ORDINANCE NO. 2023 - 05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ANNEXING THE AREA AND EXTENDING THE CORPORATE LIMITS OF SOUTH JORDAN CITY, UTAH, TO INCLUDE THE AREA DESCRIBED IN EXHIBIT "A" AND AMENDING THE SOUTH CITY ZONING MAP TO DESIGNATE AND ZONE THE ANNEXED AREA AS AGRICULTURAL A- 5 UPON ITS ANNEXATION INTO THE CITY OF SOUTH JORDAN.

- **WHEREAS**, Utah Code 10-2-403 Authorizes the City to annex contiguous unincorporated property upon receiving a petition from the property owners; and
- WHEREAS, on November 22, 2022 the City of South Jordan (the "City") received Notice of Intent to File Annexation Petition (the "Petition") from Kennecott Utah Copper LLC and Jordan Valley Water Conservancy District (the "Petitioners"); and
- **WHEREAS,** on December 22, 2022 the City received the Petition for annexation from Petitioners to annex approximately 2,280 acres, as more particularly shown on Exhibit A (the "Annexed Property"); and
- **WHEREAS,** on January 3, 2023 the South Jordan City recorder certified the Petition and the South Jordan City Council accepted the Petition as the property subject to the petition was included in the City's future annexation policy declaration; and
- WHEREAS, proper notices were sent and no protests were filed concerning the Petition; and
- **WHEREAS**, the South Jordan City Council held a public hearing concerning the Petition on March 21, 2023; and
- **WHEREAS**, the South Jordan City Council finds that the Petition satisfies all the requirements of Utah Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

- **SECTION 1. Findings.** The South Jordan City Council hereby finds and determines that the annexation of the Annexed Property as proposed in the Petition is in the best interests of the City and its residents.
- <u>SECTION 2</u>. Approval of Annexation. The South Jordan City Council approves the annexation of the Annexed Property as proposed and described in the Petition attached as Exhibit A and does hereby annex the Annexed Property into the City of South Jordan
- **SECTION 3. Final Local Entity Plat.** The South Jordan City Council approves the Final Local Entity Plat as attached in Exhibit A and directs that it be filed as required by law.
 - **SECTION 4. Zoning.** The Annexed Property is zoned A-5 (Agricultural), and the

zoning map of the City is hereby amended to reflect such zoning and annexation as of the Annexation Date.

SECTION 5. Annexation Date. The City confirms that, pursuant to §10-2-425(4) U.C.A., this Annexation is completed and takes effect upon the date of the Lieutenant Governor's issuance of a Certification of Annexation.

SECTION 6. Authorized Actions. The South Jordan Mayor, City Recorder, City Manager, and all other officers and employees of the City are hereby authorized and directed to take, in a timely manner, any and all actions required or advisable to be taken to give effect to the annexation hereby approved.

<u>SECTION 7.</u> Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 8. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 21st DAY OF MARCH, 2023 BY THE FOLLOWING VOTE:

		YES NO ABSTAIN	N ABSENT
	Patrick Harris Bradley Marlor Donald Shelton		
	Tamara Zander Jason McGuire		
Mayor:Dawn R. Ramsey		Attest: City Recorder	
Approved as to form	m:		
Ppe n. Jook			

Office of the City Attorney



Carl W. Barton
Partner
Phone 801,799.5831
cbarton@hollandhart.com

December 22, 2022

RECEIVED

DEC 2 2 2022

South Jordan OF/ City Recorders Off as

VIA HAND DELIVERED

Ms. Anna Crookston City Recorder City of South Jordan 1600 West Towne Center Drive South Jordan, Utah 84095

Re: Notice of Intent to File Annexation Petition to Annex Property into City of South Jordan

Dear Ms. Crookston:

As required by Utah Code Annotated Section 10-2-403(3), attached is the Petition for Annexation, executed in counterparts by both Kennecott Utah Copper LLC and Jordan Valley Water Conservancy District, as landowners for the annexation of certain land into the City of Herriman. We look forward to working with the City to complete the annexation process.

Please contact me with any questions.

Sincerely,

Carl W. Barton, Partner of Holland & Hart LLP

Joel W. Bartan

cc:

Mayor Dawn Ramsey via email
Gary Whatcott via email
Ryan Loose via email
Dustin Lewis via email
Josh Brown via email
Nicole Squires via email
Wayne Bradshaw via email
Shannon Ellsworth via email

20554518_v1

Location 222 South Main Street, Suite 2200 Salt Lake City, UT 84101-2194 **Contact** p: 801.799.5800 | f: 801.799.5700 www.hollandhart.com

Petition for Annexation

TO THE CITY OF SOUTH JORDAN:

We, the undersigned owners of private real property, hereby petition that the area (the "Area") shown on the accurate and recordable map (prepared by a licensed surveyor) that is attached to this petition (this "Petition") be annexed to the City of South Jordan. Each of the undersigned affirms that: (a) each has personally signed this petition, (b) each of the undersigned is an owner of real property that is located within the Area, and (c) the current address of each is correctly written after the signer's name. Further, each of the undersigned designates the individuals identified below as sponsors and contact sponsor of this petition:

NOTICE

- There will be no public election on the annexation proposed by this Petition because Utah law does not provide for an annexation to be approved by voters at a public election.
- If you sign this Petition and later decide that you do not support the Petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder of South Jordan City. If you choose to withdraw your signature, you shall do so no later than 30 days after South Jordan City receives notice that the Petition has been certified.

Name of Sponsor/Contact		Mailing Address	<u>Status</u>
Kennecott Otah Copper II C		4700 Daybreak Parkway, South Jordan, Utah 84009 Attn: Nicole Squires Email: nicole squires@riotinto	Sole sponsor/contact
Property Owner Name/Contact		Property Owner Address	Signature
1. Kennecott Utah Copper LLC		4700 Davbreak Parkway,	
Approved as to form:		South Jordan, titah 84009	Mark Goodwin, General Manager, Finance
	Digitally signed by Nicole Carlisle Squires Date: 2022.12.20 15:17:03 -07'00'	Agar Nicole Squires	
by		Email:	
		nicole.sguireនុស្រិកចង្កកិច្ច០.com	
2. Jordan Valley Water Conservancy District		8215 So. 1300 W.,	
		West Jordan, Utah 84088	Barton A. Forsyth, General Manager, CEO
		Attn: Barton A Forsyth	
		Ema <u>pagr@jywcd.org</u>	

Petition for Annexation

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NOTICE

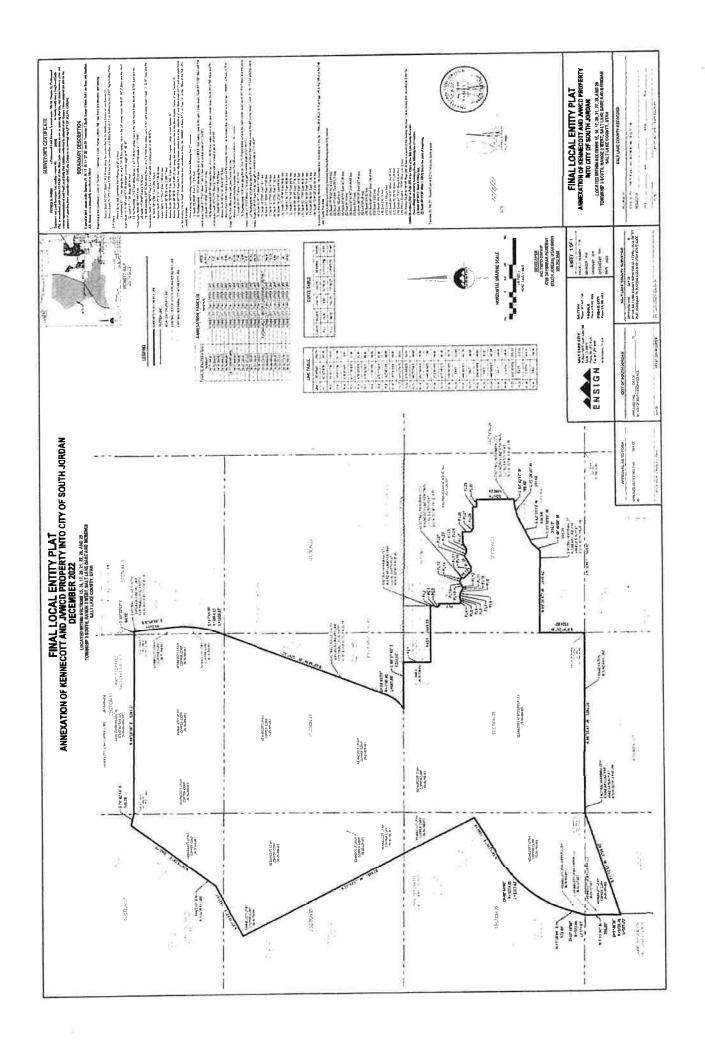
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Name of Sponsor/Contact		Mailing Address	Status	
Kennecon Viah Coeper LiC		4 <u>700 Daytheak Parkway.</u> South Jordan, Utan 84009 <u>Attn: Nicole Squites</u> Email: nicole <u>Equites@not</u> u i	Sole sponsor/contact	
Property Owner Mame/Contact		ENRY LAW TOWN TO AND SERVE	<u>Signature</u>	
1. Kennecott Utah Copper LLC		4700 Dayordak Parkway,	ti na sa	
Approved as to form		South Tordan, Utali 85000	Mark Goodwin General Manager, Finance	
	Nicole Digitally signed by Medic Carllise Squires	Acen Micole Squires		
Carlisle		erco e scrimistanolineo com		
Squires			Z+ 12 14	
2. Jordan Valley Water Conservancy District		\$215 <u>50 1.100 W.</u>	Barton A. Forsyth,	
		West Jordan, Utah 84048	General Manager, CEO	
		Aith Barton A Foreyth		
		Ema ta <u>rfál</u> ívecd org		

- 3. A copy of the recordable map required by Utah Code Annotated Section 10-2-403(3)(c)(i) is attached hereto as $\underline{\text{Exhibit "A}}$."
- 4. As required by Utah Code Annotated, Section 10-2-403(3)(c)(ii), a copy of the Notice of Intent to Annex required by Utah Code Annotated Section 10-2-403(2)(a)(i)(B) and the list of affected entities to which such Notice of Intent was sent are attached hereto as Exhibit "B."

Exhibit "A" Recordable Map of Area



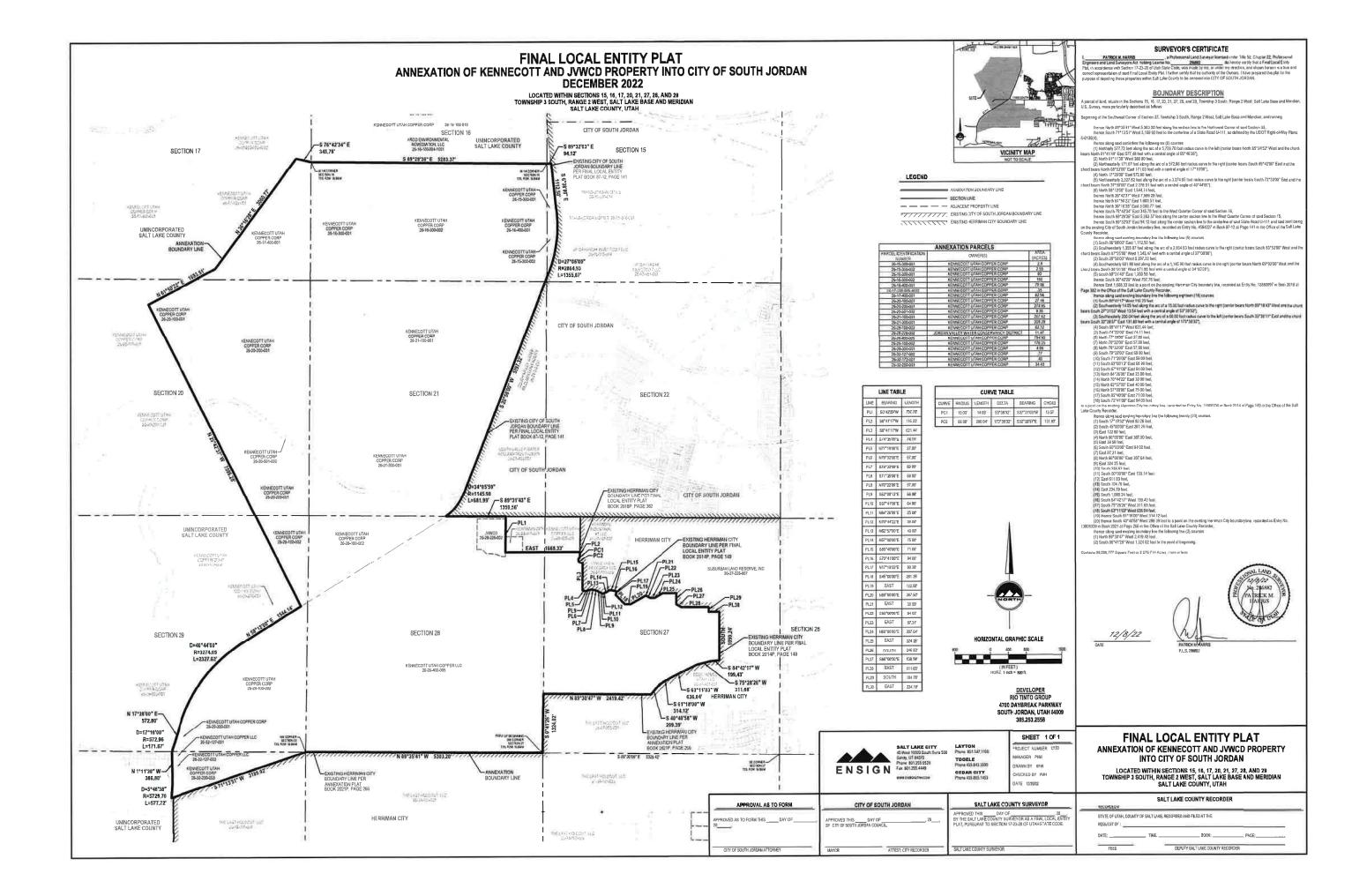


Exhibit "B" Copy of Notice of Intent to Annex and List of Affected Entities Identified Thereon

20507194_v2

NOTICE OF INTENT TO FILE ANNEXATION PETITION

Pursuant to Section 10-2-403(2) of the Utah Code Annotated, as amended and now in effect, the undersigned property owners hereby provide notice of their intent to file an annexation petition with the City of South Jordan, Salt Lake County, Utah.

The proposed area for annexation is located in unincorporated Salt Lake County at approximately Bacchus Highway and 11800 South and is more particularly described and depicted on the map attached hereto as Exhibit "A".

Dated: November 18, 2022

KENNECOTT UTAH COPPERALLO

Name: Mark Goodwin

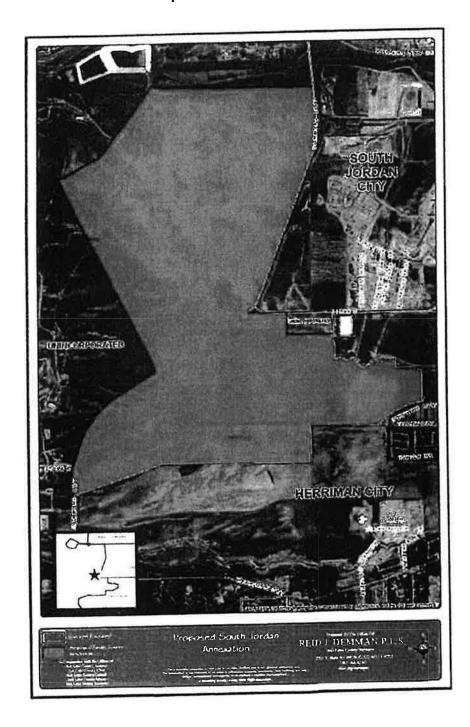
Title: General Manager, Finance

JORDAN VALLEY WATER CONSERVANCY DISTRICT

Norma Rush W

My Title: Authorized Representative

EXHIBIT "A"
Proposed Annexation Area Map



LIST OF AFFECTED ENTITIES AND ADDRESSES

SALT LAKE COUNTY, 2001 S STATE ST, SALT LAKE CITY, UTAH 84114

SOUTH JORDAN CITY, 1600 W TOWNE CENTER DR, SOUTH JORDAN, UTAH 84095

HERRIMAN CITY, 5355 W HERRIMAN MAIN ST, HERRIMAN, UTAH 84096

SOUTH SAUT LAKE VALLEY MOSQUITO ABATEMENT DISTRICT, 7308 AIRPORT RD, WEST JORDAN, UTAH 84084

JORDAN VALLEY WATER CONSERVANCYDISTRICT, 8215 S 1300 W, WEST JORDAN, UTAH 84088

SOUTH VALLEY SEWER DISTRICT, 1253 W JORDAN BASIN LN, BLUFFDALE, UTAH 84065

CENTRAL UTAH WATER CONSERVANCY DISTRICT, 1426 E 750 N ST #400, OREM, UTAH 84097

HERRIMAN CITY SAFETY ENFORCEMENT AREA, 5355 W HERRIMAN MAIN ST, HERRIMAN, UTAH 84096

WASATCH FRONT WASTE AND RECYCLING DISTRICT, 604 W 6960 S, MIDVALE, UTAH 84047

SALT LAKE COUNTY MUNICIPAL-TYPE SERVICES DISTRICT, 2001 S STATE ST #N3600, SALT LAKE CITY, UTAH 84114

UNIFIED FIRE SERVICE AREA, 3380 S 900 WSALT LAKE CITY, UTAH 84119

SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA, 3365 S 900 W, SALT LAKE CITY, UTAH 84119

HERRIMAN INNOVATION COA IN HERRIMAN CITY, 5355 W HERRIMAN MAIN ST, HERRIMAN, UTAH

GREATER SALT LAKE MUNICIPAL SERVICE DISTRICT, 2001 S STATE ST #N3600, SALT LAKE CITY, UTAH 84190

JORDAN SCHOOL DISTRICT, 7387 S CAMPUS VIEW DR, WEST JORDAN, UTAH 84084

DAYBREAK COMMERCE PARK RDA IN SOUTH JORDAN CITY, 1600 W TOWNE CENTER DR, SOUTH JORDAN, UTAH 84095

OLYMPIA LAND, LLC, 527 E PIONEER ROAD, DRAPER, UTAH 84020

OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT NO. 1, C/O OLYMPIA 1.AND, LLC, ATTN RYAN BUTTON, 527 E PIONEER ROAD, DRAPER, UTAH 84020

OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT, NO. 2, C/O OLYMPIA LAND, LLC, ATTN RYAN BUTTON, 527 E PIONEER ROAD, DRAPER, UTAH 84020

OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT. NO. 3, C/O OLYMPIA LAND, LLC, ATTN RYAN BUTTON, 527 E PIONEER ROAD, DRAPER, UTAH 84020

OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT. NO. 4, C/O OLYMPIA LAND, LLC, ATTN RYAN BUTTON, 527 E PIONEER ROAD, DRAPER, UTAH \$4020

OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT. NO. 5, C/O OLYMPIA LAND, LLC, ATTN RYAN BUTTON, 527 E PIONEER ROAD, DRAPER, UTAH 84020

OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT. NO. 6, C/O OLYMPIA LAND, LLC, ATTN RYAN BUTTON, 527 E PIONEER ROAD, DRAPER, UTAH 84020

OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT. NO. 7, C/O OLYMPIA LAND, LLC, ATTN RYAN BUTTON, 527 E PIONEER ROAD, DRAPER, UTAH 84020