
MEMORANDUM

DATE: May 2, 2008

TO: Council Members

FROM: Janice Jardine
Land Use and Policy Analyst

SUBJECT: Petition 400-08-03 - Resolution accepting an annexation petition from BNA Realty Group, LLC to annex approximately 300 acres of property located between 1700 North and 2400 North and between Redwood Road, the Jordan River and 2700 West

OPTIONS AND MOTIONS:

1. ["I move that the Council"] Adopt a Resolution accepting an annexation petition from BNA Realty Group, LLC to annex approximately 300 acres of property located between 1700 North and 2400 North and between Redwood Road, the Jordan River and 2700 West and forward the petition to the Administration and Planning Commission for further study, analysis and recommendations.
2. ["I move that the Council"] Not adopt a Resolution accepting an annexation petition from BNA Realty Group, LLC to annex approximately 300 acres of property located between 1700 North and 2400 North and between Redwood Road, the Jordan River and 2700 West.

KEY ELEMENTS:

- A. Petition 400-08-03 is a request from BNA Realty Group, LLC to annex approximately 300 acres of property located between 1700 North and 2400 North and Redwood Road, the Jordan River and 2700 West.
- B. The area includes properties owned by the petitioner, individual property owners, Salt Lake City and the State of Utah including the City's proposed regional sports facility site.
- C. A resolution has been prepared for Council consideration to accept the annexation petition in accordance with State law relating to annexation petitions. Council staff requested a revised resolution that would incorporate the following:
 1. That adoption of the resolution accepting the annexation petition has no binding effect on the Council to approve the annexation, to vest the petitioners with development rights or for the City to provide any municipal services.
 2. In addition, in keeping with Council policy, provide direction to the Planning Commission to consider:
 - a. City Council growth policies
 - b. Applicable City master plans
 - c. The zoning of comparable areas

- d. Site development regulations
 - e. Any additional requirements of the City's Departments/Divisions or other governmental agencies
- D. The Administration's transmittal notes that the proposed annexation area is located within the West Airport study area of the Master Annexation Policy Declaration for Salt Lake City. (The Master Annexation Policy Declaration was adopted in 1979 and reaffirmed by the Council in 2000.)
- E. If the Council adopts the resolution, the petition will be forwarded to the Administration and Planning Commission for analysis and review.
- F. After a public process and analysis by the Planning Division, a formal recommendation from the Planning Commission relating to annexation and appropriate zoning will be forwarded to the Council at a future date through the Administration's transmittal process.
- G. A formal public hearing before the City Council will be scheduled at a future date to receive comments, consider information from the Administration and make a final decision regarding the annexation request and to zone the properties with appropriate zoning classifications.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:

While discussing an annexation in the H Rock area in October 1999, the Council identified the following questions to be addressed during that annexation process. The Council may wish to request the Administration review the same questions during its analysis of the proposed annexation.

Location Specific Questions:

1. To what extent are utilities available for this location?
2. Will this development pay all costs of extending water and sewer utilities?
3. Are there police and fire-related issues relating to extending development to this area?
4. Are there issues relating to the delivery of other City serves (i.e. snow removal, trash removal)?
5. Are there issues relating to the School district (i.e. school buss access)?
6. Is this proposal in keeping with the master plans?
7. Will any special exceptions be necessary in order to allow for development on the property (i.e. planned development, environmental constraints)?

Desirable Growth Policy Questions:

1. What is the net fiscal impact to the City if this property were to be annexed?
2. If it yields a net negative fiscal impact, is there an overriding public purpose being served?
3. Does this action forestall negative impacts associated with inactivity?
4. Is it likely that the development will be aesthetically pleasing?
5. Does the development contribute to a livable community environment?

BUDGET RELATED FACTS

The Administration's transmittal notes no budget impact at this time. The action before the Council is only for purposes of considering annexation.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. State law generally requires that boundaries for annexation be drawn in the following manner:
1. to eliminate islands and peninsulas of territory 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.
- B. 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.
- C. The Administration's paperwork notes that the proposed annexation area is located within the Northwest Community and affects the Northwest, Jordan River/Airport Master Plan and the Rose Park Small Area Plan. Both documents include policy statements recommending annexation of this area into Salt Lake City. The Plans also include future land use designations for this area. Recommendations from the Plans will be included as part of the annexation process and analysis performed by the Planning Division.
- D. A synopsis of the following City annexation policy documents is attached for additional information.
- The City's 1979 Annexation Policy Declaration
 - City Resolution No. 34 of 2000 - Reaffirmation of 1979 Master Annexation Policy Declaration, and Declaration of Intent to annex the areas served by the City's water system in the unincorporated Salt Lake County
 - Resolution 20 of 1982 - Water Service provided outside the City limits
 - Existing Community Master Plans Annexation Policies
 - The 1999 Salt Lake County Feasibility Scenarios Report
 - 1999 Salt Lake City Wall to Wall Cities Study
 - 2000 Salt Lake City Wall to Wall Cities Annexation Study
- cc: David Everitt, Esther Hunter, Karen Hale, Lyn Creswell, Ed Rutan, Lynn Pace, Paul Nelson, Melanie Reif, Mary De La Mare-Schafer, Chris Shoop, Cheri Coffey, Joel Paterson, Jeff Niermeyer, Brad Stewart, Maureen Riley, Alan McCandless, Orion Goff, Larry Butcher, Rick Graham, Vicki Bennett, Emy Storheim, City Council Liaisons, Community Affairs Specialists

File Location: Community and Economic Development Dept., Planning Division, Annexations- BNA Realty Group, LLC, 1700/2400 North and Redwood Road, the Jordan River and 2700 West

Synopsis - 1979 Salt Lake City Master Annexation Policy Declaration

- 1979 State Legislature House Bill No. 61 required municipalities anticipating annexation to adopt an annexation policy declaration
- Master Annexation Policy Declaration
 - Citywide master annexation policy declaration and proposed future boundaries map
 - Study areas:
 - West Airport
 - North Redwood Road
 - Magna
 - Emigration Canyon
 - Brickyard Area
 - Parley's
 - East Millcreek
 - Holladay – Olympus
 - Holladay – Cottonwood
 - West Valley
 - Individual study area sections include:
 - Geographical boundary description for each study area
 - Land use and socio-economic characteristics
 - Estimate of assessed property values
 - Comparison of costs of government services
 - Water, sewer, fire, and police
 - Planning and zoning
 - Refuse and garbage collection and disposal
 - Streets and highways

Synopsis - City Resolution No. 34 of 2000

- ***Reaffirmation of 1979 Master Annexation Policy Declaration, and***
 - ***Declaration of Intent to annex the areas served by the City's water system in the unincorporated Salt Lake County***
-

- City's Public Utilities Department since the 1920's has provided culinary water service to the eastern unincorporated portion of Salt Lake County
- Service is provided to approximately 30,500 water accounts
- Salt Lake County's tax base has been reduced through annexations and incorporations, including Taylorsville and Holladay, requiring an increase in County taxes
- In 1979, Salt Lake City prepared a Master Annexation Policy Declaration that included the intent to annex the portion of Salt Lake County served by the City's water system
- In 2000, the Salt Lake City Council commissioned an independent study that concluded:
 - Annexation would produce long-term benefits for County residents if annexed into the City through:
 - Improved levels of water service
 - A net reduction in the cost of water service
 - Annexation would not significantly increase water rates currently paid by City residents

- Annexation would provide Salt Lake City with benefits including:
 - Relieve of potential conflicts between jurisdictions relating to:
 - Service levels
 - Water rates
 - Watershed protection
 - Planning and zoning issues
- Expressed the City's interest and willingness to:
 - Enter into discussions with Salt Lake County and State of Utah representatives, residents, property owners, and other elected representatives
 - Explore the feasibility, desirability and potential for annexation implementation

Water Service provide outside the City limits

- Resolution 20 of 1982 (adopted February 2, 1982)
 - Formalized policy for providing water service to development outside the City limits
 - Requires annexation in order to receive City water services or
 - Provide an agreement to annex when annexation becomes possible

Annexation Policy – Existing Community Master Plans

- Sugar House
 - Encourage the annexation of designated areas as a whole rather than in small pieces to provide coordinated land use development policies and comprehensive municipal services.
 - Establish new community planning districts for areas annexed into the City south of the existing sugar House community planning boundary.
- East Bench
 - 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.
 - To maintain control over foothill development, the city should:
 - Amend its Annexation Policy Declaration to encompass the privately owned East Bench foothills as the means to having control over future development proposals.
 - Restrict urban development beyond the one-half-mile area, to encompass all of the privately owned foothill property. This could be accomplished through an interlocal agreement, under the State Interlocal Cooperation Act.
 - Seek an official agreement of resolution with the county to ensure that smaller residential developments will also be referred to the city for annexation and development approval. Annexation should even be required for a single-family home. The city should refuse to provide water or sewer services to accommodate development outside city boundaries.
- Arcadia Heights, Benchmark, & H Rock Small Area Plan
 - 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 limits.

- Jordan River – Airport Area Small Area Plan (short range)
 - Facilitate Salt Lake City’s Annexation of County land area west and north to the Great Salt Lake.
 - Annex lands west of and north toward the Great Salt Lake from Salt Lake County, and zone appropriately according to land uses identified in the Plan.
- Rose Park Small Area Plan
 - Support annexation of properties in the jurisdictional boundaries of Salt Lake County into Salt Lake City.

Synopsis - 1999 Salt Lake County Feasibility Scenarios Report

- Nesbitt Planning and Management, Inc. presented to the Salt Lake County Council of Governments on December 8, 1999 “A Reconnaissance of Potential Annexations and Incorporations Facing Salt Lake County, Salt Lake County Feasibility Scenarios”. This study attempted to define the cumulative impact on revenues and service delivery across Salt Lake County.
- The study considered 28 scenarios for 10 unincorporated communities. The study presents the information gathered in three main areas; Base Fiscal Parameters, Revenues and Costs, and Remainders Analysis.
- For whatever reason, when the study projected the cumulative impacts upon the tax bases and revenues of the County and the annexing Cities and discussed the challenges of potential overhead increases for the County with declining service delivery demand, it failed to address the impact to Salt Lake City.
- It was for this reason that the Administration of Salt Lake City at the time of the study, asked City staff to review the study and using the same methodology present to the Administration the impact of the various annexation and incorporation scenarios that are outlined in the Council of Governments commissioned study.
- The resulting study was titled “Wall to Wall Cities”

Synopsis - 1999 Salt Lake City Wall to Wall Cities Study

- Salt Lake City Budget and Policy staff prepared a “Wall to Wall Cities” study at the same time the City was supplying information for Council of Governments commissioned Feasibility Scenario or Wall-to-Wall Annexation Study. The City staff reviewed the history of annexation issues within the City and provided the following information in the Original Study section of the report.

“Holladay, Salt Lake Commissioner Callaghan’s efforts to have the State implement legislation to facilitate wall to wall cities], some of the cities surrounding the unincorporated area are beginning to propose extending their boundaries, potentially, into Salt Lake City’s annexation declaration boundaries. In 1979, Salt Lake City created its’ Master Annexation Policy Declaration which states that Salt Lake City would annex the area containing its water distribution

system. The attached map highlights in yellow Salt Lake City's water distribution area. As you can see from the map, the proposed annexation area for Salt Lake City would extend Salt Lake City's current southern boundary out to Creek Road and would go as far west as 1300 East. In 1982, the City Council passed a resolution reaffirming the City's Master Annexation Policy Declaration.

The wall-to-wall city initiative will have a significant impact on Salt Lake City. Salt Lake City has several concerns regarding this initiative. One major concern revolves around Salt Lake City's water, and its' water distribution network."

- The report goes on to state what the different components of the study are and what will be the impact of any annexation plans on the City. The staff chose 4 logical boundaries to divide the potential annexation areas. The only areas discussed in this plan are along the east bench of the Salt Lake Valley. The western potential annexation areas were not dealt with in this report.
- City staff used Property Tax, Sales Tax, Sales Tax Distribution, and Franchise Tax, to figure Revenue in this area. Services that are contained in Enterprise Funds were not included into the calculation of revenue as it is expected that the services would pay for themselves. The staff then attempted to quantify costs in each of the four service areas as best possible.
- The Administration presented to the City Council in 1999 the results of their study. At that time the Council thought it best to bring in an outside consultant to review the work of the staff and help guide them as they reviewed what course the City should take. City staff lent their expertise to the consultant and assisted in gathering and reviewing information as needed. The resulting consultant study presented essentially the same findings as that of the City staff.

Synopsis - 2000 Salt Lake City Wall to Wall Cities Annexation Study

- The consulting firm of Rick Giardina & Associates, Inc. in association with BBC Research & Consulting submitted a final report to the Salt Lake City Council in June of 2000. The study incorporated the efforts and expertise of many City staff. The study kept the same annexation study areas as the City staff report. The consultant did not review those areas on the west side of the Salt Lake Valley.
- The study reviewed all potential sources of revenue and expenses. The study took into account what would be needed within the different areas to conform to current service levels, both public safety and physical infrastructure. The consultant reviewed what capital needs each of the areas had and what the cost of each area would be if the City were to purchase existing County assets, purchase new assets, or rely on current equipment in the City to provide services.
- The end result of the study indicated that even with the massive capital needs of the area the City would be economically ahead if Salt Lake City were to annex all or part of the area to City Creek Road.

- As follow-up to this study the Council adopted a resolution in year 2000 that reaffirmed the City's intent to annex those communities served by the City's water and water distribution area.

Additional Information

- Other Cities such as Murray, Midvale, West Valley City and Holladay have completed consultant and in house studies that identify potential areas of annexation. Some encroach on the boundaries listed in the 1979 Master Annexation Policy Declaration. Of particular note is the annexation studies of Murray and Sandy which advocated annexation to the east of their present boundaries, and the incorporation of Holladay that incorporated a significant portion of the unincorporated area along the east bench of the Salt Lake Valley. Of particular note is that the boundaries of Holladay City do not correspond with their water district boundaries.

PUBLIC PROCESS:

If the City Council accepts the resolution for annexation, the petition will be taken through the public process for zoning map amendment. The Planning Commission will hold a public hearing to evaluate the annexation area and make a recommendation on the appropriate zoning for the property if it is annexed.

RELEVANT ORDINANCES:

Section 10-2 Part 4 of the Utah Code which outlines the process for annexation.

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3. Vicinity Map
4. Annexation Plat
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1. Chronology

Chronology

- January 23, 2008 Petition submitted to the Salt Lake City and Salt Lake County
Recorders' Offices.
- January 25, 2008 Planning received the petition and it was assigned a petition
number.
- January 29, 2008 Petition assigned to staff member.
- March 14, 2008 Reviewed annexation request with City staff and it was
recommended the applicant expand the annexation area east to the
Jordan River to incorporate the future soccer complex site along
the Jordan River.
- March 14, 2008 Requested the City Surveyor's Office provide a revised annexation
plat to include the expanded boundary area desired by the City.
- March 14, 2008 Requested Resolution from Attorney's Office.
- March 20, 2008 Received Resolution from City Attorney's Office.
- March 28, 2008 Received amended annexation plat from City Surveyor.
- April 1, 2008 Amended petition re-filed with the Salt Lake City and Salt Lake
County Recorders' Offices.

2. Annexation Petition



Annexation Application Salt Lake City, Utah

OFFICE USE ONLY	
Petition No.	
Receipt No. <u>062005672</u>	Amount: <u>1008.20</u>
Date Received: <u>1-23-08</u>	
Reviewed By: <u>[Signature]</u>	
Project Planner:	

SALT LAKE CITY PLANNING

Address or Area: 2200 WEST 2200 NORTH, SLC

Primary Petitioner: BNA REALTY ADVISORS, LLC **Phone:** #602-952-9113

Address of Primary Petitioner: 2990 EAST NORTHERN AVE. STE #A101, PHOENIX, AZ 85012

E-mail Address of Primary Petitioner: gbarlow@landsourceaz.com **Cell/Fax:** #602-952-9108

Second Petitioner: LEONE FAMILY C/O TACY HARTMAN **Phone:** #801-237-0414

Address of Secondary Petitioner: 36 SOUTH STATE STREET, SALT LAKE CITY, UT 84111

E-mail Address of Secondary Petitioner: thartman@vancott.com **Cell/Fax:** #801-414-1585

Please answer the following questions: *Use back or additional sheets, if necessary*

Is the subject area continuous to the current boundaries of Salt Lake City? Yes No

What is the current use of the land? AGRICULTURAL RESIDENTIAL

What services are currently provided by another municipality, county, or special district? SALT LAKE CITY, SALT LAKE COUNTY, FIRE, POLICE, UTILITIES.

Please identify any legal or factual barriers that would negatively effect the probability of annexation of the subject property? NONE.

- Please include with the application:**
1. Filing fee of \$1000.00 due at time of application. Completed "Petition for Annexation into the Corporate Limits of Salt Lake".
 2. Three (3) copies of the Annexation Plat. The plat should contain a complete legal description and total acreage of the area proposed for annexation and shall be prepared by a licensed land surveyor.
 3. A current property plat (Sidwell map). Plat may be obtained from the Salt Lake County Recorder's Office, 2001 South State Street, Room N-1600.
 4. The names and addresses of all property owners within four-hundred fifty feet (450') of the subject parcel(s)—exclusive of streets and alleys. The name, address, and parcel number of each property owner must be typed or clearly printed on gummed mailed labels. Please include yourself and the appropriate Community Council Chair. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
 5. If a development is proposed, please attach a site plan of the proposed development.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.

File the complete application with: Salt Lake City Recorder, 451 South State Street, Room 415

Please Note: On the date this application is filed with Salt Lake City, a copy of the complete petition must also be filed with the Salt Lake County Clerk, 2001 South State Street, Room S-1100.

Received: Christina Meeks
Salt Lake City Recorder

Date: JAN 23 2008

RECORDED

CITY RECORDER

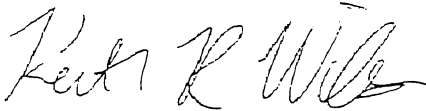
January 23, 2008

Salt Lake City Planning Division
451 South State Street Room 406
Salt Lake City, UT 84111

To whom it may concern,

This letter is regarding the petition for the annexation of the property located on the northeast corner of 2200 north and 2200 west intersection in Salt Lake City, Utah. We have taken the necessary steps to prepare our application. Our package should include all of the requirements for a complete application including a site plan for our proposed development. Thank you for considering our application.

Sincerely,



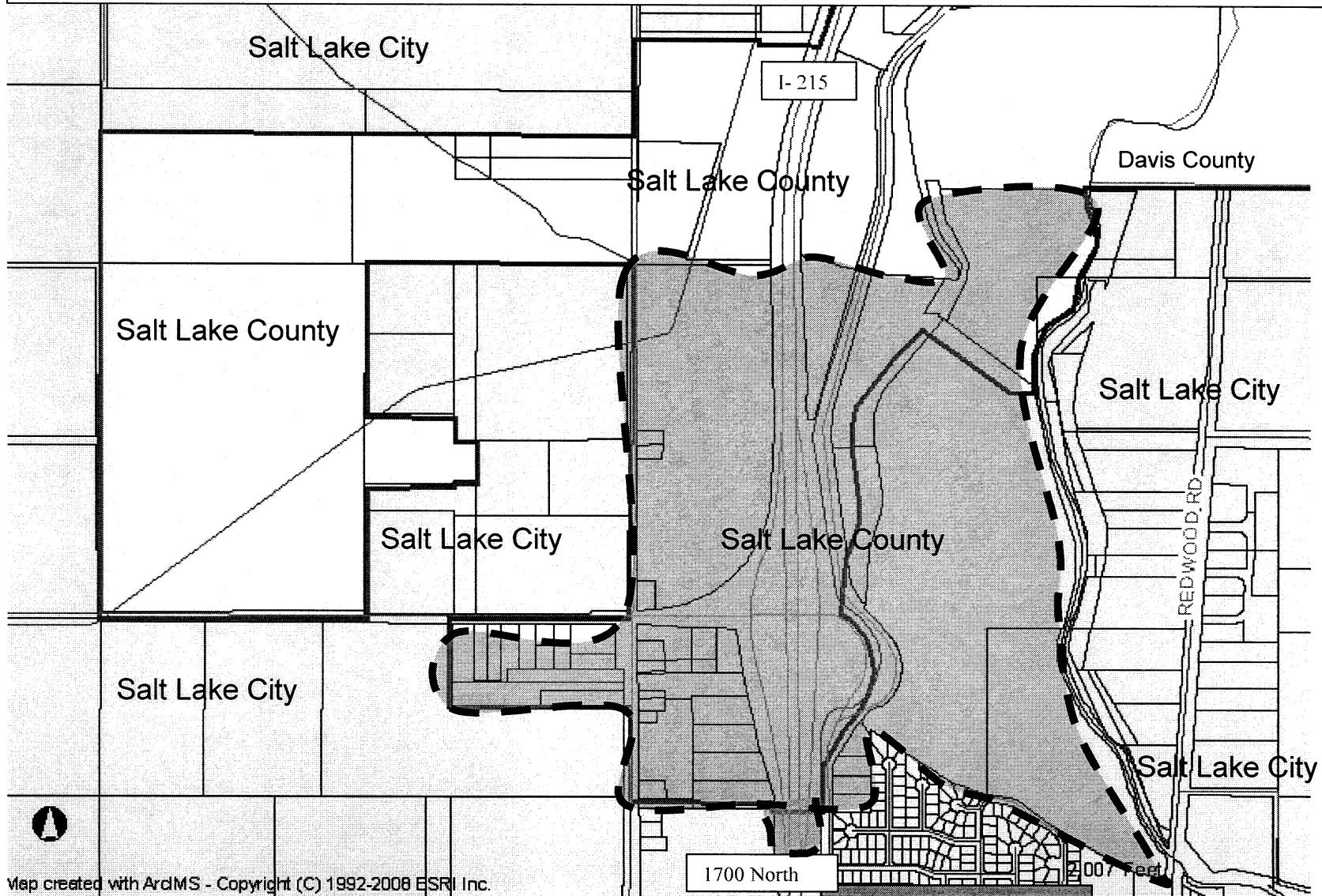
Keith Wilson
BNA Realty Advisors LLC

Annexation

3. Vicinity Map

Petition 400-08-03 BNA Annexation Boundary

--- Amended Annexation Area

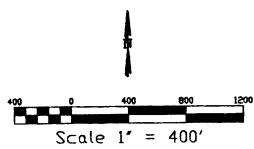
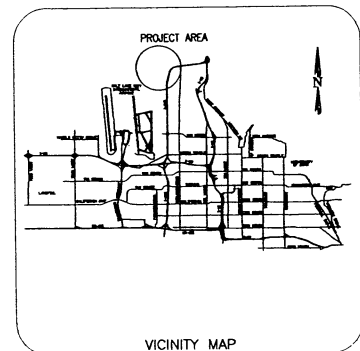


4. Annexation Plat

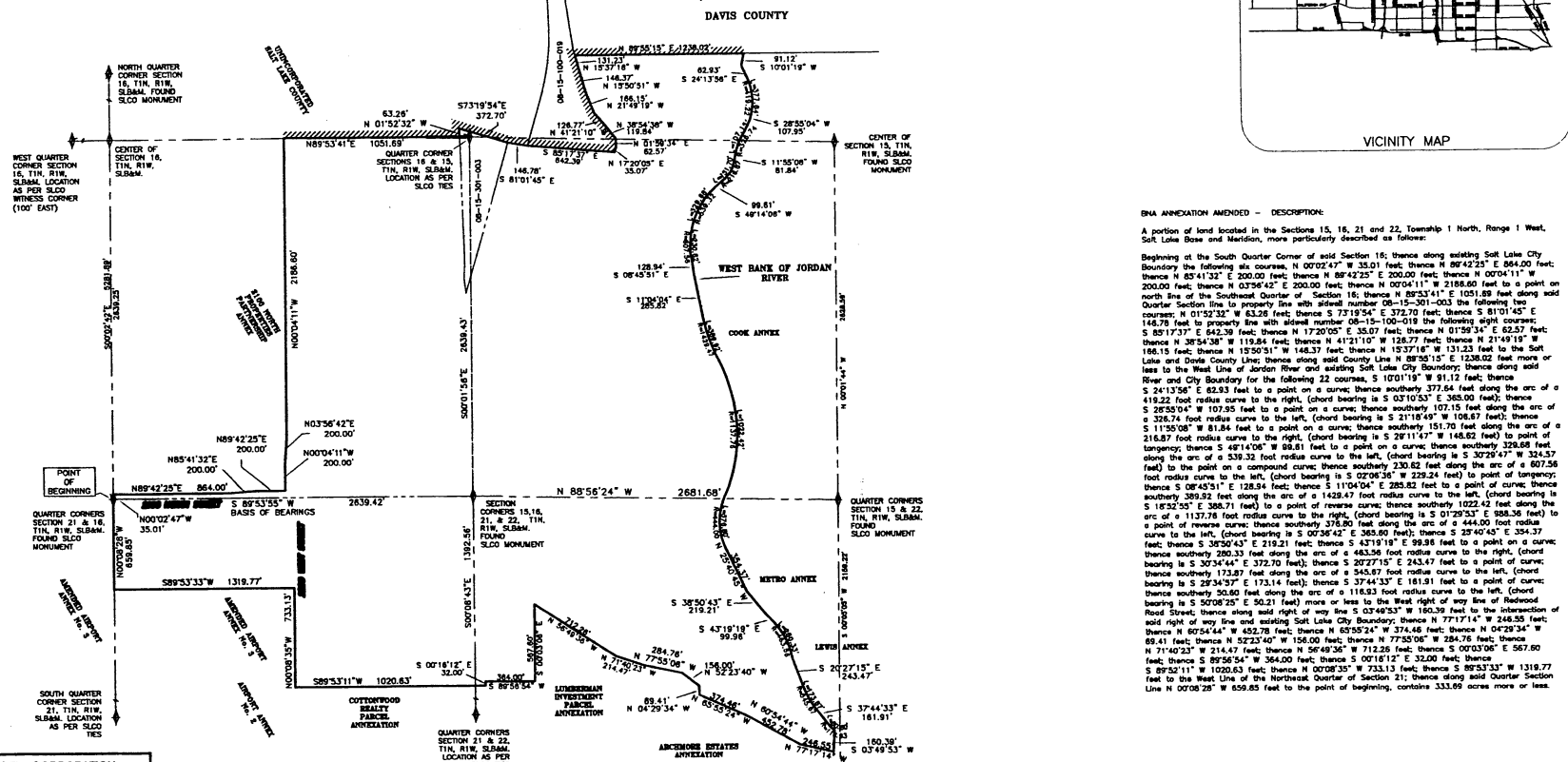
BNA ANNEXATION - AMENDED

TO SALT LAKE CITY CORPORATION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21 &
IN THE SOUTHWEST QUARTER OF SECTION 18 & IN THE WEST HALF OF SECTION 15,
AND IN THE NORTHWEST QUARTER OF SECTION 22,
TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASIN, A MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH



NEW CITY BOUNDARY PER THIS PLAT



BNA ANNEXATION AMENDED - DESCRIPTION:

A portion of land located in the Sections 15, 16, 21 and 22, Township 1 North, Range 1 West, Salt Lake Basin and Meridian, more particularly described as follows:

Beginning at the South Quarter Corner of said Section 18; thence along existing Salt Lake City boundary the following six courses, N 02°02'47" W 35.01 feet; thence N 80°42'25" E 864.00 feet; thence N 85°41'32" E 200.00 feet; thence N 84°42'25" E 200.00 feet; thence N 02°04'11" W 2188.60 feet to a point on north line of the Southwest Quarter of Section 18; thence N 89°53'41" E 1051.89 feet along said Quarter Section line to property line with adjacent number 00-15-301-003 the following two courses; N 01°52'32" E 63.26 feet; thence S 73°19'54" E 372.70 feet; thence S 81°01'45" E 146.78 feet to property line with adjacent number 00-15-301-018 the following eight courses; S 82°17'31" E 642.38 feet; thence N 17°20'05" E 35.07 feet; thence N 01°59'34" E 625.57 feet; thence N 38°54'38" W 119.84 feet; thence N 41°21'10" W 128.77 feet; thence N 21°49'19" W 184.15 feet; thence N 15°50'51" W 148.37 feet; thence N 15°37'47" W 131.23 feet to the Salt Lake and Davis County Line; thence along said County Line N 89°53'15" E 1238.02 feet more or less to the West Line of Jordan River and existing Salt Lake City boundary; thence along said River and City Boundary for the following 22 courses, S 10°11'19" W 81.12 feet; thence S 24°13'56" E 82.93 feet to a point on a curve; thence southerly 377.64 feet along the arc of a 419.22 foot radius curve to the right, (chord bearing is S 03°10'53" E 365.00 feet); thence S 28°55'04" W 107.85 feet to a point on a curve; thence southerly 107.15 feet along the arc of a 326.74 foot radius curve to the left, (chord bearing is S 21°18'49" W 108.67 feet); thence S 11°50'08" W 81.84 feet to a point on a curve; thence southerly 151.70 feet along the arc of a 218.87 foot radius curve to the right, (chord bearing is S 28°11'47" W 148.62 feet) to point of tangency; thence S 48°14'06" W 99.81 feet to a point on a curve; thence southerly 328.68 feet along the arc of a 539.32 foot radius curve to the left, (chord bearing is S 30°29'47" W 324.57 feet) to the point on a compound curve; thence southerly 230.62 feet along the arc of a 607.56 foot radius curve to the left, (chord bearing is S 02°06'36" W 229.24 feet) to point of tangency; thence S 08°45'51" E 128.94 feet; thence S 11°04'04" E 288.82 feet to a point of curve; thence southerly 389.32 feet along the arc of a 1428.47 foot radius curve to the left, (chord bearing is S 16°32'55" E 368.71 feet) to a point of reverse curve; thence southerly 1022.42 feet along the arc of a 1137.78 foot radius curve to the right, (chord bearing is S 01°29'23" E 898.38 feet) to a point of reverse curve; thence southerly 378.80 feet along the arc of a 444.00 foot radius curve to the left, (chord bearing is S 02°36'42" E 388.80 feet); thence S 28°40'45" E 354.37 feet; thence S 36°50'43" E 219.21 feet; thence S 43°19'19" E 99.86 feet to a point on a curve; thence southerly 280.33 feet along the arc of a 483.36 foot radius curve to the right, (chord bearing is S 29°34'57" E 173.14 feet); thence S 37°44'33" E 181.91 feet to a point of curve; thence southerly 303.60 feet along the arc of a 1188.83 foot radius curve to the left, (chord bearing is S 50°08'25" E 50.21 feet) more or less to the West right of way line of Redwood Road Street; thence along said right of way line S 03°49'57" W 180.39 feet to the intersection of said right of way line and existing Salt Lake City boundary; thence N 77°17'14" W 248.55 feet; thence N 60°54'44" W 452.78 feet; thence N 63°55'24" W 374.48 feet; thence N 04°29'34" W 89.41 feet; thence N 52°23'40" W 156.00 feet; thence N 77°35'06" W 284.76 feet; thence N 21°40'23" W 214.47 feet; thence N 56°49'36" W 712.26 feet; thence S 00°03'06" E 567.80 feet; thence S 89°56'54" W 364.00 feet; thence S 07°16'12" E 32.00 feet; thence S 87°52'11" W 1020.63 feet; thence N 02°08'35" W 733.13 feet; thence S 89°53'13" W 1319.77 feet to the West Line of the Northeast Quarter of Section 21; thence along said Quarter Section Line N 02°08'28" W 659.85 feet to the point of beginning, contains 338.69 acres more or less.

SALT LAKE CITY CORPORATION
SALT LAKE CITY ENGINEERING DIVISION
349 S. 200 E. ST., S.L.C., UT. 84111

SURVEYORS CERTIFICATE
SUBMITTED BY THE SALT LAKE CITY SURVEYORS UNDER THE DIRECTION OF LYNN A. CURRY, SENIOR OFFICIAL, TITLE IS SALT LAKE CITY ENGINEER WHO IS AUTHORIZED TO PRACTICE LAND SURVEYING IN AND FOR THE CITY OF SALT LAKE.

DATE _____ CITY SURVEYOR _____

CITY PLANNING DIRECTOR
APPROVED THIS _____ DAY OF _____ 20____ BY THE SALT LAKE CITY PLANNING COMMISSION.

_____ SALT LAKE CITY PLANNING DIRECTOR

CITY DEPARTMENT OF PUBLIC SERVICES
I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE AND IS HEREBY APPROVED.

_____ CITY ENGINEER DATE _____

CITY PUBLIC UTILITIES DEPT.
APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAILS THIS _____ DAY OF _____ 20____.

_____ SALT LAKE CITY PUBLIC UTILITIES DIRECTOR

CITY ATTORNEY
APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____.

_____ SALT LAKE CITY ATTORNEY

CITY APPROVAL
PRESENTED TO SALT LAKE CITY THIS _____ DAY OF _____ A.D. 20____ AND IS HEREBY APPROVED.

_____ SALT LAKE CITY MAYOR
_____ SALT LAKE CITY RECORDER

SALT LAKE COUNTY RECORDER
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

_____ SALT LAKE COUNTY RECORDER

REMARKS _____
ACCORDING _____
SHEET _____
OF _____ SHEETS

5. Resolution

**SALT LAKE CITY RESOLUTION
NO. _____ OF 2008
(Receiving the BNA Annexation Petition for
Purposes of City Council Review)**

**A RESOLUTION ACCEPTING AN ANNEXATION PETITION FOR
APPROXIMATELY 300 ACRES OF LAND GENERALLY LOCATED BETWEEN
THE JORDAN RIVER TO APPROXIMATELY 2400 WEST, AND BETWEEN
THE EXISTING SALT LAKE CITY BOUNDARY AT 1700 NORTH TO 2400
NORTH, PURSUANT TO PETITION NO. 400-08-03, FOR PURPOSES OF CITY
COUNCIL REVIEW.**

WHEREAS, Salt Lake City has received petition #400-08-03 (the "Petition") by BNA Realty Advisors, LLC, for the Leone Family, LLC, (the "Petitioners"), requesting the annexation of approximately 300 acres of unincorporated territory in Salt Lake County, located between the Jordan River to approximately 2400 West, and between the existing Salt Lake City boundary at 1700 North to 2400 North, which would extend the existing corporate limits of Salt Lake City, and said Petition is attached hereto as Exhibit "A"; and

WHEREAS, the Petition is signed by a majority of the owners 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 rolls of Salt Lake County; and

WHEREAS, Petitioners have 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 initially appears to satisfy the standards and criteria applicable to annexations.

NOW, THEREFORE, BE IT RESOLVED BY THE SALT LAKE CITY COUNCIL, STATE OF UTAH:

1. Petition Received for Study. The City Council hereby receives the Petition for the purposes of considering said annexation for the expansion of the City municipal limits.

2. Review by Planning Commission. This Petition shall be forwarded to the Salt Lake Planning Commission for review and analysis, taking into consideration Salt Lake City Council growth policies, applicable City master plans, the zoning of comparable areas, the requirements of the City's existing and proposed site development ordinance, and any additional requirements of the Salt Lake City Public Utilities Department and the City Transportation Division. After its review, the Planning Commission shall recommend to the City Council an appropriate zoning classification for the property upon its annexation to the City.

3. No Vested Rights. Nothing in this Resolution or in any other act, omission, or representation of the City shall be construed to vest Petitioners with rights to compel annexation of the said property, to bind the City Council to finally approve the Petitioners' annexation, to vest the Petitioners with rights to develop under particular zoning, subdivision, or development ordinances, or to require Salt Lake City to provide any municipal services or to exercise jurisdiction over the area, until such time as decisions to annex and extend the corporate limits

have been made and all annexation formalities and documentation have been completed, including the preparation of the final annexation plat according to the City Engineer's specification, appropriate ordinances, annexation agreements, and documentation verifying the sufficiency of the Petition. Nothing in this Resolution shall imply any approval of, or be deemed to approve, any development plans or projections contained in the Petition.

PASSED AND ADOPTED by the Salt Lake City Council this ____ day of _____, 2008.

CHAIRPERSON

ATTEST:

Chief Deputy City Recorder

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APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date March 19, 2008
By Melanie King