

OFFICE OF THE LIEUTENANT GOVERNOR

#### CERTIFICATE OF BOUNDARY ACTION

I, GARY R. HERBERT, GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of boundary action from Salt Lake County and Davis County, dated July 31<sup>st</sup>, 2009, complying with Section 17-2-209, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of boundary change, referred to above, on file with the Office of the Lieutenant Governor pertaining to Salt Lake County, Utah and Davis County, Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 18<sup>th</sup> day of August, 2009 at Salt Lake City, Utah.

GARY R. HERBERT

Governor

## NOTICE OF IMPENDING BOUNDARY ACTION

The Honorable Gary Herbert Lieutenant Governor of the State of Utah Utah State Capitol Complex P. O. Box 142325 Salt Lake City, Utah 84114-2325

Re: Minor Boundary Adjustment Between Salt Lake County and Davis County

Lieutenant Governor Herbert:

The governing bodies of Salt Lake County and Davis County, jointly adopted a resolution, pursuant to Utah Code Ann. § 17-2-209, to make a minor boundary adjustment between the boundaries of the two counties. A certified copy of the joint resolution is provided with this Notice setting forth the minor boundary adjustment for which certification is sought. Also provided with this Notice is an approved final plat certified by the County Surveyors for Davis County and Salt Lake County. The Davis County Commission and the Salt Lake County Council, as the approving authority, certify that all requirements applicable to this minor boundary adjustment have been met.

DATED this 31 day of 3 wly , 2009.

DAVIS COUNTY COMMISSION

SALT LAKE COUNTY COUNCIL

By Fret Millburn, Chair

Joe Hatch, Chair

ATTEST:

ATTEST:

Steve Rawlings, Clerk/Auditor

Sherrie Swensen, Clerk

Notice - Impending Boundary Adjustment 0709

Received

AUG 1 8 2009

Gary R. Herbert Lieutenant Governor Davis County Resolution No. 4298

# JOINT RESOLUTION OF THE LEGISLATIVE BODIES OF SALT LAKE COUNTY, UTAH AND DAVIS COUNTY, UTAH

#### [Minor Boundary Adjustment of County Boundaries]

WHEREAS, Section 17-2-13, Utah Code Ann. (2005), authorizes counties sharing a common boundary to adjust all or part of that common boundary to move it up to 1,000 feet from its location prior to the adjustment; and

WHEREAS, Salt Lake County and Davis County desire to adjust their common boundary because North Salt Lake City ("NSL") and Salt Lake City ("SLC") entered into an agreement to adjust their common municipal boundaries in 2007. That municipal boundary adjustment between NSL and SLC extended the municipal boundaries of North Salt Lake City into Salt Lake County and the ordinances adopted by both municipalities have now been recorded in the office of the Salt Lake County Recorder and the municipal boundary adjustment has been certified by the Lieutenant Governor of the State of Utah as evidenced in Exhibit 1 to this Joint Resolution; and

WHEREAS, Salt Lake County and Davis County desire to have their common boundary reflect the boundaries of the two municipalities, i.e. Salt Lake City and North Salt Lake City and deem it appropriate to adjust the common boundaries of the two counties so that North Salt Lake City is located solely in Davis County and NSL will not have some residents residing in Salt Lake County and some residents residing in Davis County; and

WHEREAS, Section 17-2-13, Utah Code Ann. (2005), requires the legislative bodies of both counties to hold a joint public hearing prior to adjusting a common boundary; and

WHEREAS, in addition to the regular notice required for public meetings of the county legislative bodies, written notice must be mailed to all real property owners of record whose property may change counties as the result of the proposed adjustment which notice was sent to all such property owners on July 8, 2009; and

WHEREAS, on July 21, 2009, at 4:00 p.m. the Board of County Commissioners of Davis County, Utah and the Salt Lake County Council held a joint public hearing at the Salt Lake County Government Center, 2001 South State Street, Room N-1100, Salt Lake City, Utah to discuss the proposed boundary adjustment and to take public comment;

**NOW, THEREFORE IT IS RESOLVED** by the Board of County Commissioners of Davis County, Utah and the County Council of Salt Lake County, Utah as follows:

- 1. That the proposed boundary adjustment between Salt Lake County and Davis County as more specifically described in the plat and legal description attached as Exhibit 2, which exhibit is incorporated as part of this resolution by reference, is approved and adopted by the legislative bodies of both counties.
- 2. That the legal description of the common boundaries of Salt Lake County and Davis County after the boundary adjustment shall be that legal description as set forth in Exhibit 2 to this Joint Resolution.
- 3. The effective date for the boundary adjustment shall be  $\frac{2}{2}$ , 2009.

APPROVED AND ADOPTED by the Davis County Board of County Commissioners his  $3\sqrt{5}$  day of \_\_\_\_\_\_\_, 2009.

BOARD OF COUNTY COMMISSIONERS DAVIS COUNTY, UTAH

P. Bret Millburn, Chair

ATTEST:

Steve Rawlings

Davis County Clerk/Auditor

APPROVED AS TO FORM:

**Troy Rawlings** 

Davis County Attorney

Deputy Davis County Attorney

APPROVED AND ADOPT	TED by the Salt Lake County Council this 215 day of
	SALT LAKE COUNTY COUNCIL
	By:
ATTEST:	
_	

APPROVED AS TO FORM:

Lohra L. Miller

Salt Lake County District Attorney

Salt Lake County Clerk

Deputy Salt Lake County District Attorne

Resolution Joint - Davis Salt Lake Counties

# **EXHIBIT 1**

WHEN RECORDED MAIL TO:

North Salt Lake City Attn: City Recorder P.O. Box 540208 North Salt Lake, Utah 84054 10593066:
01/07/2009 10:52 AM \$16-00
Book - 9672 P9 - 1164-1167
GPAFT W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
DAVID J PETERS
505 S MAIN ST
BOUNTIEUL UT 84010
BY: ZON, DEPUTY - WI 4 P.

### ORDINANCE NO. 07-18

# AN ORDINANCE ADJUSTING THE CITY LIMITS BOUNDARY BETWEEN NORTH SALT LAKE CITY AND SALT LAKE CITY

WHEREAS, the City Council of North Salt Lake City has previously passed a Resolution of Intention to adjust the common boundary line presently existing between North Salt Lake City and Salt Lake City; and

WHEREAS, the City Council of North Salt Lake City has held a public hearing on the proposed boundary adjustment pursuant to notice as required by law; and

WHEREAS, the City Council of North Salt Lake City has authority to adjust the common boundary line of the City pursuant to law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NORTH SALT LAKE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Adjustment of a Portion of the Common Boundary. A portion of the common boundary line presently existing between North Salt Lake City and Salt Lake City is hereby adjusted by moving the boundary south approximately 700 feet for the width of the property owned by North Salt Lake City. This property is located in the foothill area located immediately east of the Beck Street gravel pits on the border with Salt Lake City. This adjustment results from the settlement of litigation in North Salt Lake's action to disconnect the property from Salt Lake City and Salt Lake's action to condemn the property. The affected area is located in Salt Lake County, Utah, and is more particularly described as follows:

Description of property

Beginning at a point on the boundary of Salt Lake City and Davis County, that point is N 00°17'17" E 640.97 feet along the Section Line from the US Forest Service aluminum cap marking the center of said Section 13, T.IN., R.1W, Salt Lake Base and Meridian; thence S 00°17'17" W 640.97 feet to said center of Section; thence S 00°16'47" W 68.84 feet along the quarter section line; thence N 89°48'04" W 1318.36 feet to the west line of the NE¼ of SW¼ of Section 13; thence N 00°16'15" E 70.78 feet along said west line to the southwest corner of the SE¼ of the NW¼ of said section 13; thence N 00°21'23" E 639.03 feet along said west line to the Salt Lake City and Davis boundary.

Section 2. Notices and Certificates. The City Council shall cause a Notice of Boundary Adjustment and a copy of this Ordinance to be filed with the Utah State Lieutenant

Governor. The Notice of Boundary Adjustment shall be accompanied by an accurate map or legal description of the affected area which is adjusted between North Salt Lake City and Salt Lake City. Upon filing of the notice, the Utah State Lieutenant Governor shall thereafter issue a certificate of boundary adjustment. The boundary adjustment shall be complete upon the date of issuance of such certificate of boundary adjustment.

Section 3. Effective Date. This Ordinance shall take effect immediately upon its approval and adoption and approval and adoption of a similar ordinance by the City Council of Salt Lake City. The County Recorder of Davis County, Utah is hereby requested to record this Ordinance in the County Recorder's office for no fee and to return the same to the City for filing when recorded.

PASSED AND ADOPTED BY THE CITY COUNCIL OF NORTH SALT LAKE CITY, STATE OF UTAH, THIS 18<sup>TH</sup> DAY OF SEPTEMBER, 2007.

	Seal 2
ATTEST:	CCOUNTY
Satard k	LULM OCINI corder

NORTH SALT LAKE CITY

Mayon Mayon

STATE OF UTAH	)
	: 8S,
COUNTY OF DAVIS	)

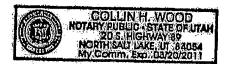
On the 18th day of September, 2007, personally appeared before me

Shawa Schaeler were, who being duly sworn, did say that she is the Mayor of

NORTH SALT LAKE CITY, a municipal corporation of the State of Utah, and that the

foregoing instrument was signed in behalf of the City by authority of its governing body and said

acknowledged to me that the City executed the same.



Notary Public

#### NOTICE OF BOUNDARY ADJUSTMENT

Gary R. Herbert Lieutenant Governor 201 State Capitol Salt Lake City, UT 84114

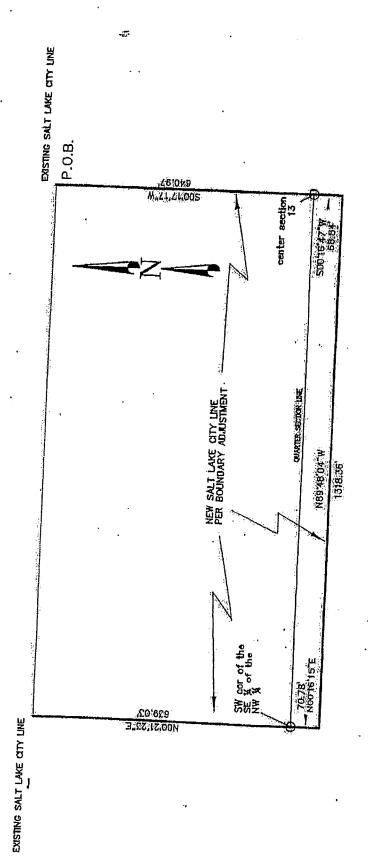
Notice is hereby given that the City Council of North Salt Lake City on the day of September, 2007, passed and adopted the attached Ordinance No. 07-18 approving a boundary adjustment between North Salt Lake City and Salt Lake City, which adjustment is more particularly described in Section 1 of the attached Ordinance Adjusting a Portion of the Existing Common Boundary Between North Salt Lake City and Salt Lake City. An accurate map depicting the adjusted area or a legal description of the adjusted area is also attached hereto. Request is hereby made that you file in the records of your office the attached Ordinance and map evidencing the approved boundary adjustment. The City Council of North Salt Lake City hereby certifies that all requirements required by law for the boundary adjustment have been complied with.

SUBMITTED on this 201 day of September, 2007.

NORTH SALT LAKE CITY

ATTEST:

BK 9672 PG 1166



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10298916 12/13/2007 03:03 PM \$0.00 Book - 9547 Ps - 8366-8371 GARY W. OTT RECORDER, SALT LAKE COUNTY, UTA SL CITY RECORDER 451 S STATE ST RM 415 SALT LAKE CITY UT 84111 BY: EPM, DEPUTY - WI 6 P.

ORDINANCE NO. 56 OF 2007

(BOUNDARY ADJUSTMENT WITH NORTH SALT LAKE CITY)

AN ORDINANCE ADJUSTING THE COMMON BOUNDARY BETWEEN SALT LAKE CITY AND NORTH SALT LAKE CITY.

WHEREAS, North Salt Lake City and Salt Lake City have reached an agreement settling litigation over North Salt Lake City's requested disconnection of approximately 80 acres of property from Salt Lake City in the foothill area located immediately east of the Beck Street gravel pits on the border with North Salt Lake City (the "80 Acres") and Salt Lake City's action to condemn the 80 Acres; and

WHEREAS, North Salt Lake City and Salt Lake City agreed to settle these matters in an agreement that entails in part a mutually agreed upon boundary adjustment; and

WHEREAS, municipalities are authorized by §10-2-419 of the UTAH CODE to adjust their common boundaries; and

WHEREAS, pursuant to § 10-2-419 of the UTAH CODE, the City Council of Salt Lake City adopted Resolution No. 46 of 2007 stating its intent to adjust the common boundary between North Salt Lake City and Salt Lake City as stated therein and scheduling a public hearing for September 18, 2007; and

WHEREAS, notice as required by § 10-2-419 of the Utah Code has been given, a public hearing has been held on September 18, 2007, and no written protests have been filed; and

WHEREAS, the City Council of Salt Lake City finds that a boundary adjustment with North Salt Lake City, moving the existing boundary between the two cities approximately 700 feet south, for the width of the property owned by North Salt Lake City, as identified on the map attached hereto as Exhibit "A" and as more particularly described in Exhibit "B" hereto, would be in the best interest of Salt Lake City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Salt Lake City, Utah:

SECTION 1. AREA. Subject to passage of a similar ordinance by North Salt Lake City, the common boundary between Salt Lake City and North Salt Lake City is adjusted so that the tract of land more particularly described below is no longer included within the municipal boundary of Salt Lake City and shall be included within the municipal boundary of North Salt Lake City and subject to the jurisdiction of North Salt Lake City:

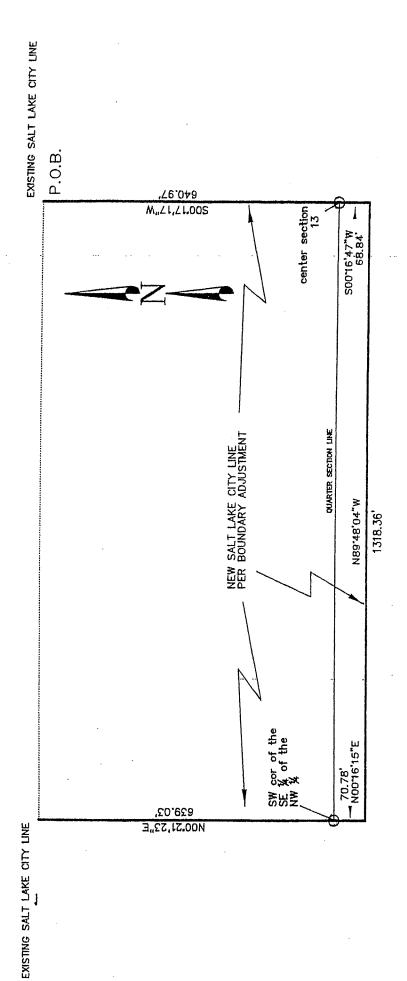
#### SEE EXHIBITS "A" and "B" ATTACHED HERETO

SECTION 2. NOTICE, PUBLICATION AND EFFECTIVE DATE. This ordinance shall take effect upon the date of its first publication and shall be recorded with the Salt Lake County Recorder. The City Recorder is instructed not to publish this ordinance until the Salt Lake City Attorney has certified that North Salt Lake City has adopted a counterpart ordinance necessary to complete this boundary adjustment. Thereafter, a copy of the plat or map of this boundary adjustment, together with certified copies of this ordinance and the ordinance passed by North Salt Lake City, shall be provided to the Salt Lake County Recorder. The City Recorder is further directed to provide notice of this boundary adjustment to the Lieutenant Governor pursuant to the provisions of Utah Code Ann. § 10-1-116.

Passed by the City Council of Salt Lake	City, Utah, this 18 day of September, 2007.
	CHAIRPERSON CHAIRPERSON
ATTEST:	
Chief DEPUTY CITY RECORDER	
Transmitted to Mayor on September  Mayor's Action: Approved.	19, 2007Vetoed.
ATTEST:	MAYOR MAYOR
CHIEF DEPUTY CITY RECORDER  (SEAL)	
Bill No56 of 2007. Published:12-18-07	

APPROVED AS TO FORM Salt Lake City Attorney's Office

HB\_ATTY-#1803-v1-Boundary\_Adjustment\_with\_North\_Salt\_Lake\_City.DOC



HB\_ATTY-#1000-V1-BOUNDARY\_ADJUSTMENT\_pdf.PDF

#### EXHIBIT B

#### SALT LAKE CITY BOUNDARY LINE ADJUSTMENT

BEGINNING AT A POINT ON THE BOUNDARY OF SALT LAKE CITY AND DAVIS COUNTY, THAT POINT IS N 00°17'17" E 640.97 FEET ALONG THE SECTION LINE FROM THE US FOREST SERVICE ALUMINUM CAP MARKING THE CENTER OF SAID SECTON 13, T.1N., R.1W, SALT LAKE BASE AND MERIDIAN;

THENCE S 00°17'17" W 640.97 FEET TO SAID CENTER OF SECTION; THENCE S 00°16'47" W 68.84 FEET ALONG THE QUARTER SECTION LINE; THENCE N 89°48'04" W 1318.36 FEET TO THE WEST LINE OF THE NE¼ OF SW¼ OF SECTION 13; THENCE N 00°16'15" E 70.78 FEET ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF THE SE¼ OF THE NW¼ OF SAID SECTION 13; THENCE N 00°21'23" E 639.03 FEET ALONG SAID WEST LINE TO THE SALT LAKE CITY AND DAVIS BOUNDARY.

LYN L. ORESWELL
OHIEF ADMINISTRATIVE OFFICER

# SALA LAKE GITY CORPORATION

DEPARTMENT OF MANAGEMENT SERVICES

CITY RECORDER

RDSS C. "RDCKY" ANDERSON

## STATE OF UTAH,

City and County of Salt Lake,

I, Christine Meeker, Acting City Recorder of Salt Lake City, Utah, do hereby certify that the attached document, Ordinance 56 of 2007, Boundary Adjustment with North Salt Lake City is a true and correct copy.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the corporate seal of said City, this 13th of December 007

Chief Deputy City Recorder, Salt Lake City, Utah



#### ORDINANCE NO. \_\_\_\_56\_\_\_ OF 2007

## (BOUNDARY ADJUSTMENT WITH NORTH SALT LAKE CITY)

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WHEREAS, North Salt Lake City and Salt Lake City have reached an agreement settling litigation over North Salt Lake City's requested disconnection of approximately 80 acres of property from Salt Lake City in the foothill area located immediately east of the Beck Street gravel pits on the border with North Salt Lake City (the "80 Acres") and Salt Lake City's action to condemn the 80 Acres; and

WHEREAS, North Salt Lake City and Salt Lake City agreed to settle these matters in an agreement that entails in part a mutually agreed upon boundary adjustment; and

WHEREAS, municipalities are authorized by §10-2-419 of the UTAH CODE to adjust their common boundaries; and

WHEREAS, pursuant to § 10-2-419 of the UTAH CODE, the City Council of Salt Lake City adopted Resolution No. 46 of 2007 stating its intent to adjust the common boundary between North Salt Lake City and Salt Lake City as stated therein and scheduling a public hearing for September 18, 2007; and

WHEREAS, notice as required by § 10-2-419 of the Utah Code has been given, a public hearing has been held on September 18, 2007, and no written protests have been filed; and

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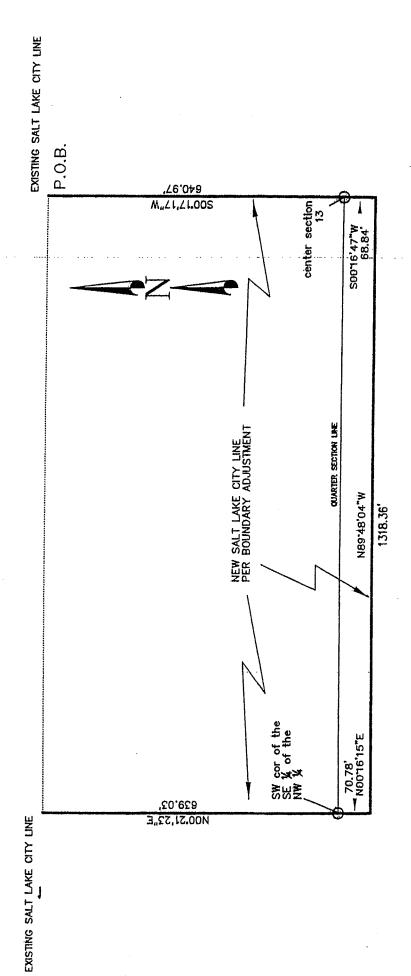
#### SEE EXHIBITS "A" and "B" ATTACHED HERETO

SECTION 2. NOTICE, PUBLICATION AND EFFECTIVE DATE. This ordinance shall take effect upon the date of its first publication and shall be recorded with the Salt Lake County Recorder. The City Recorder is instructed not to publish this ordinance until the Salt Lake City Attorney has certified that North Salt Lake City has adopted a counterpart ordinance necessary to complete this boundary adjustment. Thereafter, a copy of the plat or map of this boundary adjustment, together with certified copies of this ordinance and the ordinance passed by North Salt Lake City, shall be provided to the Salt Lake County Recorder. The City Recorder is further directed to provide notice of this boundary adjustment to the Lieutenant Governor pursuant to the provisions of Utah Code Ann. § 10-1-116.

Passed by the City Council of Salt Lake	City, Utah, this	day of September, 2007.
	CHAIRPERSO	Shi went
ATTEST:	····	· · · · · · · · · · · · · · · · · · ·
CHIEF DEPUTY CITY RECORDER	•	
Transmitted to Mayor on September	19, 2007 .	
Mayor's Action:Approved.		
	Buck	all
ATTEST:	WITTOR	
CHIEF DEPUTY CITY RECORDER		1 m / 1 m /
(SEAL)		
Bill No. <u>56</u> of 2007. Published: <u>12-18-07</u> .	Carlot Carlot	

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AFFROVED AS TO FORM
Eall Luke City Attorney's Office
Date Series 14, 2007
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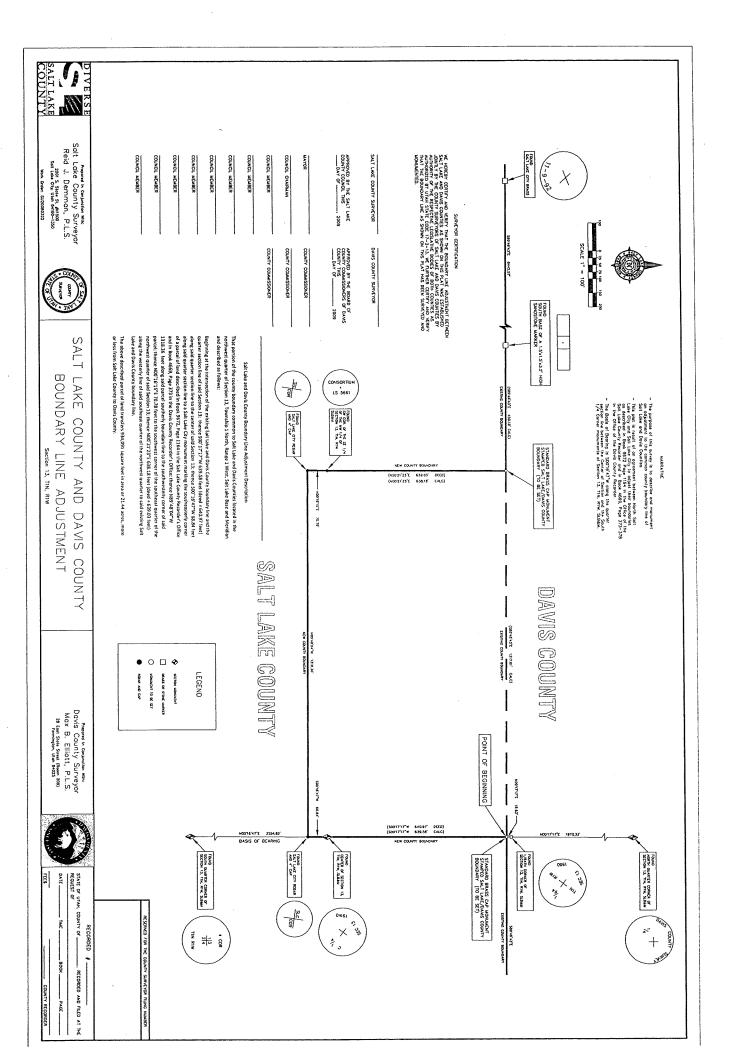
#### **EXHIBIT B**

#### SALT LAKE CITY BOUNDARY LINE ADJUSTMENT

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# **EXHIBIT 2**



## NOTICE OF PUBLIC HEARING AND PROPOSED COUNTY BOUNDARY ADJUSTMENT

City Recorder City Council Chair City of North Salt Lake 20 S. US Highway 89 PO Box 540208 North Salt Lake, UT 84054

David Peters
City Attorney of the City of North Salt Lake
505 S. Main St.
Bountiful, UT 84010

This notice is to advise you that Davis County and Salt Lake County are proposing to adjust the common boundary between the two counties and that the proposed adjustment affects one or more parcels of real property owned by you. The parcel affected by the proposed boundary change is as follows:

VTDI 08-13-300-014-0000 DIST 13C TOTAL ACRES 21.82

 $^{
m 1.}$  NORTH SALT LAKE CORP TAX CLASS UPDATE N REAL ESTATE

OE LEGAL N BUILDINGS

PRINT TOTAL VALUE

PO BOX 540208

NORTH SALT LAKE UT 84054 EDIT 0 FACTOR BYPASS

LOC: 2390 N BECK ST EDIT 0 BOOK 9482 PAGE 3183 DATE 08/06/2007

SUB: SEC 13 TWNSHP 1N RNG 1W TYPE SECT PLAT

02/11/2009 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY

BEG N 2554.76 FT M OR L FR S 1/4 COR SEC 13, T1N, R1W, SLM;

W 1318.36 FT; N 721.15 FT M OR L; E 1318.36 FT M OR L; S

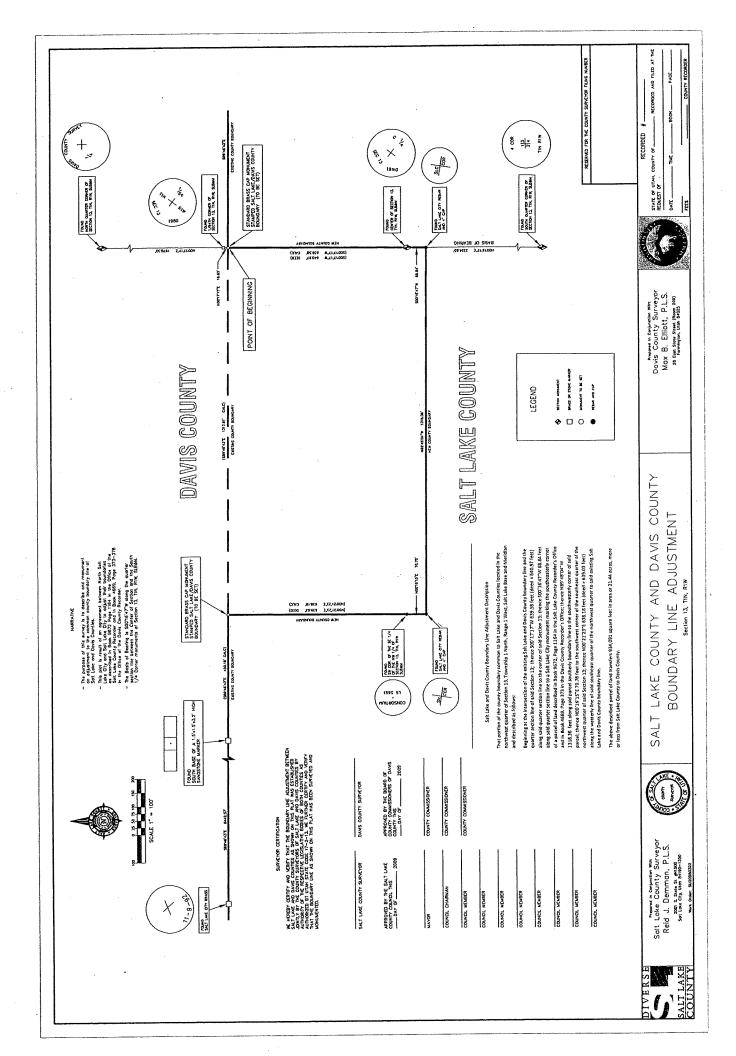
721.15 FT M OR L TO BEG. 21.82 AC M OR L.

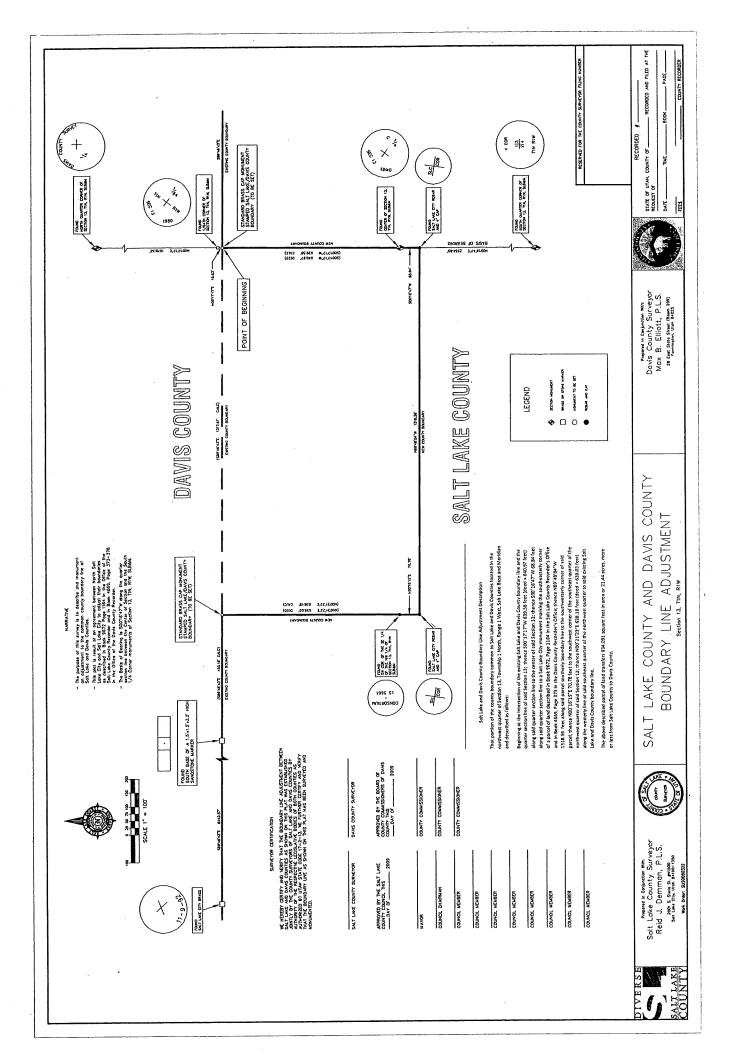
It is proposed that the common boundary of the two counties will be adjusted so that the above parcel will be included in the territory of Davis County.

A joint public hearing of the Davis County Commission and the Salt Lake County

Council will be held on Tuesday, July 21, 2009, at 4:00 p.m. in the Salt Lake County Council Chambers, Room N-1100, 2001 S. State St., Salt Lake City, UT, 84190. The public and all affected property owners are invited to submit written or oral comments.

A map showing the proposed adjustment is attached hereto.





### CERTIFICATION OF MAILING FOR

# PUBLIC HEARING AND PROPOSED COUNTY BOUNDARY ADJUSTMENT

### **City Council Chair**

City of North Salt Lake 20 S. US Highway 89 PO Box 540208 North Salt Lake, UT 84054

### **City Recorder**

City of North Salt Lake 20 S. US Highway 89 PO Box 540208 North Salt Lake, UT 84054

#### **David Peters**

City Attorney of the City of North Salt Lake 505 S. Main St. Bountiful, UT 84010

I, Linda Duffy, Deputy County Clerk, Salt Lake County Council Clerk's Office, do hereby certify that I mailed the "Notice of Public Hearing and Proposed County Boundary Adjustment" and plat map to the above named individuals and addresses via first class mail on Wednesday, July 8, 2009.

Linda Duffy

**Deputy County Clerk**