

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 December 6<sup>th</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 29<sup>th</sup> day of December, 2016 at Salt Lake City, Utah.

A handwritten signature in cursive script, appearing to read "Spencer J. Cox".

SPENCER J. COX  
Lieutenant Governor



December 21, 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: Levine 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 outlined 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 a copy of the ordinance 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,

Darien Alcorn  
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

December 9, 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:

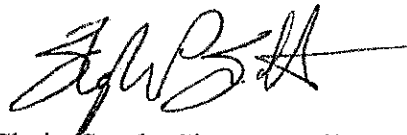
Annexations in Sandy City are approved by the City Council - the City's legislative body. On or about December 6, 2016, the City Council adopted an ordinance approving the following annexation:

### **Levine 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,

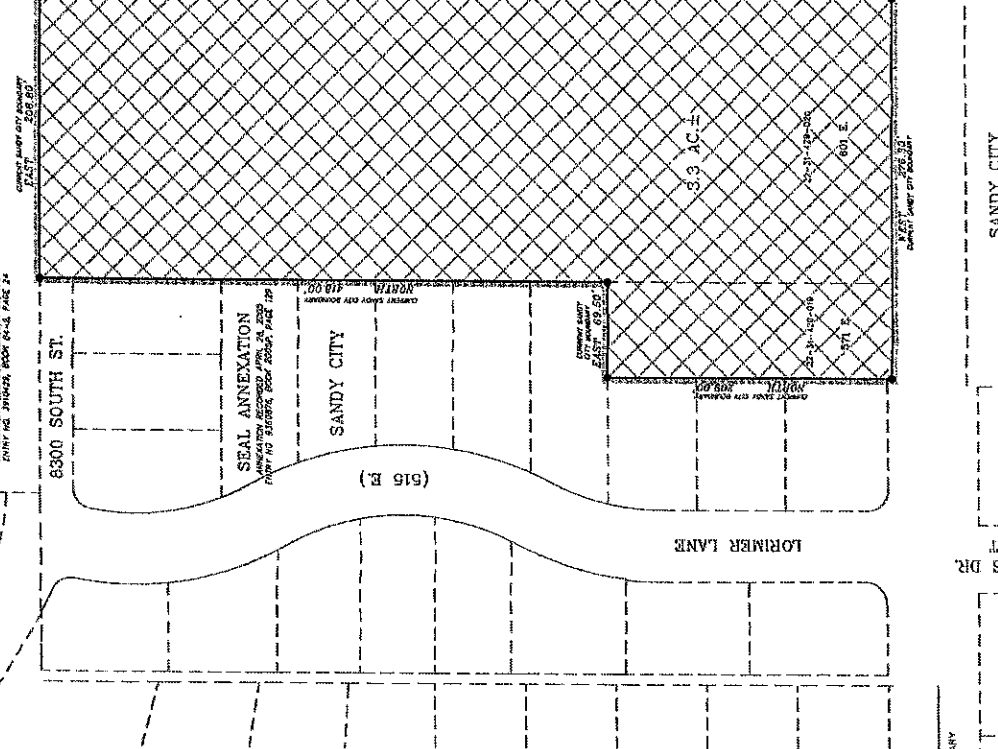


Chair, Sandy City Council

**FINAL LOCAL ENTITY PLAT  
LEVINE ANNEXATION  
TO SANDY CITY**

**SANDY CITY**  
ANNEXATION RECORDED FEBRUARY 28, 1993  
ENTRY NO. 182474, BOOK 2, PAGE 26

**SANDY CITY**  
ANNEXATION RECORDED MAY 28, 1963  
ENTRY NO. 182474, BOOK 2, PAGE 26



**ANNEXATION DESCRIPTION**

Beginning at a point on the current Sandy City boundary, said point being a corner corner of a previous annexation to Sandy City recorded December 19, 1984, in Book 2 of Plat 182474, County of Salt Lake, Utah, and extending South 8826.00 feet from the Southwest Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence East along the current Sandy City boundary 278.35 feet; thence North along the East line of said current Sandy City boundary enclosed by said SEAL ANNEXATION, 208.00 feet; thence along a South line of said current Sandy City boundary recorded by said SEAL ANNEXATION, 84.54 feet; thence along the current Sandy City boundary established by said SEAL ANNEXATION, 416.00 feet to the South line of the current Sandy City boundary established by a previous annexation to Sandy City recorded February 28, 1993 as Entry No. 182474 in Book 2 of Plat 182474 in Salt Lake County Recorder's Office; thence along the East line of said current Sandy City boundary enclosed by said SEAL ANNEXATION, 278.35 feet; thence North along the East line of said current Sandy City boundary enclosed by said SEAL ANNEXATION, 208.00 feet.

The above described area contains approximately 3.13 acres.

**SURVEYOR'S NARRATIVE**

This plat and the description contained herein have been prepared at the request of the owners of the above described parcels and is based upon the plat and the description contained herein which may be found in the office of the Salt Lake County Recorder.

(1) ANNEXATION TO SANDY CITY, recorded May 28, 1963 as Entry No. 182474 in Book 2 of Plat 182474 in Salt Lake County Recorder's Office.

(2) ANNEXATION TO SANDY CITY, recorded December 9, 1983 as Entry No. 387983 in Book 85-12 of Plat 168.

(3) ANNEXATION TO SANDY CITY, recorded February 28, 1993 as Entry No. 182474 in Book 2 of Plat 182474 in Salt Lake County Recorder's Office.

(4) SEAL ANNEXATION to Sandy City, recorded May 28, 2000 as Entry No. 3468378 in Book 2000P of Plat 178.

This plat and the description herein have been prepared for the purpose of conveying to the public the correct record information.

As a result of Senate Bill 169 which was signed into law May 30, 2003, which provided for the consolidation of the Salt Lake County Clerk and the Salt Lake County Clerk's Office, the Salt Lake County Clerk and the Salt Lake County Clerk's Office, the intent of this plat and the description herein is to establish the correct record information for the parcels and their described boundaries as they appear in the public records of the Salt Lake County Recorder's Office.

**SURVEYOR'S CERTIFICATION**

I, *William B. Schaeffer*, State of Utah, Professional Land Surveyor, License No. 22516, do hereby certify that I am a duly qualified and licensed professional land surveyor and am duly sworn to take and correct representation of said Final Local Entity Plat.

**FINAL LOCAL ENTITY PLAT  
LEVINE ANNEXATION  
TO SANDY CITY**

PROPERTY SITUATE IN  
THE SOUTHEAST QUARTER OF SECTION 31,  
TOWNSHIP 2 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN

OCTOBER 12, 2016

**SANDY CITY APPROVAL**

*William B. Schaeffer*  
SANDY CITY ENGINEER

**ENGINEER'S CERTIFICATE**

I hereby certify that this is a true and correct representation of the Final Local Entity Plat of Sandy City, Utah.

*William B. Schaeffer*  
SANDY CITY ENGINEER

**SALT LAKE COUNTY SURVEYOR**

*William B. Schaeffer*  
SANDY CITY ENGINEER

**RECORDED**

State of Utah, County of Salt Lake, Recorder's Office

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

ORDINANCE # 16-41

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 601 EAST 8400 SOUTH IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 3.3 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 601 East 8400 South in Salt Lake County, comprising approximately 3.3 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 October 25, 2016, the City adopted Resolution 16-65 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 December 6, 2016, 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 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 in Exhibit "A" and 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-1-8.
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 6<sup>th</sup> day of December, 2016.

ATTEST:

Wendy Dean  
City Recorder, Deputy

John Smith  
Chair, Sandy City Council

Tom Palmer  
Mayor, Sandy City



PRESENTED to the Mayor of Sandy City this 7<sup>th</sup> day of December, 2016.

APPROVED by the Mayor of Sandy City this 7<sup>th</sup> day of December, 2016.



**EXHIBIT A  
OF ORDINANCE #16-41**

LEVINE ANNEXATION  
RESOLUTION # 16-65c

A RESOLUTION INDICATING INTENT TO ANNEX  
AN UNINCORPORATED AREA, SETTING A HEARING  
TO CONSIDER SUCH AN ANNEXATION, AND  
DIRECTING PUBLICATION OF HEARING NOTICE.

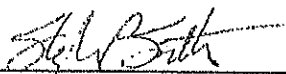
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, totaling approximately 3.3 acres, located at approximately 601 East 8400 South in Salt Lake County, Utah, and more specifically described in the description attached hereto as Appendix "A".
2. The City is authorized to annex the area without a petition pursuant to Utah Code Annotated §10-2-418.
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 December 6, 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 Annotated §10-2-418.

ADOPTED by the Sandy City Council this 25<sup>th</sup> day of October, 2016.

  
\_\_\_\_\_  
Stephen P. Smith, Chair  
Sandy City Council

ATTEST:

  
\_\_\_\_\_  
Molly Spira  
City Recorder

RECORDED this 28<sup>th</sup> day of October, 2016.

# APPENDIX A OF RESOLUTION #16-65C

### FINAL LOCAL ENTITY PLAN LEVINE ANNEXATION TO SANDY CITY

SANDY CITY  
PROPOSED SQUARE A  
THE SOUTHWEST QUARTER OF SECTION 31,  
TOWNSHIP 12 NORTH AND RANGE  
SALT LAKE BASIN AND MOUNTAIN

OCTOBER 22, 2015

<b>ANNEXATION DESCRIPTION</b>	<b>SANDY CITY APPROVAL</b>	<b>SALT LAKE COUNTY</b>
<b>SURVIVOR'S NARRATIVE</b>	<b>SANDY CITY APPROVAL</b>	<b>SALT LAKE COUNTY</b>
<b>SURVIVOR'S NARRATIVE</b>	<b>SANDY CITY APPROVAL</b>	<b>SALT LAKE COUNTY</b>

<b>ANNEXATION DESCRIPTION</b>	<b>SANDY CITY APPROVAL</b>	<b>SALT LAKE COUNTY</b>
<b>SURVIVOR'S NARRATIVE</b>	<b>SANDY CITY APPROVAL</b>	<b>SALT LAKE COUNTY</b>
<b>SURVIVOR'S NARRATIVE</b>	<b>SANDY CITY APPROVAL</b>	<b>SALT LAKE COUNTY</b>

**EXHIBIT B**  
**OF ORDINANCE #16-41**

**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 601 East 8400 South, into the Municipality of Sandy City. On December 6, 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: Beginning at a point on the current Sandy City boundary said point being a southwesterly corner of a previous annexation to Sandy City recorded December 9, 1983 as Entry No. 3879183 in Book 83-12 of plats at Page 168 in the office of the Salt Lake County Recorder, said point lies North 1353.00 feet and West 825.00 feet from the Southeast Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian;

thence along a northerly line of the current Sandy City boundary established by the SEAL ANNEXATION to Sandy City recorded April 28, 2005 as Entry No. 9360876 in Book 2005P of plats at Page 129 in the office of said Salt Lake County Recorder, West 276.30 feet;

thence along an easterly line of said current Sandy City boundary established by said SEAL ANNEXATION to Sandy City, North 209.00 feet;

thence along a southerly line of said current Sandy City boundary established by said SEAL ANNEXATION to Sandy City, East 69.50 feet;

thence along an easterly line of said current Sandy City boundary established by said SEAL ANNEXATION to Sandy City, North 418.00 feet;

thence along a southerly line of the current Sandy City boundary established by a previous annexation to Sandy City recorded February 29, 1984 as Entry No. 3910429 in Book 84-2 of plats at Page 24 in the office of said Salt Lake County Recorder, East 206.80 feet to a northwesterly corner of the current Sandy City boundary as established by a previous annexation to Sandy City recorded May 28, 1963 as Entry No. 1922474 in Book Z of plats at Page 98 in the office of said Salt Lake County Recorder;

thence along an easterly line of the current Sandy City boundary as established by said annexation recorded in Book Z at Page 98 and said annexation recorded in Book 83-12 at Page 168, South 627.00 feet to the Point of Beginning.

The above described area contains approximately 3.3 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.

The area under consideration for annexation comprises approximately 3.3 acres. It is being proposed to annex these properties to the City with the R-1-8 (Single Family Residential) 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            October 28, 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>)

Published        November 8, 2016            Salt Lake Tribune  
November 15, 2016  
November 22, 2016

**EXHIBIT C**  
**OF ORDINANCE #16-41**

RECEIVED  
SEP 26 2016  
SANDY CITY  
COMMUNITY DEVELOPMENT

Date: 9/15/16

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

My name is Chris Hawk.

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

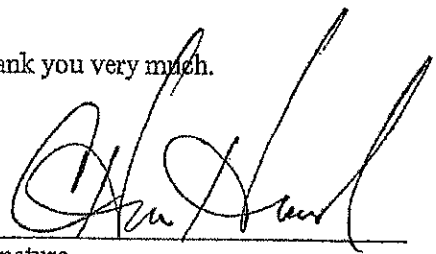
571 EAST 8400 SOUTH SANDY, UTAH 84070

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 : (401) 633-8174 OR UTAH/BUILDER@LIVE.COM

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.  


Signature

Signature

RECEIVED

SEP 23 2016

SANDY CITY  
COMMUNITY DEVELOPMENT

Date: 9-01-16

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

My name is Lisa C. Nelson - Trustee of Oscar J. Levine Estate

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

601 E 8401 S Sandy, Utah 84070

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 : 801-253-1667 L 801-557-0455

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.

Lisa C. Nelson - Trustee  
Signature

\_\_\_\_\_  
Signature