 E. Garmish Cove

PRODUCED BY  
THE COMMUNITY DEVELOPMENT DEPARTMENT  
ANDREW KING, SENIOR PLANNER



EXHIBIT "B"

**SANDY CITY PUBLIC NOTICE  
INTENT TO ANNEX - GARMISH COVE 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 2970 East Garmish Cove, into the Municipality of Sandy City. On February 23, 2016, 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: All of those two (2) parcels of land designated by the Salt Lake County Assessor for tax year 2015 as Parcel No. 28-23-327-006 described in that certain Warranty Deed recorded April 7, 2003 as Entry No. 8601354 in Book 8773 at Pages 3168-3170 in the office of the Salt Lake County Recorder and Parcel No. 28-23-327-007 as described in that certain Scrivenor's Affidavit recorded December 8, 2003 as Entry No. 8918379 in Book 8921 at Pages 1964-1965 in the office of said Salt Lake County Recorder, situate in the Southwest Quarter of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian being further described as follows: Beginning at the Southwest Corner of Lot 7, HANSEN P.U.D., said point also being on the current Sandy City boundary, said point lies West 1049.26 feet and South 326.70 feet from the Center Quarter Corner of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian; thence South 89°49'12" East 384.98 feet; thence South 0°10'48" West 59.90 feet; thence South 82°15'34" West 16.85 feet; thence South 71°31'03" West 41.80 feet; thence South 65°38'00" West 38.01 feet; thence South 61°21'16" West 35.23 feet; thence South 64°03'22" West 36.29 feet; thence South 75°17'32" West 32.69 feet; thence South 82°11'31" West 36.22 feet; thence Northwesterly 153.35 feet, more or less; thence North 89°49'12" West 91.26 feet; thence North 52°52'31" East 33.01 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 0.73 acres. It is being proposed to annex these properties to the City with the R-1-40A 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](mailto:jsorensen@sandy.utah.gov)

Posted

February 2, 2016

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

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EXHIBIT "C"

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Date: 2-8-16

RECEIVED  
FEB 09 2016  
SANDY CITY  
COMMUNITY DEVELOPMENT

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

My name is Kathy Rice.

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

2970 East Garmisch Cove Sandy Utah 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: 928-243-0109

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you very much.

Kathy Rice, Trustee of the Keith and Edyth Hansen Trust  
Signature

Signature