
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: April 28, 2006

SUBJECT: Petition 400-05-41 – Romney/Carson – Parley’s Pointe Annexation - request to annex property at approximately 2982 East Benchmark Drive and 2100 South to 2600 South (This action includes establishing zoning classifications on the property and amending applicable Master Plans.)

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the annexation, zoning and master plan amendments will affect Council District 7

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Sarah Carroll, Principal Planner

POTENTIAL MOTIONS:

1. [“I move that the Council”] **Adopt an ordinance:**
 - a. Annexing approximately 406 acres of property at approximately 2982 East Benchmark Drive and 2100 South to 2600 South.
 - b. Amending the East Bench Community Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan.
 - c. Zoning the properties within the annexation area Open Space OS, Natural Open Space NOS, Foothill Residential FR-2 (Romney/Carson proposed subdivision), and Foothill Residential FR-3.

(This option would address the issue discussed by the Council relating to application of the Open Space zoning classification to individually-owned properties on Lakeline Drive that are not part of the settlement agreement.)

2. [“I move that the Council”] **Adopt an ordinance:**
 - a. Annexing approximately 406 acres of property at approximately 2982 East Benchmark Drive and 2100 South to 2600 South.
 - b. Amending the East Bench Community Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan.
 - c. Zoning the properties Foothill Residential FR-2, Open Space OS and Natural Open Space NOS.

(This option would implement the Planning Commission recommendation.)

3. [“I move that the Council”] **Not adopt an ordinance:**
 - a. Annexing approximately 406 acres of property at approximately 2982 East Benchmark Drive and 2100 South to 2600 South,
 - b. Amending the East Bench Community Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan, and
 - c. Zoning the properties within the annexation area.

WORK SESSION SUMMARY/NEW INFORMATION:

New Information

The Administration has provided additional information and a new ordinance that addresses application of the Open Space zoning classification to individually-owned properties on Lakeline Drive that are not part of the settlement agreement. This issue was discussed by the Council at the April 4, 2006 Work Session. Key points are noted below. Please see the Work Session summary below and the Administration's supplemental transmittal dated April 24, 2006 for details.

- A. The Council requested that Planning staff contact the property owners to determine which zoning designation they would prefer for their properties.
- B. A letter was sent to each property owner and Planning staff also telephoned each property owner.
 - a. One property owner requested the Open Space zoning classification. (Alan and Orlene Cohen, 2133 South Lakeline Drive)
 - b. Two property owners requested the Foothill Residential FR-3 zoning classification. (Andrea and Louis Barrow, 2119 South Lakeline Drive and Lynn Mabey/Axxon Investment Company, 2155 South Lakeline Drive)
 - c. One property owner indicated that he would research the information further and either contact Planning staff or attend the hearing to state his preference. (Benjamin Buehner, 2111 South Lakeline Drive)
- C. A new ordinance has been prepared for Council consideration that would zone the properties as requested by the property owners (Open Space OS and Foothill Residential FR-3). The Administration's transmittal notes that a decision has not been received from Mr. Buehner regarding his preference. The ordinance has been prepared to apply the Foothill Residential FR-3 zoning classification to his property in order to create amore unified zoning pattern.

Work Session Summary

At the Council Work Session on April 4, 2006, the Council discussed this issue with the Administration. Key elements are summarized below.

- A. Certain aspects of the settlement and annexation agreement and conditions in the ordinance relating to completion time frames.
 - 1. Conditions specifically noted in the ordinance include subdivision approval from Salt Lake County and construction or bonding for the public and private portions of the roadway and corresponding utility lines.
 - 2. The ordinance shall not become effective and the City Recorder is instructed not to record or publish the ordinance until the terms and conditions have been satisfied and certified by the Community Development and Public Utilities Directors.
 - 3. The ordinance will become null and void if the conditions have not been satisfies with 2 years.
- B. Proposed application of the Open Space zoning classification to individually-owned properties on Lakeline Drive that are not part of the settlement agreement. The Council asked Planning staff to provide additional information to assist the Council in determining if it would be more reasonable to apply the Foothill Residential FR-3 zoning classification to the properties rather than the Open Space zoning classification. Issues discussed included:
 - 1. Use of the Open Space zone has the potential to establish the expectation that this property will always be kept as open space.
 - 2. Planning staff believes that the slopes on the properties exceed 30% which would prohibit development.
 - 3. One property owner formally requested the FR-3 zoning rather than OS in order to combine the parcels indicating that the property is currently their backyard.

4. Planning staff recommended that the property owner apply for a subdivision amendment and FR-3 zoning at a future date and that they submit slope analysis data at that time.
 5. Council staff noted that rezoning the properties Foothill Residential FR-3 as part of the annexation request would eliminate a time consuming and costly process in the future for both the property owners and the City.
- C. On April 10, 2006, the Planning Division sent a letter to the property owners. Key elements from the letter are listed below. (please see the attached letter for details)
1. Planning staff has recommended the Open Space zoning classification for the properties:
 - a. (based on) consideration of the perceived slopes on the properties, and
 - b. to hinder the possibility of development as it is believed the slope may exceed 30%
 2. One property owner has requested the Foothill Residential FR-3 zoning classification be applied to the affected property instead of the Open Space zoning. They anticipate trying to extend the buildable area to create an addition to the rear of the home.
 3. Zoning the accessory parcels to FR-3 will likely cause the properties to be re-assessed by the County Assessor and may significantly increase the total property taxes (for the properties).
 4. Requests a response from the property owners by April 20th indicating which zoning classification they prefer. (Open Space OS or Foothill Residential FR-3)

The following information was provided previously for the Council Work Session on April 4, 2006.

It is provided again for your reference.

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration. Action required by the Council includes:
1. Annexation of approximately 406 acres of property at approximately 2982 East Benchmark Drive and 2100 South to 2600 South.
 - State law does not allow islands or peninsulas of unincorporated land to be created when an annexation occurs. Seven other parcels of land will also be annexed with this proposal. The exclusion of the properties would result in an island or peninsula. (Please see the Administration's transmittal letter for a list of the properties and owners and Annexation Plat, Exhibit 2 in the Planning staff report.)
 - The Romney/Carson property is being annexed as a result of a settlement agreement relating to a longstanding lawsuit between the property owners and Salt Lake City. The settlement agreement outlines specific terms under which the Romney/Carson property should be annexed into the corporate limits of Salt Lake City. (Please see item C below and the settlement agreement, Exhibit 1 in the Planning staff report for details.)
 2. Amending the East Bench Community Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan.
 - The ordinance states "The East Bench Community Master Plan, the Arcadia Heights, Benchmark and H Rock Small Area Plan, which were previously adopted by the City Council, shall be and hereby are amended to allow limited, very low density, single family residential development in the area consisting of not more than 15 new lots all but one of which shall be located on a private street extending off the current terminus of Benchmark Drive, and not more than 4 new lots located on a public cul-de-sac extending from the current terminus of Scenic Drive."
 3. Zoning the properties Foothill Residential (FR-2), Open Space (OS) and Natural Open Space (NOS).

- The Planning staff report notes: “Approximately 31.48 acres of the Romney/Carson property will be used for the development of 17 single-family home sites, with lot sizes ranging from approximately 0.43 to 1.51 acres in size. Planning staff recommends that the area proposed for subdivisions be zoned Foothill Residential (FR-2) zoning which is compatible with the abutting FR-3 zoned Benchmark Subdivision. The remainder of the Romney/Carson property is to be conveyed to an acceptable open space preservation entity for perpetual open space protection and planning staff is recommending Natural Open Space (NOS) zoning for this area. There are other privately owned properties that are included in this request for annexation and planning staff is recommending Open Space (OS) zoning for those properties.”
4. The City Recorder is instructed not to record or publish the ordinance until the terms and conditions in the ordinance and the settlement agreement have been satisfied and certified by the Directors of the Community Development and Public Utilities Departments. The ordinance shall become null and void if the conditions have not been satisfied with two years of the date of the ordinance.
- B. The Administration’s transmittal and Planning staff report note that there are many positive gains for the community that will be realized following the completion of the requested annexation and zoning of this property including:
1. Final resolution to the legal dispute without cost damage to Salt Lake City.
 2. Limited development.
 3. The use of septic tanks will be eliminated because the City will provide sewer services. Septic tanks would jeopardize Salt Lake City drinking water and be damaging to down slope lot owners.
 4. Trail access will be maintained through public easements.
 5. Approximately 260 acres of land will be dedicated to perpetual open space and preserved through public ownership.
 6. Increased protection against future development provided by the one foot holding strip and open space easements.
 7. Salt Lake City’s zoning, which includes special foothill regulations, will apply to all building permits and to all dwellings and will help reduce the off site visibility of additional development.
- C. The Planning staff report notes the following key elements from the settlement agreement:
1. Petition for Annexation: Romney/Carson shall file a renewed petition for annexation.
 2. Annexation Ordinance: The City shall annex the Romney/Carson property, subject to the terms of the Agreement, within 120 days of receipt of a renewed annexation petition.
 3. Costs: Romney/Carson have previously paid substantial planning and processing fees. Therefore, the City shall annex the property without additional charges.
 4. Subdivision Approvals: Final plat approval of the Phase I subdivision (Extension off Benchmark Drive) shall be obtained from the County. The City sewer and storm water services shall not be available until the subdivision is annexed into the City. If the County refuses to grant approval of Phase I the litigation will continue.
 5. Phase II Subdivision Approval and Annexation: Final plat approval of the Phase II subdivision (extension off Scenic Drive) approval may be obtained from the County or the City.
 6. Roadways and Trails: A public cul-de-sac will be constructed at the end of Benchmark Drive and at the end of Scenic Drive. Lots 2-15 of Phase I will be accessed by a private road. A twenty foot public trail easement will be recorded with the final plat to allow pedestrian traffic access to the trails delineated in the settlement agreement.
 7. Waterline Easement – Relocation: A waterline was constructed by the City in 1979. A portion of the waterline will be relocated to lie within the waterline easement.
 8. Utilities: The City commits to provide water, sewer and storm drain services upon the completion of all applicable conditions of the Agreement.

9. Romney/Carson Open Space Donation: As a condition of annexation, Romney/Carson will sell or donate lots 14a, 14b, and 15 as well as Perpetual Open Space parcels A, B and C for preservation as undeveloped open space.
 10. Protection against Further Foothills Development: As a condition of annexation, Romney/Carson agrees to donate a one-foot strip of property around the perimeter of the property to Salt Lake City.
 11. Common Area Open Space Parcels: There are common area open space parcels throughout the Phase I and Phase II subdivisions that will be part of the Home Owners Association. When the final plat is recorded Romney/Carson will grant a conservation easement to the City which requires the common areas to be maintained as perpetual open space.
 12. Dismissal of the Litigation: Within 30 days following the recording of the subdivision plats and the City Council vote to annex, Romney/Carson shall file a stipulation for Dismissal of the Litigation. If the County does not grant final approval of the Phase I subdivision within 4 months of the execution of the Settlement Agreement, the Litigation shall continue and the Romney/Carson property will not be annexed.
 13. Joint Cooperation: The City shall support the subdivision applications before the County and shall cooperate with the County in securing the required approvals.
 14. Notice Recorded: The parties have executed a Notice of Settlement and Annexation Agreement which has been recorded against the Subject Property.
 15. Agreement not to be used as Evidence: If this Agreement is not completed, it shall not be used for evidence for any other purposes in the Litigation.
 16. Remedies: If the City fails to adopt an ordinance approving the annexation or the County fails to approve the Phase I subdivision and roadway, the Litigation shall continue.
- D. The public process included an open house and presentation to a joint meeting of the Arcadia Heights, Benchmark and H Rock Community Councils.
1. The Administration notes the Arcadia Heights/Benchmark Community Council did not take a position on the proposed annexation.
 2. The Planning staff report notes: "Andrea and Louis Barrows own property that is included in the annexation area and have requested that their property be zoned FR-3, rather than OS, in order to combine parcels and create a rear addition to their home (Exhibit 8). Staff believes that the slopes on the one acre parcel that is owned by the Barrows mostly exceed 30% which would prohibit development. Staff recommends that the Barrows apply for a subdivision amendment and FR-3 zoning at a future date and that they submit slope analysis data at that time."
- E. The City's Fire, Police, and Public Utilities Departments and Transportation, Engineering, Building Services and Zoning Divisions have reviewed the proposed annexation and expressed support or no objections to the proposal.
- F. On November 9, 2005, the Planning Commission voted to forward a positive recommendation to the City Council to adopt the proposed annexation and master plan and zoning map amendments.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

BUDGET RELATED FACTS

The proposed annexation may have a budget impact. The Council may wish to request information from the Administration regarding revenues and costs associated with this area and the net fiscal impact to the City if this property is to be annexed. This would maintain consistency with past practices and policy direction established by the Council in considering annexation requests. (The Council could request that the Administration provide the information by the Council's public hearing tentatively scheduled for Tuesday, May 2, 2006.)

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Administration's transmittal notes that there are several City master plans that apply to the proposed annexation area – the East Bench Community Master Plan, the Arcadia Heights, Benchmark and H Rock Small Area Plan, the Open Space Master Plan and the City's Master Annexation Policy Declaration. *(As previously noted, amending the East Bench Community Master Plan and the Arcadia Heights, Benchmark and H Rock Small Area Plan is part of this petition.)*
- B. Key references in the plans are noted below.
1. Arcadia Heights/Benchmark/H Rock Small Area Plan
 - a. The boundaries of the Arcadia Heights, Benchmark & H Rock Small Area Plan (the "Arcadia Plan") are I-80 on the south, Foothill Drive on the west, 1700 South on the north, and the Wasatch National Forest on the east.
 - b. Pages 3-4 New Foothill Development
 - Development restrictions on slopes equal to or greater than 30% - Recommendations include strict application of the City's Site Development Ordinance relating to interpretation of 30% slopes as well as all other foothill development standards.
 - Undevelopable land – Recommendations include acquisition, donation to a land trust, establishment of conservation or access easements, and not permitting undevelopable land to be included in calculating density or incorporated into individual building lots.
 - c. Pages 5-6 Residential Density/Zoning Classification for Annexed Land
 - If additional development is considered, it should be very low density that does not impair the natural qualities of the area and preserves the maximum amount of open space.
 - Restrictions on development affecting slopes equal to or greater than 30% should be strictly enforced and interpreted according to written administrative policies established by the City.
 - Gated developments should be strongly discouraged.
 - The following policies should be taken into consideration when determining the zoning classification for properties which may be annexed in the future:
 1. Lots should be a minimum of one half acre in size.
 2. Not more than four additional lots should be permitted at the south end of Scenic Drive and not more than four additional lots should be permitted at the north end of Lakeline Drive.
 3. New lots should be oriented to a new cul-de-sac or other terminus at the south end of Scenic Drive and to the existing cul-de-sac at the north end of Lakeline Drive.
 4. All new lots should conform to the dimensional and height standards of the FR-2 Zone and to all established Foothill Development Standards.
 - d. Pages 6-7 Utility Service – water, sewer and storm drainage
 - The developer should pay costs relating to increased impacts created by new development.
 - Water Service – Romney Property – This subdivision is located on the upper edge of the distribution zone. Water service can be provided to the second floor of a dwelling to a maximum elevation of 5190 (USGS datum). Each lot will need to be evaluated on a case by case basis. New distribution water lines will need to be installed as part of the subdivision development. Any habitable areas above elevation 5190 will require new pumping and reservoir facilities. (For planning and mapping purposes a ground or main floor elevation of 5175 (USGS datum) should be assumed.)
 - Sewer Service – Romney Property – Sewer lines from this development would be connected to existing sewer lines in Benchmark Subdivision. Downstream facilities appear to be adequate to handle this additional flow.
 - Storm Drainage – Drainage system design for proposed subdivisions will need to comply with the City's Restricted Discharge Policy. This policy restricts discharge from a site to .2 cubic feet per second per acre for the 24-hour 100-year storm.
 - e. Pages 7-8 Annexation
 - It should continue to be the City's policy that municipal water and sewer service will not be provided to new developments unless they are located within the City.

f. Pages 11-12 Open Space & Recreation

- Bonneville Shoreline Trail – continuation of the Bonneville Shoreline Trail from the top of Benchmark Drive south along the Lake Bonneville Bench to connect other foothill trail access points and the Parley's Crossing Project North Bridge.
- Other trails – Recommendations include additional trail developments in this area from Benchmark Drive and Scenic Drive to provide foothill access points.
- Open Space Preservation Strategies emphasize designating undevelopable land as open space, acquisition and preservation of critical areas, establishing conservation easements, donations or sales to a land trust or other public or non-profit organizations.

g. Page 16 Public versus Private Streets

- Require dedicated public streets in order to better integrate new developments into existing neighborhoods and preserve public access to public lands.
- Streets should be designed recognizing specific soil and geologic conditions and constructed to mitigate any potential adverse conditions.

2. Open Space Master Plan – The Open Space Master Plan established four goals: conserve the natural environment; enhance open space amenities for all citizens; connect the various parts of the City to natural environments, and educate the citizens on proper use of open space. A section of the master plan relates to the Foothill Transitional Area, which it identifies as “the steeper slopes generally below the 5200 ft. elevation at the eastern and northern edges of the urbanized area.” The master plan states that, “A major issue is the conservation of the natural environment for animal habitat, watershed and views.” An implementation action identified by the master plan is that Salt Lake City, “establish the Open Space trust to receive and manage real property within the foothill transitional area.”

3. East Bench Master Plan – The approximate boundaries of the East Bench Master Plan are the northern City limits on the north, 1700 South and Parleys Way on the south, the eastern City limits on the east and 1300 East on the west. The East Bench Master Plan section on Annexation and Foothill development states the planning goal to preserve the present unique beauty, environmental habitat, recreational use, and accessibility of the Wasatch foothills, and ensure city control over foothill development in the East Bench Community. Additional statements note:
1. Most undeveloped foothill property east of the City is under the jurisdiction of Salt Lake County. Development under County jurisdiction is possible but not likely.
 2. Salt Lake City is the only government jurisdiction with the ability to provide urban services, and annexation is a vital first step in the development process.
 3. The City should refuse to provide water or sewer services to accommodate development of property outside of City boundaries.
 4. Areas that are undevelopable, from a geological standpoint, should be preserved as natural foothill open space. The City should work with the State and Federal governments to acquire privately-owned property for public open space and recreation purposes.
 5. Slope is one of the most important factors in determining development potential.
 6. The three areas that have development potential should be limited to a maximum density of 4 units per gross acre or less as physical conditions indicate. Single-family homes or planned-unit developments are recommended.
 7. The City should plan to eventually accommodate development, expand regulations to encompass aesthetic considerations as the means of precluding development, or acquire the properties for public open space.
 8. If property owners can document compliance with the site development and other applicable City ordinances, the community and City should expect to accommodate development proposals.

C. State Code 10-2-403 regarding annexation requires that boundaries for annexation be drawn in the following manner:

1. To eliminate islands and peninsulas of territory that is not receiving municipal-type services;

2. To facilitate the consolidation of overlapping functions of local government;
 3. To promote the efficient delivery of services; and
 4. To encourage the equitable distribution of community resources and obligations.
- D. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
1. Is aesthetically pleasing;
 2. Contributes to a livable community environment;
 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 4. Forestalls negative impacts associated with inactivity.
- E. In the past, the Administration has provided the following information relating to the City's annexation policies:
1. The City does not have a citywide annexation policy.
 2. Annexation policies have been developed based primarily on geographic locations and existing land uses.
 3. Annexation policies are identified in the applicable master plans prepared for affected planning communities (i.e. East Bench, Sugar House, Northwest Community, Jordan River/Airport area, City Creek, etc.).
 4. Annexation policies in the Sugar House Master Plan are significantly different from policies identified in the East Bench Master Plan. The Sugar House area is part of the older, fully developed portion of the City. The East Bench area contains underdeveloped areas of the foothills that are limited in development potential due to slope restriction and the cost of providing municipal services.
- F. Council staff has attached a synopsis of City annexation policies prepared for the Council's Annexation Subcommittee. The Synopsis includes a summary of:
1. The City's 1979 Annexation Policy Declaration
 2. City Resolution No. 34 of 2000 – Reaffirmation of 1979 Master Annexation Policy Declaration, and Declaration of Intent to annex areas served by the City's water system in the unincorporated Salt Lake County
 3. Resolution 20 of 1982 – Water Service provided outside the City limits
 4. Existing Community Master Plans Annexation Policies
 5. The 1999 Salt Lake County Feasibility Scenarios Reports
 6. 1999 Salt Lake City Wall to Wall Cities Study
 7. 2000 Salt Lake City Wall to Wall Cities Annexation Study
- G. The City's Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, architectural designs compatible with neighborhoods, public and neighborhood participation and interaction, accommodating different types and intensities of residential developments, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
- H. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The documents emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments.
- I. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed annexation. Key dates are listed below. Please refer to the Administration's chronology for details.

- December 15, 2005 Planning Open House
- January 12, 2006 Joint Arcadia Heights, Benchmark and H Rock Community Council meeting
- January 17, 2006 Annexation petition accepted by City Council
- February 22, 2006 Planning Commission hearing
- March 7, 2006 Ordinance requested from City Attorney's office
- March 21, 2006 Ordinance received from City Attorney's office

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Louis Zunguze, Brent Wilde, Alex Ikefuna, Doug Wheelwright, Cheri Coffey, Everett Joyce, Sarah Carroll, Jan Aramaki, Marge Harvey, , Jennifer Bruno, Barry Esham, Annette Daley, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Annexation, Romney/Carson, approximately 2982 East Benchmark Drive and 2100 South to 2600 South

A. LOUIS ZUNGUZE
DIRECTOR

BRENT B. WILDE
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

SUPPLEMENTAL CITY COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer **DATE:** April 24, 2006

FROM: Louis Zunguze, Community Development Director

RE: Supplemental Transmittal for Petition No. 400-05-41 by Romney Lumber Company and Robert and Honora Carson which is a request to annex approximately 405.59 acres of land into the corporate limits of Salt Lake City regarding the zoning of properties which abut residential property on Lakeline Drive.

STAFF CONTACTS: Sarah Carroll, Principal Planner, at 535-6260 or sarah.carroll@slcgov.com

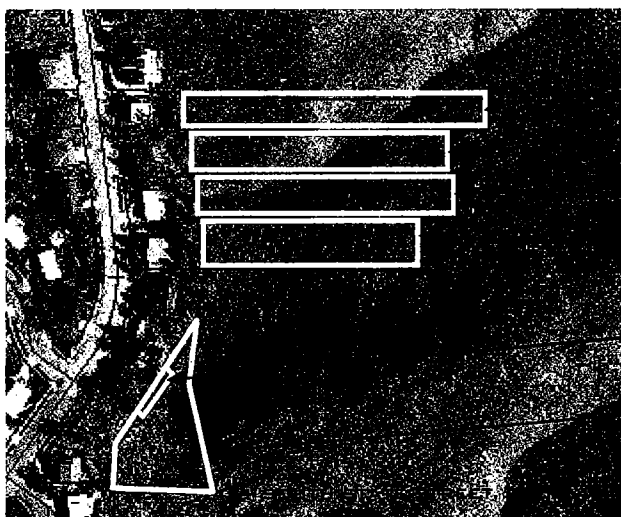
RECOMMENDATION: That the City Council consider individual property owner zoning preferences and amend the ordinance exhibits as appropriate

DOCUMENT TYPE: Supplemental Briefing

BUDGET IMPACT: None

DISCUSSION:

Issue Origin: At the City Council briefing held on April 4, 2006, to discuss the annexation of 405.59 acres into the corporate limits of Salt Lake City, Council members requested that Planning staff contact the property owners listed below to determine which zoning designation these property owners would prefer for their individual properties, Open Space (OS) or Foothill Residential (FR-3).



- 1) 16-23-201-013, owned by Alan & Orlene Cohen
- 2) 16-23-201-014, owned by Alan & Orlene Cohen
- 3) 16-23-201-016, owned by Andrea & Louis Barrows
- 4) 16-23-201-017, owned by Benjamin Buehner
- 5) 16-23-201-018 (partial), owned by Lynn Mabey
- 6) 16-23-201-019, owned by Axxon Investment Company (Lynn Mabey)

SALT LAKE CITY, UTAH 84111

TELEPHONE: 801-535-7105 FAX: 801-535-6005

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Analysis: Each property owner was sent a letter (copy attached) with a request to respond by April 20, 2006 and each property owner was contacted by phone no later than April 18, 2006. The outcome of the zoning preference survey is as follows:

- Alan Cohen requested that the buildable parts of his property (that of less than 30% slope) be zoned FR-3 and that the rest be zoned OS or if this is not possible that it all be zoned OS.
- Andrea Barrows requested that her property be zoned FR-3, so that she can create a rear addition to her home. A letter was provided and is attached.
- Benjamin Buehner said that he will research the information further and get back to us or will attend the City Council Hearing to state his preference.
- Lynn Mabey stated that he would prefer the property to be zoned FR-3 because he owns a vacant parcel that is adjacent to the lot that his house is on and that also abuts the parcel that is being annexed. He would like to increase the buildable area of this parcel so that when the vacant lot is developed, the home can be set back farther from the street.

Based upon the zoning preferences of the various owners of the residential lots that front on Lakeline Drive, which are currently in Salt Lake City's corporate limits and zoned Foothill Residential (FR-3), Planning staff has worked with the City Council staff and the City Attorney to prepare an alternate ordinance for City Council consideration, which adds a revised Exhibit "C" and a new Exhibit "D" to the original ordinance. The revised Exhibit "C" limits the zoning to Open Space (OS) to three parcels and the new Exhibit "D" would zone four parcels to Foothill Residential (FR-3), consistent with the zoning preferences of the contacted property owners.

Since we have not received a decision from Benjamin Buehner, planning staff has provided exhibits that designate his property for FR-3 zoning in order to create a more unified zoning pattern.

PUBLIC PROCESS

Not Applicable to this supplemental transmittal. See prior transmittal for public process details.

RELEVANT ORDINANCES:

Salt Lake City Ordinance: Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five

standards are discussed in detail starting on page 6 of the Planning Commission Staff Report (see Attachment 5B).

Utah State Code: Utah State Code Section 10-2 regulates requirements for annexations. Section 10-9a-204 and -205 regulates the requirements for noticing a general plan amendment and land use ordinance amendment. Notice of the requested Zoning Map and Master Plan amendments were published in the newspaper on February 8, 2006, meeting State Code noticing requirements. Section 10-9a-404, states that the Planning Commission must hold a Public Hearing to consider general plan amendments and that the legislative body may adopt or reject the proposed amendment either as proposed by the Planning Commission or after making any revision that the legislative body considers appropriate. Section 10-9a-503 states that the legislative body may not make any amendment unless the amendment was first submitted to the Planning Commission for its recommendation. The Planning Commission held a Public Hearing on February 22, 2006, to consider the Zoning Map and Master Plan amendments related to this petition and recommended approval of this petition as proposed.

Attachments:

Attachment 1 – Letter to Property Owners

Attachment 2 – Letter from Andrea Barrows

Attachment 3 – Alternate Ordinance and Exhibits

Attachment 1
Letter to Property Owners

ALEXANDER C. IKEFUNA
PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

CHERI COFFEY, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

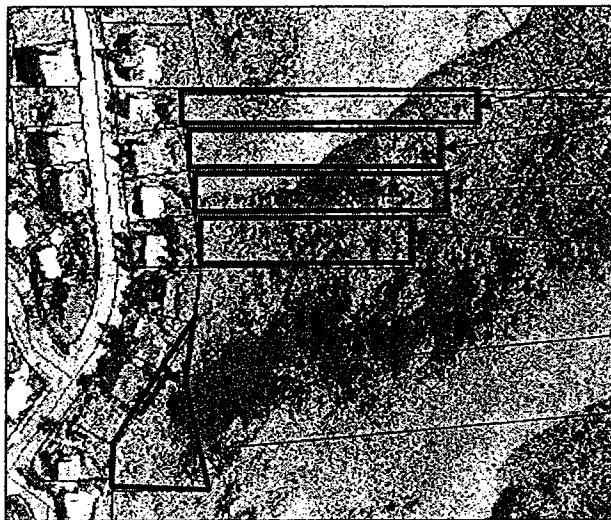
A. LOUIS ZUNGUZE
COMMUNITY DEVELOPMENT DIRECTOR

April 6, 2006

Dear Respective Property Owners:

Re: Petition No. 400-05-41, Parley's Pointe Annexation

Property that you own is in the process of being annexed into the corporate limits of Salt Lake City. The following list and map identifies which properties and property owners this letter is directed to:



- 1) 16-23-201-017, owned by Benjamin Buehner
- 2) 16-23-201-016, owned by Andrea & Louis Barrows
- 3) 16-23-201-013, owned by Alan & Orlene Cohen
- 4) 16-23-201-014, owned by Alan & Orlene Cohen
- 5) 16-23-201-018 (partial), owned by Lynn Mabey
- 6) 16-23-201-019, owned by Axxon Investment Company

Planning staff has recommended that your property be zoned Open Space (OS) zoning. At a City Council briefing, held on April 4, 2006, the City Council requested that planning staff contact each of you in order to obtain your comments about the proposed zoning designation that has been recommended for your land.

The purpose of the Open Space (OS) zone is to preserve and protect areas of public and private open space and exert a greater level of control over any potential redevelopment of existing open space areas. This zone does not allow residential uses and limits fencing, vegetative planting and grading opportunities.

Open Space (OS) zoning has been recommended in consideration of the perceived slopes on your properties and in order to hinder the possibility of development of your properties as it is believed that the slope of the land may exceed 30%. The Open Space (OS) zone allows the uses listed below, when the subject lot has frontage on a public street:

- Cemeteries and accessory crematoriums
- Community and recreation centers
- Pet Cemeteries
- Country clubs
- Golf courses
- Natural open space and conservation areas
- Nature preserves/conservation areas (public and private)
- Public parks
- Private recreational facilities
- Zoological parks
- Public or private utility buildings and structures
- Public or private utility transmission wires, lines, pipes and poles

The Arcadia Heights Subdivision lots which you own and on which your residences are built are currently within Salt Lake City's corporate limits and are zoned Foothill Residential (FR-3) instead of OS. At least one property owner has expressed an interest in having the abutting parcel zoned FR-3 instead of OS because they anticipate trying to extend the buildable area of the lot where the residence is located in order to create an addition to the rear of the home. Rezoning your accessory parcel to FR-3 will likely cause your property to be re-assessed by the County Assessor, and may significantly increase your total property taxes.

Please identify which zoning designation you prefer and submit your comments regarding the proposed zoning, as it relates to your particular property, no later than **April 20, 2006**, attn: Sarah Carroll at 451 South State Street Room 406, Salt Lake City, UT 84111 or via e-mail at sarah.carroll@slcgov.com. If you have any questions please call me at 535-6260.

Thank you,



Sarah Carroll
Principal Planner

Attachment 2
Letter from Andrea Barrows

Dear Salt Lake City Council Members and Staff,

We would like to reiterate our position on Petition No. 400-05-41 Parley's Pointe Annexation, which includes our property at 2219 South Lakeline Dr (parcel 16-23-201-016); we are in support of this proposal. Since our property will be rezoned we request that FR-3 zoning be placed on the parcel. This will allow us to combine our two parcels. Please refer to our letter sent to the Planning Commission in February.

Unfortunately, we are unable to attend the City Council meeting due to our University of Utah obligations. Thank you for your consideration.

Sincerely,

Andrea and Louis Barrows

Attachment 3
Alternate Ordinance and Attachments

SALT LAKE CITY ORDINANCE

No. _____ of 2006

(Annexing the Property Included within the Parley's Pointe
Annexation Petition, Amending the Applicable Master Plans,
and Rezoning the Area upon its Annexation into the City)

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF SALT LAKE CITY
TO INCLUDE APPROXIMATELY 405.59 ACRES OF UNINCORPORATED TERRITORY
INCLUDED WITHIN THE PARLEY'S POINTE ANNEXATION PETITION, LOCATED IN
THE VICINITY OF 2982 EAST BENCHMARK DRIVE (EAST OF APPROXIMATELY 3000
EAST AND FROM APPROXIMATELY 2100 SOUTH TO 2600 SOUTH), PURSUANT TO
PETITION NO. 400-05-41, AMENDING THE EAST BENCH COMMUNITY MASTER
PLAN, THE ARCADIA HEIGHTS, BENCHMARK AND H-ROCK SMALL AREA MASTER
PLAN, AND AMENDING THE SALT LAKE CITY ZONING MAP TO ZONE AND
DESIGNATE THIS AREA AS FOOTHILL RESIDENTIAL (FR-2), FOOTHILL
RESIDENTIAL (FR-3), OPEN SPACE (OS) AND NATURAL OPEN SPACE (NOS) UPON
ITS ANNEXATION INTO THE CITY.

WHEREAS, Salt Lake City has received Petition No. 400-05-41 (the "Petition"),
Parley's Pointe Annexation, filed by the Romney Lumber Company and Robert and Honora
Carson ("Romney/Carson") requesting the annexation of approximately 405.59 acres of
unincorporated territory in Salt Lake County, which would extend the existing corporate limits
of Salt Lake City; and

WHEREAS, the Petition is signed by the owners of a majority of the real property and
the owners of more than one-third in value of all real property within the territory to be annexed
as shown by the last assessment roles of Salt Lake County; and

WHEREAS, the Petitioner has submitted to the City a plat for the territory proposed for the annexation; and

WHEREAS, the territory described in the Petition lies contiguous to the corporate limits of Salt Lake City and within an area projected for Salt Lake's municipal expansion, and otherwise satisfies the standards and the criteria applicable to annexations; and

WHEREAS, Salt Lake City and the Petitioner have executed a Settlement and Annexation Agreement, dated October 24, 2005, which addresses the annexation and future development of this property; and

WHEREAS, no objection or protest to such annexation has been filed with the Salt Lake County Boundary Commission; and

WHEREAS, after properly advertised and noticed public hearings before the Salt Lake City Planning Commission and the Salt Lake City Council, the City Council has determined that this annexation is in the best interest of the City;

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Annexation. The Salt Lake City limits are hereby enlarged and extended so as to include the properties identified within the Parley's Pointe Annexation Petition, containing approximately 405.59 acres of unincorporated territory in Salt Lake County, State of Utah. Said properties are more particularly described as set forth on Exhibit A attached hereto.

SECTION 2. Amendment of Applicable Master Plans. The East Bench Community Master Plan and the Arcadia Heights, Benchmark and H-Rock Small Area Master Plan, which were previously adopted by the City Council, shall be and hereby are amended to allow limited, very low density, single family residential development in the area consisting of not more than 15 new lots all but one of which shall be located on a private street extending off the current

terminus of Benchmark Drive, and not more than 4 new lots located on a public cul-de-sac extending from the current terminus of Scenic Drive.

SECTION 3. Zoning. Portions of the property annexed, as more particularly described on Exhibit B(1), B(2) and B(3) attached hereto, shall be and hereby are designated and zoned as Natural Open Space (NOS). Portions of the property annexed, as more particularly described on Exhibit B(4), B(5), and B(6) attached hereto, shall be and hereby are designated and zoned Foothill Residential (FR-2). Portions of the property annexed, more particularly described on Exhibit C attached hereto, shall be and hereby are designated and zoned Open Space (OS). Portions of the property annexed, more particularly described on Exhibit D attached hereto, shall be and hereby are designated and zoned Foothill Residential (FR-3). The Salt Lake City Zoning Map, as previously adopted by the Salt Lake City Council, shall be and hereby is amended consistent with this Ordinance.

SECTION 4. General Jurisdiction. All ordinances, jurisdictions, rules and obligations of, or pertaining to, Salt Lake City are hereby extended over, and made applicable and pertinent to the above annexed property; and the property shall hereafter be controlled and governed by the ordinances, rules, and regulations of Salt Lake City; provided however, that such City regulations shall not be interpreted to conflict with the validity of the approval by Salt Lake County of the Phase I Subdivision and the Phase I roadway as described in the Settlement and Annexation Agreement and as referenced in Section 6 of this ordinance.

SECTION 5. Filings and Notices. Upon the effective date of this Ordinance, the City Recorder of Salt Lake City is hereby directed to file with the Salt Lake County Recorder, after approval by the City Engineer, a copy of the annexation plat duly certified and acknowledged together with a copy of this ordinance. The City Recorder is further directed to provide notice to

the State Tax Commission under the provisions of Utah Code Annotated section 11-12-1, as amended.

SECTION 6. Compliance with Settlement and Annexation Agreement. The effectiveness of this Ordinance shall be and hereby is expressly conditioned upon fulfillment of all of the applicable procedures, terms and conditions set forth in the Settlement and Annexation Agreement, dated October 24, 2005, a copy of which is on file with the Salt Lake City Recorder, including, but not limited to, the following items:

(a) Approval by Salt Lake County of the Phase I Subdivision, consisting of not more than 15 lots located off Benchmark Drive; and

(b) Construction of the public and private portions of the Phase I roadway and corresponding utility lines, or obtaining and filing a bond with Salt Lake City, in an amount and form reasonably acceptable to the City, for the roadway and corresponding utility lines.

Upon satisfaction of all of the applicable procedures, terms, and conditions set forth in the Settlement and Annexation Agreement, this Ordinance shall become effective without the need for any further approval from the Salt Lake City Council.

SECTION 7. Effective Date. This Ordinance shall not become effective until the terms and conditions set forth herein, as well as those terms and conditions set forth in the Settlement and Annexation Agreement, have been satisfied, as certified by the Director of the Salt Lake City Community Development Department, the Director of the Salt Lake City Public Utilities Department and a representative of the owners of the Romney/Carson property. The City Recorder is instructed not to record or publish this Ordinance until the above-mentioned certifications have been received.

SECTION 8. TIME. If the conditions set forth above have not been satisfied within two years following the date of this Ordinance, this Ordinance shall become null and void. The City Council may, by resolution, for good cause shown, extend the time period for satisfying the conditions set forth herein.

Passed and adopted by the City Council of Salt Lake City, Utah this _____ day of _____, 2006.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2006.

Published: _____.

Exhibit "A"
Annexation Boundary

Annexation Boundary Description:

Beginning at a point S89°41'10"E 130.00 along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S89°41'10"E 597.28 feet along said North Section Line; thence S89°41'00"E 1918.94 feet to the Northwest Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.37 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwestern Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following eleven courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S76°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence 67°44'00"W 403.96 feet; thence Westerly 687.13 feet along the arc a 824.93 feet radius curve to the right, cord bears N88°24'15"W 687.13 feet; thence N64°32'30"W 1300.21 feet; thence N63°45'00"W 291.05 feet; thence N58°38'00"W 200.00 feet; thence N53°49'00"W 432.00 feet to the East Line of the Southwest Quarter; thence North 3483.18 feet along said East Line to Northeast Corner of Lot 609 of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder; thence the following three courses along the Easterly Boundary Line of said Arcadia Heights Plat F: N34°00'00"E 286.49 feet; thence N07°30'00"E 110.17 feet; thence N07°20'40"W 348.76 feet to the point of beginning, Contains 405.598 Acres.

Excepting therefrom:

Any part of the above described property lying within the Right-of-Way Limits of the Interstate 80.

Exhibit "B"
Romney/Carson Property

Parcels 16-23-226-004-4001 and 16-23-226-004-4002 owned by Romney/Carson:

The Romney/Carson property will be divided into separate parcels when the final plat of the proposed subdivision is recorded by the County. The legal descriptions for each of the recommended zones for the Romney/Carson property are identified below:

1) Perpetual Open Space, Parcel "A" as identified in the Settlement Agreement:

Zoning: NOS

Parcel Description:

Beginning at a point which is S89°41'00"E 727.28 feet along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian and running thence S89°41'00"E 1918.93 feet along said North Line to the Northwest Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.24 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwesterly Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet along said East Line to the Northerly Right-of-Way Line of Interstate Highway 80; thence the following six courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S76°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence S67°44'00"W 381.82 feet to the East Line of said Section 23; thence N00°03'00"E 2593.48 feet along said East Line to the East Quarter Corner of said Section 23; thence West 1322.12 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 995.43 feet; thence N45°28'41"W 258.83 feet; thence N57°08'44"W 256.20 feet; thence N89°17'51"W 363.54 feet; thence N48°37'21"W 102.28 feet; thence N24°52'02"W 191.04 feet; thence North 231.04 feet; thence N09°04'08"W 256.87 feet; thence N11°59'24"E 398.95 feet; thence N52°25'01"W 153.19 feet; thence N53°41'29"W 113.67 feet; thence N36°18'31"E 85.64 feet; thence N52°58'57"W 352.64 feet to the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 969.96 feet along said Easterly Boundary Line and the Easterly Boundary Line of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder to the Northeast Corner of Lot 610 of said Arcadia Heights Plat F Subdivision; thence East 193.35 feet; thence N12°30'00"W 220.80 feet; thence N07°30'00"E 222.34 feet; thence S89°41'10"E 421.15 feet; thence N00°18'50"E 101.59 feet; thence S89°41'10"E 70.16 feet; thence N00°18'50"E 85.23 feet; thence N89°41'10"W 11.46 feet; thence N00°18'50"E 85.23 feet; thence S89°41'10"E 70.97 feet; thence N00°18'50"E 73.46 feet to the point of beginning.

Contains 273.63 Acres

2) Perpetual Open Space, Parcel "B" as identified in the Settlement Agreement:

Zoning: NOS

Boundary Description:

Beginning at a point which is South 3797.25 feet along Section Line and East 642.46 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence N54°37'14"E 343.39 feet; thence Southeasterly 46.26 feet along the arc a 368.00 foot radius curve to the right, chord bears S49°16'30"E 46.23 feet; thence S46°13'51"W 106.10 feet; thence S08°36'36"E 164.32 feet; thence N57°49'39"E 118.56 feet; thence South 288.71 feet; thence S89°58'30"E 315.81 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 18.91 feet; thence N89°58'30"W 382.62 feet; thence N43°34'31"W 430.20 feet; to the point of beginning.

Contains 93959 square feet or 2.157 acres.

3) Perpetual Open Space, Parcel "C" as identified in the Settlement Agreement:

Zoning: NOS

Boundary Description:

Beginning at a point which is South 3757.84 feet along Section Line and East 591.69 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S52°10'55"E 64.27 feet; thence S43°34'31"E 430.20 feet; thence S89°58'30"E 382.62 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 812.66 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following four courses along said Northerly Right-of-Way Line: (1) N64°32'30"W 598.93 feet; (2) thence N63°45'00"W 291.05 feet; (3) thence N58°38'00"W 200.00 feet; (4) thence N53°49'00"W 268.20 feet; thence N41°43'24"E 690.39 feet to the point of beginning.

Contains 16.55 Acres

4) Proposed Subdivision, Phase I, lots 1-13 as identified in the Settlement Agreement:

Zoning: FR-2

Boundary Description:

Beginning at a point which is South 1752.48 feet along Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S52°58'57"E 352.64 feet; thence S36°18'31"W 85.64 feet; thence S53°41'29"E 113.67 feet; thence S52°25'01"E 153.19 feet; thence S11°59'24"W 398.95 feet; thence S09°04'08"E 256.87 feet; thence South 231.04 feet; thence S24°52'02"E 191.04 feet; thence S48°37'21"E 102.28 feet; thence S89°17'51"E 363.54 feet; thence S57°08'44"E 256.20 feet; thence S49°50'12"W 252.23 feet; thence

Northwesterly 28.58 feet along the arc a 368.00 foot radius curve to the left, chord bears N50°39'06"W 28.57 feet; thence S54°37'14"W 343.39 feet; thence N52°10'55"W 64.27 feet; thence N52°10'55"W 130.67 feet; thence N53°00'55"W 611.50 feet to the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 1557.37 feet along said Easterly Boundary Line to the point of beginning.
Contains 19.68 Acres

5) Proposed Subdivision, Phase I, lots 14a, 14b and 15 as identified in the Settlement Agreement:

Zoning: FR-2

Boundary Description:

Beginning at a point which is South 3453.86 feet along Section Line and East 1137.28 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S45°28'41"E 258.83 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 454.83 feet; thence N89°58'30"W 315.81 feet; thence North 288.71 feet; thence S57°49'39"W 118.56 feet; thence N08°36'36"W 164.32 feet; thence N46°13'51"E 106.10 feet; thence Northwesterly 17.69 feet along the arc a 368.00 foot radius curve to the left, chord bears N47°03'02"W 17.68 feet; thence N49°50'12"E 252.23 feet to the point of beginning.
Contains 4.61 Acres

6) Proposed Subdivision, Phase II, lots 1-4, as identified in the Settlement Agreement:

Zoning: FR-2

Boundary Description:

Beginning at a point which is South 3309.84 feet along Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S53°00'55"E 611.50 feet; thence S52°10'55"E 130.67 feet; thence S41°43'24"W 690.39 feet; thence N53°49'00"W 163.80 feet to the Section Line and the extension of the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 866.58 feet along Section Line to the point of beginning.
Contains 7.19 Acres

Exhibit "C"
Three Other Properties, to be zoned OS

The following parcels will be incorporated into the corporate limits of Salt Lake City and zoned as follows:

- 1) 16-23-201-013, owned by Alan & Orlene Cohen, to be zoned OS
- 2) 16-23-201-014, owned by Alan & Orlene Cohen, to be zoned OS
- 3) 16-23-400-001, owned by Jack Jensen and Intermountain Holding Company, to be zoned OS

All 3 parcels:
Zoning: OS

Legal Descriptions for each parcel:

16-23-201-013, owned by Alan & Orlene Cohen:
BEGINNING AT THE NORTHEAST COR OF LOT 603, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; S 89°41'10" EAST 516.82 FEET; SOUTH 00°8'50" WEST 85.23 FEET NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-014, owned by Alan & Orlene Cohen
BEGINNING AT THE NORTHEAST CORNER OF LOT 604, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 435.20 FEET; S 00°E8'50" W 101.69 FEET; NORTH 89°41'10" WEST 421.53 FEET; NORTH 07°20'40" WEST 102.61 FEET TO BEGINNING. 1 ACRE.

16-23-400-001, owned by Jack Jensen and Intermountain Holding Company
EAST 1/2 OF SOUTHEAST 1/4 SECTION 23 TOWNSHIP 1 SOUTH RANGE 1 EAST SALT LAKE BASE AND MERIDIAN MER LESS STATE ROAD COMMISSION TRACT. 73 ACRES.

Exhibit "D"
Four Other Properties, to be zoned FR-3

The following parcels will be incorporated into the corporate limits of Salt Lake City and zoned as follows:

- 1) 16-23-201-016, owned by Andrea & Louis Barrows, to be zoned FR-3
- 2) 16-23-201-017, owned by Benjamin Buehner, to be zoned FR-3
- 3) 16-23-201-018 (partial), owned by Lynn Mabey, to be zoned FR-3
- 4) 16-23-201-019, owned by Axxon Investment Company, to be zoned FR-3

All 4 parcels:
Zoning: FR-3

Legal Descriptions for each parcel:

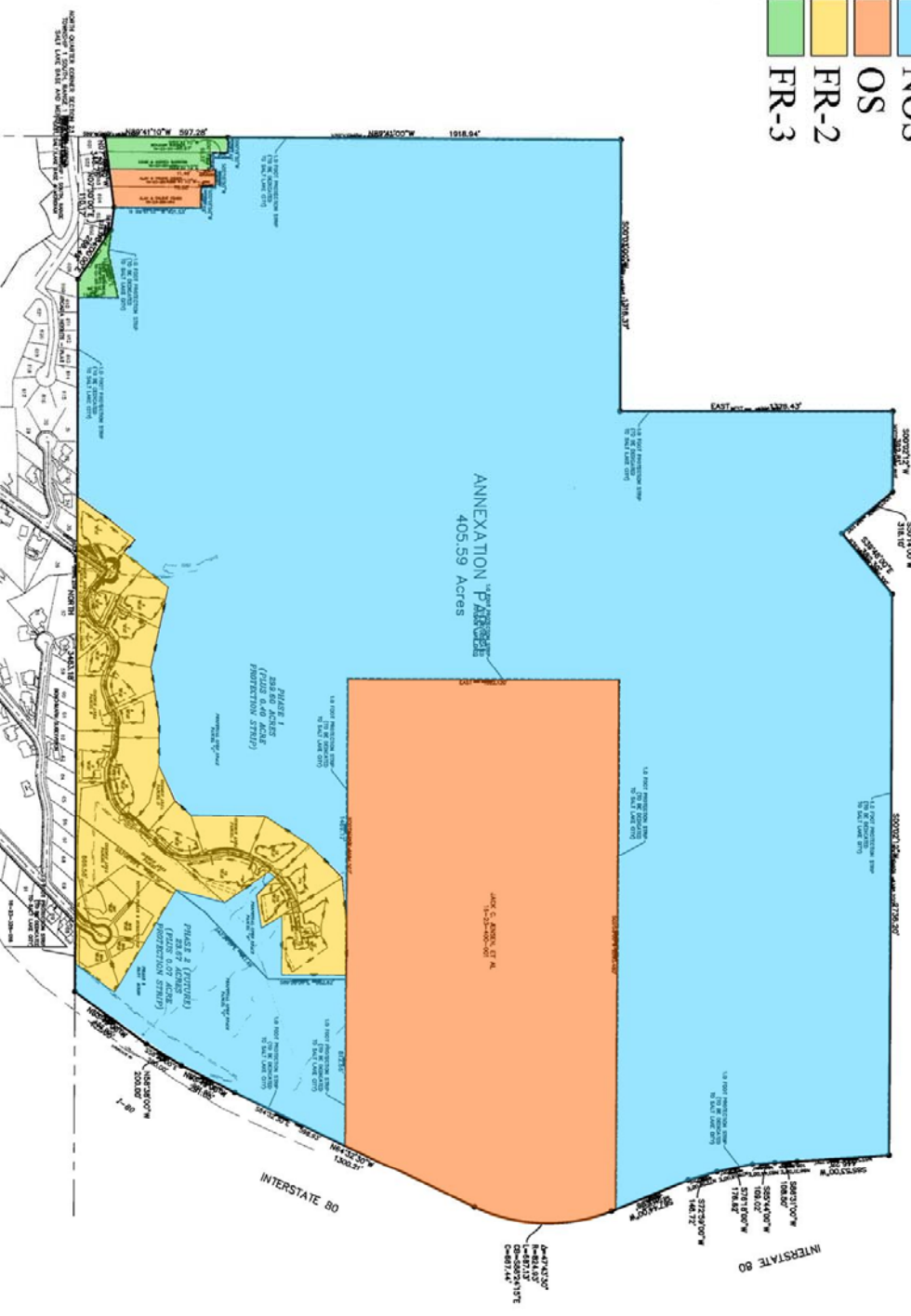
16-23-201-016, owned by Andrea & Louis Barrows
BEGINNING AT THE NORTHEAST CORNER OF LOT 602, ARCADIA HEIGHTS SUBDIVISION PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 516.82 FEET; SOUTH 00°18'50" WEST 85.23 FEET; NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-017, owned by Benjamin Buehner
BEGINNING AT NORTHEAST CORNER OF LOT 601, ARCADIA HEIGHTS SUBDIVISION PLAT F SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 597.67 FEET; SOUTH 00°18'50" WEST 73.49 FEET; NORTH 89°41'10" WEST 587.79 FEET; NORTH 07°20'40" WEST 74.148 FEET TO BEGINNING. 1 ACRE.

16-23-201-018 (partial), owned by Lynn Mabey
LOT 607, ARCADIA HEIGHTS PLAT F. ALSO BEGINNING AT MOST EASTERLY CORNER OF SAID LOT 607; SOUTH 62° EAST 15.08 FEET; SOUTH 34° WEST 98.76 FEET; NORTH 54°45' WEST 15 FEET; NORTH 34° EAST 96.86 FEET TO BEGINNING.

16-23-201-019, owned by Axxon Investment Company
BEGINNING SOUTH 89°41'10" EAST 130 FEET & SOUTH 7°20'40" EAST 348.755 FEET & SOUTH 7°30' WEST 110.172 FEET FROM NORTH 1/4 CORNER OF SECTION 23, TOWNSHIP 1 SOUTH RANGE 1 EAST SALT LAKE BASE AND MERIDIAN; SOUTH 7°30' WEST 112.166 FEET; SOUTH 12°30' EAST 220.793 FEET; WEST 193.348 FEET TO WEST LINE OF EAST 1/2 OF SD SECTION 23; NORTH 89.26 FEET; NORTH 34° EAST 79.794 FEET; SOUTH 54°45' EAST 15 FEET; NORTH 34° EAST 98.76 FEET; NORTH 62° WEST 15.08 FEET; NORTH 34° EAST 109.831 FEET TO BEGINNING. 0.71 ACRES

LOCATED IN SECTION 23,
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH



BOUNDARY LINE
SECTION LINE
SECTION CORNER
FOUND

[illegible]

TOWNSHIP : SOUTH, LOCATED IN SECTION 32, T14N, R10E, S1E, MEDFORD
 SALT LAKE COUNTY, UTAH
 SALT LAKE CITY, SALT LAKE COUNTY, UTAH

RECORDED #
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
 RECORDS OF :
 DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
 FILE# _____ SALT LAKE COUNTY RECORDER

PROPERTY OWNER/AGENT
HOME-TODDLER COMPANY
430 EAST 400 SOUTH
SALT LAKE CITY, UTAH 84111

[illegible]

SALT LAKE CITY ORDINANCE

No. _____ of 2006

(Annexing the Property Included within the Parley's Pointe
Annexation Petition, Amending the Applicable Master Plans,
and Rezoning the Area upon its Annexation into the City)

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF SALT LAKE CITY
TO INCLUDE APPROXIMATELY 405.59 ACRES OF UNINCORPORATED TERRITORY
INCLUDED WITHIN THE PARLEY'S POINTE ANNEXATION PETITION, LOCATED IN
THE VICINITY OF 2982 EAST BENCHMARK DRIVE (EAST OF APPROXIMATELY 3000
EAST AND FROM APPROXIMATELY 2100 SOUTH TO 2600 SOUTH), PURSUANT TO
PETITION NO. 400-05-41, AMENDING THE EAST BENCH COMMUNITY MASTER
PLAN, THE ARCADIA HEIGHTS, BENCHMARK AND H-ROCK SMALL AREA MASTER
PLAN, AND AMENDING THE SALT LAKE CITY ZONING MAP TO ZONE AND
DESIGNATE THIS AREA AS FOOTHILL RESIDENTIAL (FR-2), OPEN SPACE (OS) AND
NATURAL OPEN SPACE (NOS) UPON ITS ANNEXATION INTO THE CITY.

WHEREAS, Salt Lake City has received Petition No. 400-05-41 (the "Petition"), Parley's
Pointe Annexation, filed by the Romney Lumber Company and Robert and Honora Carson
requesting the annexation of approximately 405.59 acres of unincorporated territory in Salt Lake
County, which would extend the existing corporate limits of Salt Lake City; and

WHEREAS, the Petition is signed by the owners of a majority of the real property and the
owners of more than one-third in value of all real property within the territory to be annexed as
shown by the last assessment roles of Salt Lake County; and

WHEREAS, the Petitioner has submitted to the City a plat for the territory proposed for
the annexation; and

WHEREAS, the territory described in the Petition lies contiguous to the corporate limits of Salt Lake City and within an area projected for Salt Lake's municipal expansion, and otherwise satisfies the standards and the criteria applicable to annexations; and

WHEREAS, Salt Lake City and the Petitioner have executed a Settlement and Annexation Agreement, dated October 24, 2005, which addresses the annexation and future development of this property; and

WHEREAS, no objection or protest to such annexation has been filed with the Salt Lake County Boundary Commission; and

WHEREAS, after properly advertised and noticed public hearings before the Salt Lake City Planning Commission and the Salt Lake City Council, the City Council has determined that this annexation is in the best interest of the City;

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Annexation. The Salt Lake City limits are hereby enlarged and extended so as to include the properties identified within the Parley's Pointe Annexation Petition, containing approximately 405.59 acres of unincorporated territory in Salt Lake County, State of Utah. Said properties are more particularly described as set forth on Exhibit A attached hereto.

SECTION 2. Amendment of Applicable Master Plans. The East Bench Community Master Plan and the Arcadia Heights, Benchmark and H-Rock Small Area Master Plan, which were previously adopted by the City Council, shall be and hereby are amended to allow limited, very low density, single family residential development in the area consisting of not more than 15 new lots all but one of which shall be located on a private street extending off the current

terminus of Benchmark Drive, and not more than 4 new lots located on a public cul-de-sac extending from the current terminus of Scenic Drive.

SECTION 3. Zoning. Portions of the property annexed, as more particularly described on Exhibit B(1), B(2) and B(3) attached hereto, shall be and hereby are designated and zoned as Natural Open Space (NOS). Portions of the property annexed, as more particularly described on Exhibit B(4), B(5), and B(6) attached hereto, shall be and hereby are designated and zoned Foothill Residential (FR-2). Portions of the property annexed, more particularly described on Exhibit C attached hereto, shall be and hereby are designated and zoned Open Space (OS). The Salt Lake City Zoning Map, as previously adopted by the Salt Lake City Council, shall be and hereby is amended consistent with this Ordinance.

SECTION 4. General Jurisdiction. All ordinances, jurisdictions, rules and obligations of, or pertaining to, Salt Lake City are hereby extended over, and made applicable and pertinent to the above annexed property; and the property shall hereafter be controlled and governed by the ordinances, rules, and regulations of Salt Lake City.

SECTION 5. Filings and Notices. Upon the effective date of this Ordinance, the City Recorder of Salt Lake City is hereby directed to file with the Salt Lake County Recorder, after approval by the City Engineer, a copy of the annexation plat duly certified and acknowledged together with a copy of this ordinance. The City Recorder is further directed to provide notice to the State Tax Commission under the provisions of Utah Code Annotated section 11-12-1, as amended.

SECTION 6. Compliance with Settlement and Annexation Agreement. The effectiveness of this Ordinance shall be and hereby is expressly conditioned upon fulfillment of

all of the applicable procedures, terms and conditions set forth in the Settlement and Annexation Agreement, dated October 24, 2005, a copy of which is on file with the Salt Lake City Recorder, including, but not limited to, the following items:

(a) Approval by Salt Lake County of the Phase I Subdivision, consisting of not more than 15 lots located off Benchmark Drive; and

(b) Construction of the public and private portions of the Phase I roadway and corresponding utility lines, or obtaining and filing a bond with Salt Lake City, in an amount and form reasonably acceptable to the City, for the roadway and corresponding utility lines.

Upon satisfaction of all of the applicable procedures, terms, and conditions set forth in the Settlement and Annexation Agreement, this Ordinance shall become effective without the need for any further approval from the Salt Lake City Council.

SECTION 7. Effective Date. This Ordinance shall not become effective until the terms and conditions set forth herein, as well as those terms and conditions set forth in the Settlement and Annexation Agreement, have been satisfied, as certified by the Director of the Salt Lake City Community Development Department and the Director of the Salt Lake City Public Utilities Department. The City Recorder is instructed not to record or publish this Ordinance until the above-mentioned certifications have been received.

SECTION 8. TIME. If the conditions set forth above have not been satisfied within two years following the date of this Ordinance, this Ordinance shall become null and void. The City Council may, by resolution, for good cause shown, extend the time period for satisfying the conditions set forth herein.

Passed and adopted by the City Council of Salt Lake City, Utah this _____ day of _____, 2006.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 3-21-06
By [Signature]

(SEAL)

Bill No. _____ of 2006.

Published: _____.

I:\Ordinance 06\Amending Parley's Pointe Annexation Petition.doc

Exhibit "A"
Annexation Boundary

Annexation Boundary Description:

Beginning at a point S89°41'10"E 130.00 along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S89°41'10"E 597.28 feet along said North Section Line; thence S89°41'00"E 1918.94 feet to the Northwest Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.37 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwestern Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following eleven courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S76°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence 67°44'00"W 403.96 feet; thence Westerly 687.13 feet along the arc a 824.93 feet radius curve to the right, cord bears N88°24'15"W 687.13 feet; thence N64°32'30"W 1300.21 feet; thence N63°45'00"W 291.05 feet; thence N58°38'00"W 200.00 feet; thence N53°49'00"W 432.00 feet to the East Line of the Southwest Quarter; thence North 3483.18 feet along said East Line to Northeast Corner of Lot 609 of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder; thence the following three courses along the Easterly Boundary Line of said Arcadia Heights Plat F: N34°00'00"E 286.49 feet; thence N07°30'00"E 110.17 feet; thence N07°20'40"W 348.76 feet to the point of beginning, Contains 405.598 Acres.

Excepting therefrom:

Any part of the above described property lying within the Right-of-Way Limits of the Interstate 80.

SC
3/20/06

Exhibit "B"
Romney/Carson Property

Parcels 16-23-226-004-4001 and 16-23-226-004-4002 owned by Romney/Carson:

The Romney/Carson property will be divided into separate parcels when the final plat of the proposed subdivision is recorded by the County. The legal descriptions for each of the recommended zones for the Romney/Carson property are identified below:

1) Perpetual Open Space, Parcel "A" as identified in the Settlement Agreement:

Zoning: NOS

Parcel Description:

Beginning at a point which is S89°41'00"E 727.28 feet along the North Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian and running thence S89°41'00"E 1918.93 feet along said North Line to the Northwestern Corner of Section 24, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence S00°03'00"W 1316.24 feet along the West Line to the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence East 1326.43 feet to the Northeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 24; thence S00°02'12"W 392.81 feet along the East Line of the West Half of said Section 24 to the Northwesternly Line of the Gwennie Lode Mining No. 5048 Claim; thence S50°14'00"W 318.10 feet along said claim; thence S39°46'00"E 382.30 feet along said claim to said East Line; thence S00°02'12"W 2736.20 feet along said East Line to the Northerly Right-of-Way Line of Interstate Highway 80; thence the following six courses along said Northerly Right-of-Way Line: S85°53'00"W 446.28 feet; thence S86°31'00"W 108.50 feet; thence S85°44'00"W 109.02 feet; thence S76°18'00"W 176.62 feet; thence S72°59'00"W 146.72 feet; thence S67°44'00"W 381.82 feet to the East Line of said Section 23; thence N00°03'00"E 2593.48 feet along said East Line to the East Quarter Corner of said Section 23; thence West 1322.12 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 995.43 feet; thence N45°28'41"W 258.83 feet; thence N57°08'44"W 256.20 feet; thence N89°17'51"W 363.54 feet; thence N48°37'21"W 102.28 feet; thence N24°52'02"W 191.04 feet; thence North 231.04 feet; thence N09°04'08"W 256.87 feet; thence N11°59'24"E 398.95 feet; thence N52°25'01"W 153.19 feet; thence N53°41'29"W 113.67 feet; thence N36°18'31"E 85.64 feet; thence N52°58'57"W 352.64 feet to the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 969.96 feet along said Easterly Boundary Line and the Easterly Boundary Line of Arcadia Heights Plat F Subdivision, recorded as Entry No. 1840440 in Book Y at Page 39 in the Office of the Salt Lake County Recorder to the Northeast Corner of Lot 610 of said Arcadia Heights Plat F Subdivision; thence East 193.35 feet; thence N12°30'00"W 220.80 feet; thence N07°30'00"E 222.34 feet; thence S89°41'10"E 421.15 feet; thence N00°18'50"E 101.59 feet; thence S89°41'10"E 70.16 feet; thence N00°18'50"E 85.23 feet; thence N89°41'10"W 11.46 feet; thence N00°18'50"E 85.23 feet; thence S89°41'10"E 70.97 feet; thence N00°18'50"E 73.46 feet to the point of beginning.

Contains 273.63 Acres

2) Perpetual Open Space, Parcel "B" as identified in the Settlement Agreement:

Zoning: NOS

Boundary Description:

Beginning at a point which is South 3797.25 feet along Section Line and East 642.46 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence N54°37'14"E 343.39 feet; thence Southeasterly 46.26 feet along the arc a 368.00 foot radius curve to the right, chord bears S49°16'30"E 46.23 feet; thence S46°13'51"W 106.10 feet; thence S08°36'36"E 164.32 feet; thence N57°49'39"E 118.56 feet; thence South 288.71 feet; thence S89°58'30"E 315.81 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 18.91 feet; thence N89°58'30"W 382.62 feet; thence N43°34'31"W 430.20 feet; to the point of beginning.

Contains 93959 square feet or 2.157 acres.

3) Perpetual Open Space, Parcel "C" as identified in the Settlement Agreement:

Zoning: NOS

Boundary Description:

Beginning at a point which is South 3757.84 feet along Section Line and East 591.69 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S52°10'55"E 64.27 feet; thence S43°34'31"E 430.20 feet; thence S89°58'30"E 382.62 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 812.66 feet to the Northerly Right-of-Way Line of Interstate 80; thence the following four courses along said Northerly Right-of-Way Line: (1) N64°32'30"W 598.93 feet; (2) thence N63°45'00"W 291.05 feet; (3) thence N58°38'00"W 200.00 feet; (4) thence N53°49'00"W 268.20 feet; thence N41°43'24"E 690.39 feet to the point of beginning.

Contains 16.55 Acres

4) Proposed Subdivision, Phase I, lots 1-13 as identified in the Settlement Agreement:

Zoning: FR-2

Boundary Description:

Beginning at a point which is South 1752.48 feet along Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S52°58'57"E 352.64 feet; thence S36°18'31"W 85.64 feet; thence S53°41'29"E 113.67 feet; thence S52°25'01"E 153.19 feet; thence S11°59'24"W 398.95 feet; thence S09°04'08"E 256.87 feet; thence South 231.04 feet; thence S24°52'02"E 191.04 feet; thence S48°37'21"E 102.28 feet; thence S89°17'51"E 363.54 feet; thence S57°08'44"E 256.20 feet; thence S49°50'12"W 252.23 feet; thence

Northwesterly 28.58 feet along the arc a 368.00 foot radius curve to the left, chord bears N50°39'06"W 28.57 feet; thence S54°37'14"W 343.39 feet; thence N52°10'55"W 64.27 feet; thence N52°10'55"W 130.67 feet; thence N53°00'55"W 611.50 feet to the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 1557.37 feet along said Easterly Boundary Line to the point of beginning.
Contains 19.68 Acres

5) Proposed Subdivision, Phase I, lots 14a, 14b and 15 as identified in the Settlement Agreement:

Zoning: FR-2

Boundary Description:

Beginning at a point which is South 3453.86 feet along Section Line and East 1137.28 feet from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S45°28'41"E 258.83 feet to the West Line of the East Half of the Southeast Quarter of said Section 23; thence S00°01'30"W 454.83 feet; thence N89°58'30"W 315.81 feet; thence North 288.71 feet; thence S57°49'39"W 118.56 feet; thence N08°36'36"W 164.32 feet; thence N46°13'51"E 106.10 feet; thence Northwesterly 17.69 feet along the arc a 368.00 foot radius curve to the left, chord bears N47°03'02"W 17.68 feet; thence N49°50'12"E 252.23 feet to the point of beginning.
Contains 4.61 Acres

6) Proposed Subdivision, Phase II, lots 1-4, as identified in the Settlement Agreement:

Zoning: FR-2

Boundary Description:

Beginning at a point which is South 3309.84 feet along Section Line from the North Quarter Corner of Section 23, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence S53°00'55"E 611.50 feet; thence S52°10'55"E 130.67 feet; thence S41°43'24"W 690.39 feet; thence N53°49'00"W 163.80 feet to the Section Line and the extension of the Easterly Boundary Line of Benchmark Subdivision, recorded as Entry No. 3379920 in Book 79-12 at Page 365 in the Office of the Salt Lake County Recorder; thence North 866.58 feet along Section Line to the point of beginning.
Contains 7.19 Acres

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3/26/06

Exhibit "C"
Seven Other Properties

The following parcels will be incorporated into the corporate limits of Salt Lake City:

- 1) 16-23-201-013, owned by Alan & Orlene Cohen
- 2) 16-23-201-014, owned by Alan & Orlene Cohen
- 3) 16-23-201-016, owned by Andrea & Louis Barrows
- 4) 16-23-201-017, owned by Benjamin Buehner
- 5) 16-23-201-018 (partial), owned by Lynn Mabey
- 6) 16-23-201-019, owned by Axxon Investment Company
- 7) 16-23-400-001, owned by Jack Jensen and Intermountain Holding Company

All 7 parcels:

Zoning: OS

Legal Descriptions for each parcel:

16-23-201-013, owned by Alan & Orlene Cohen:

BEGINNING AT THE NORTHEAST COR OF LOT 603, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; S 89°41'10" EAST 516.82 FEET; SOUTH 00°8'50" WEST 85.23 FEET NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-014, owned by Alan & Orlene Cohen

BEGINNING AT THE NORTHEAST CORNER OF LOT 604, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 435.20 FEET; S 00°E8'50" W 101.69 FEET; NORTH 89°41'10" WEST 421.53 FEET; NORTH 07°20'40" WEST 102.61 FEET TO BEGINNING. 1 ACRE.

16-23-201-016, owned by Andrea & Louis Barrows

BEGINNING AT THE NORTHEAST CORNER OF LOT 602, ARCADIA HEIGHTS SUBDIVISION PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 516.82 FEET; SOUTH 00°18'50" WEST 85.23 FEET; NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-017, owned by Benjamin Buehner

BEGINNING AT NORTHEAST CORNER OF LOT 601, ARCADIA HEIGHTS SUBDIVISION PLAT F SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 597.67 FEET; SOUTH 00°18'50" WEST 73.49 FEET; NORTH 89°41'10" WEST 587.79 FEET; NORTH 07°20'40" WEST 74.148 FEET TO BEGINNING. 1 ACRE.

16-23-201-018 (partial), owned by Lynn Mabey

LOT 607, ARCADIA HEIGHTS PLAT F. ALSO BEGINNING AT MOST EASTERLY CORNER OF SAID LOT 607; SOUTH 62° EAST 15.08 FEET; SOUTH 34° WEST

98.76 FEET; NORTH 54°45' WEST 15 FEET; NORTH 34° EAST 96.86 FEET TO BEGINNING.

16-23-201-019, owned by Axxon Investment Company

BEGINNING SOUTH 89°41'10" EAST 130 FEET & SOUTH 7°20'40" EAST 348.755 FEET & SOUTH 7°30' WEST 110.172 FEET FROM NORTH 1/4 CORNER OF SECTION 23, TOWNSHIP 1 SOUTH RANGE 1 EAST SALT LAKE BASE AND MERIDIAN; SOUTH 7°30' WEST 112.166 FEET; SOUTH 12°30' EAST 220.793 FEET; WEST 193.348 FEET TO WEST LINE OF EAST 1/2 OF SD SECTION 23; NORTH 89.26 FEET; NORTH 34° EAST 79.794 FEET; SOUTH 54°45' EAST 15 FEET; NORTH 34° EAST 98.76 FEET; NORTH 62° WEST 15.08 FEET; NORTH 34° EAST 109.831 FEET TO BEGINNING. 0.71 ACRES

16-23-400-001, owned by Jack Jensen and Intermountain Holding Company

EAST 1/2 OF SOUTHEAST 1/4 SECTION 23 TOWNSHIP 1 SOUTH RANGE 1 EAST SALT LAKE BASE AND MERIDIAN MER LESS STATE ROAD COMMISSION TRACT. 73 ACRES.

SC

3/20/06

Exhibit “C”
Properties to be zoned OS

The following parcels will be incorporated into the corporate limits of Salt Lake City and zoned as follows:

- 1) 16-23-400-001, owned by Jack Jensen and Intermountain Holding Company,
to be zoned OS

Zoning: OS

Legal Description:

16-23-400-001, owned by Jack Jensen and Intermountain Holding Company
EAST 1/2 OF SOUTHEAST 1/4 SECTION 23 TOWNSHIP 1 SOUTH RANGE 1 EAST
SALT LAKE BASE AND MERIDIAN LESS STATE ROAD COMMISSION TRACT.
73 ACRES.

Exhibit "D"
Properties to be zoned FR-3

The following parcels will be incorporated into the corporate limits of Salt Lake City and zoned as follows:

- 1) 16-23-201-016, owned by Andrea & Louis Barrows, to be zoned FR-3
- 2) 16-23-201-017, owned by Benjamin Buehner, to be zoned FR-3
- 3) 16-23-201-018 (partial), owned by Lynn Mabey, to be zoned FR-3
- 4) 16-23-201-019, owned by Axxon Investment Company, to be zoned FR-3
- 5) 16-23-201-013, owned by Alan & Orlene Cohen, to be zoned FR-3
- 6) 16-23-201-014, owned by Alan & Orlene Cohen, to be zoned FR-3

All 6 parcels:
Zoning: FR-3

Legal Descriptions for each parcel:

16-23-201-016, owned by Andrea & Louis Barrows

BEGINNING AT THE NORTHEAST CORNER OF LOT 602, ARCADIA HEIGHTS SUBDIVISION PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 516.82 FEET; SOUTH 00°18'50" WEST 85.23 FEET; NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-017, owned by Benjamin Buehner

BEGINNING AT NORTHEAST CORNER OF LOT 601, ARCADIA HEIGHTS SUBDIVISION PLAT F SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 597.67 FEET; SOUTH 00°18'50" WEST 73.49 FEET; NORTH 89°41'10" WEST 587.79 FEET; NORTH 07°20'40" WEST 74.148 FEET TO BEGINNING. 1 ACRE.

16-23-201-018 (partial), owned by Lynn Mabey

LOT 607, ARCADIA HEIGHTS PLAT F. ALSO BEGINNING AT MOST EASTERLY CORNER OF SAID LOT 607; SOUTH 62° EAST 15.08 FEET; SOUTH 34° WEST 98.76 FEET; NORTH 54°45' WEST 15 FEET; NORTH 34° EAST 96.86 FEET TO BEGINNING.

16-23-201-019, owned by Axxon Investment Company

BEGINNING SOUTH 89°41'10" EAST 130 FEET & SOUTH 7°20'40" EAST 348.755 FEET & SOUTH 7°30' WEST 110.172 FEET FROM NORTH 1/4 CORNER OF SECTION 23, TOWNSHIP 1 SOUTH RANGE 1 EAST SALT LAKE BASE AND MERIDIAN; SOUTH 7°30' WEST 112.166 FEET; SOUTH 12°30' EAST 220.793 FEET; WEST 193.348 FEET TO WEST LINE OF EAST 1/2 OF SD SECTION 23; NORTH 89.26 FEET; NORTH 34° EAST 79.794 FEET; SOUTH 54°45' EAST 15 FEET; NORTH 34° EAST 98.76 FEET; NORTH 62° WEST 15.08 FEET; NORTH 34° EAST 109.831 FEET TO BEGINNING. 0.71 ACRES

16-23-201-013, owned by Alan & Orlene Cohen:

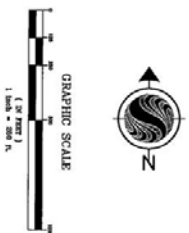
BEGINNING AT THE NORTHEAST COR OF LOT 603, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; S 89°41'10" EAST 516.82 FEET; SOUTH 00°8'50" WEST 85.23 FEET NORTH 89°41'10" WEST 505.36 FEET; NORTH 07°20'40" WEST 86 FEET TO BEGINNING. 1 ACRE.

16-23-201-014, owned by Alan & Orlene Cohen

BEGINNING AT THE NORTHEAST CORNER OF LOT 604, ARCADIA HEIGHTS SUBDIVISION, PLAT F, SALT LAKE CITY SURVEY; SOUTH 89°41'10" EAST 435.20 FEET; S 00°E8'50" W 101.69 FEET; NORTH 89°41'10" WEST 421.53 FEET; NORTH 07°20'40" WEST 102.61 FEET TO BEGINNING. 1 ACRE.

PARLEY'S POINT ANNEXATION PLAT

1



Date _____

Erwin J. Wood _____

[illegible]

LOCATED IN SECTION 23,
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASIN & MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

Starflex

Starflex Coasting Inc.
2099 S 770 E Box 3
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www.starflex.com

[illegible]