

When Recorded Please Return To:  
City of Holladay  
Attn: Stephanie Carlson, City Recorder  
4580 S. 2300 E.  
Holladay, Utah 84117


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05/20/2015 09:59 AM \$0.00  
Book - 10325 Pg - 7943-7947  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
CITY OF HOLLADAY  
4580 S 2300 E  
HOLLADAY CITY UT 84117  
BY: TJA, DEPUTY - WI 5 P.

**NOTICE**

Please take notice that the property described in Exhibit A, attached hereto and incorporated herein by reference, is subject to a Reverter Condition under which zoning of the property will revert to the Public Zone pursuant to the Land Use Ordinances of the City of Holladay should the property cease to be used as an assisted living facility at any time within fifty (50) years from the date of enactment of City of Holladay Ordinance 2015-04. The referenced Ordinance is attached hereto as Exhibit B and incorporated herein by reference.

DATED this 16<sup>th</sup> day of April, 2015.

**CITY:**  
CITY OF HOLLADAY,  
a Utah municipal corporation



Robert Dahle, Mayor

**PROPERTY OWNER:**



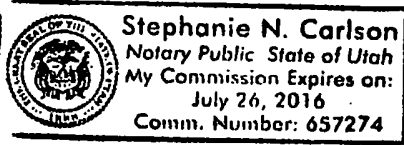
By: GLEN A. APGAR  
Its: AGENT, RISEN LIFE CHURCH

**CITY ACKNOWLEDGMENT**

STATE OF UTAH  
COUNTY OF SALT LAKE

On the 21<sup>s</sup> day of April, 2015, personally appeared before me Robert Dahle, who being duly sworn, did say that he is the Mayor of the CITY OF HOLLADAY, a Utah municipal corporation and that the foregoing instrument was signed on behalf of the City by authority of its governing body and said Robert Dahle acknowledged to me that the City executed the same.

Notary Public



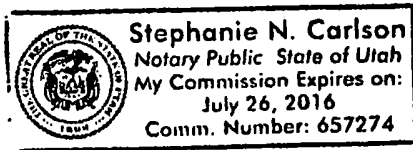
Stephanie N. Carlson

**PROPERTY OWNER ACKNOWLEDGMENT**

STATE OF UTAH  
COUNTY OF SALT LAKE

On this 22 day of April 2015, personally appeared before me, Glen APGAR, who being by me duly sworn, did say that he is the owner of the property described in Exhibit A, attached hereto, and that the foregoing instrument was signed by him.

Notary Public



Stephanie N. Carlson

## EXHIBIT A

### LEGAL DESCRIPTION:

Beginning at a point on the southerly right of way line of 3900 South street, said point being north  $0^{\circ}02'52''$  east along the monument line of 2700 East street 1751.95 feet and south  $89^{\circ}54'00''$  east 42.01 feet from the southwest corner of Section 35, Township 1 South, Range 1 West, Salt Lake Base & Meridian, and running thence along said right of way line the following (2) courses: 1) south  $89^{\circ}54'00''$  east 228.87 feet, 2) south  $88^{\circ}46'00''$  east 31.11 feet; thence south  $0^{\circ}13'15''$  west 341.53 feet to a point on the northerly line of Susan Jane subdivision, as recorded with the office of the Salt Lake County Recorder; thence west along said northerly line 267.96 feet to a point on the easterly right of way line of said 2700 East street; thence northerly along said right of way line the following (2) courses: 1) north  $0^{\circ}02'52''$  east 333.05 feet, 2) north  $43^{\circ}22'53''$  east 13.13 feet to the point of beginning.

Contains 91,867 sq. ft. or 2.109 acres

**CITY OF HOLLADAY**

**ORDINANCE NO. 2015-04**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF HOLLADAY REGARDING THE PROPERTY LOCATED AT APPROXIMATELY 2740 EAST 3900 SOUTH FROM PUBLIC ZONE (P) TO RESIDENTIAL MULTI-FAMILY (RM)**

**WHEREAS**, the property owner has filed an application to re-zone certain real property located at approximately 2740 East 3900 South, Holladay, Salt Lake County, Utah from Public Zone to Residential Multi-Family; and

**WHEREAS**, the proposed zoning map amendment is consistent with the General Plan; and

**WHEREAS**, the Planning and Zoning Commission has reviewed the proposed zoning request, held a public hearing on March 3, 2015 and made a positive recommendation to the City Council regarding the proposed zoning map change; and

**WHEREAS**, a public hearing was held on April 9, 2015 pursuant to proper statutory notice as required by law by the Municipal Council; and

**WHEREAS**, it appearing to be in the best interest of the City of Holladay and the inhabitants thereof that the property be re-zoned and that the zoning map be amended to designate the property in the RM District;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Holladay, Utah as follows:

**Section 1. Rezoning.** That the zoning map be amended to designate the subject property as Residential Multi-Family (RM). Said property is located at approximately 2740 East 3900 South, Holladay, Salt Lake County, Utah, and is more fully described as follows:

**LEGAL DESCRIPTION:**

Beginning at a point on the southerly right of way line of 3900 South street, said point being north 0°02'52" east along the monument line of 2700 East street 1751.95 feet and south 89°54'00" east 42.01 feet from the southwest corner of Section 35, Township 1 South, Range 1 West, Salt Lake Base & Meridian, and running thence along said right of way line the following (2) courses: 1) south 89°54'00" east 228.87 feet, 2) south 88°46'00" east 31.11 feet; thence south 0°13'15" west 341.53 feet to a point on the northerly line of Susan Jane subdivision, as recorded with the office of the Salt Lake County Recorder; thence west along said northerly line 267.96 feet to a point on the easterly right of way line of said 2700 East street; thence northerly along said right of way line the following (2) courses: 1) north 0°02'52" east 333.05 feet, 2) north 43°22'53" east 13.13 feet to the point of beginning.

Contains 91,867 sq. ft. or 2.109 acres

**Section 2. Reverter Condition.** The zoning approval is specifically subject to the condition that the Rezoning of the Property to the RM Zone shall only be effective for a period of twelve (12) months, unless a building permit is granted for the construction of an Assisted Living Facility. Should the property cease to be used as an Assisted Living Facility at any time within fifty (50) years from the date of this Ordinance, the Property shall revert to the Public Zone (P) without further action from the City. The Reverter Condition is specifically imposed at the request of the Property Owner, and shall be made of Record with the filing of a Notice of the Reverter Condition in the records of the Salt Lake County Recorder.

**Section 3. 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 and provisions of this Resolution shall be severable.

**Section 4. Effective Date.** This Ordinance shall become effective twenty (20) days after publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this 16<sup>th</sup> day of April, 2015.

**HOLLADAY CITY COUNCIL**

By:   
Robert Dahle, Mayor

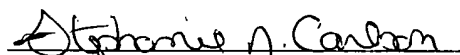
[SEAL]



**VOTING:**

Lynn H. Pace	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
J. James Palmer, Jr.	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Sabrina R. Petersen	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Steven H. Gunn	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Patricia Pignanelli	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Robert Dahle	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

**ATTEST:**

  
Stephanie N. Carlson, MMC  
City Recorder

DEPOSITED in the office of the City Recorder this 16<sup>th</sup> day of April, 2015.

RECORDED this 16<sup>th</sup> day of April, 2015.