

STATE OF UTAH

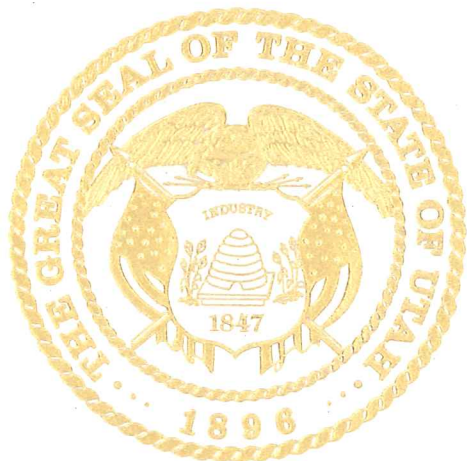


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF BOUNDARY CHANGE

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of boundary change from WASHINGTON TERRACE, dated April 21st, 2009, complying with Section 10-1-116, Utah Code Annotated, 1953, as amended.

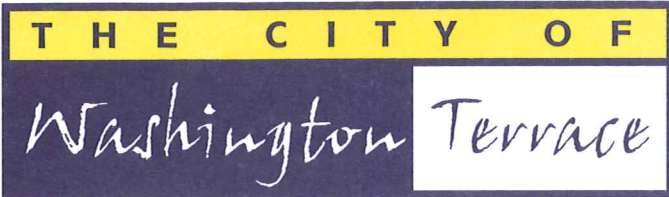
NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of boundary change, referred to above, on file with the Office of the Lieutenant Governor pertaining to WASHINGTON TERRACE, located in Weber County, State of Utah.



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

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT
Lieutenant Governor



5249 S. South Pointe Drive
Washington Terrace, UT 84405
Telephone: (801) 393-8681
Fax: (801) 393-1921

April 22, 2009

The Honorable Lieutenant Governor
Mr. Gary Herbert
Utah State Capitol Complex
Suite 220
PO Box 142325
SLC, UT 84114-2325

RE: Boundary Adjustment between the Cities of Washington Terrace and South Ogden

Please find enclosed a copy of Ordinance No. 09-04 approving the City of Washington Terrace Boundary Adjustment with the City of South Ogden. The Ordinance became effective April 21, 2009. Also enclosed is the amended Article of Incorporation for our City.

This letter shall serve as official notice of the adoption of the Boundary Adjustment Ordinance. Pursuant to Utah Code Annotated Section 10-1-117, 1953, attached hereto is a copy of Ordinance No. 09-04. The City has published the required notice in accordance with Utah Code Annotated section 10-2-419 and has held its public hearing on this boundary adjustment on March 24, 2009.

If you have any questions regarding this matter, or require additional materials, please contact Bill Morris, Planning Attorney at 801-628-7213.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Rodriguez".

Amy Rodriguez
City Recorder

Enclosure

Received

APR 27 2009

Gary R. Herbert
Lieutenant Governor

To provide the citizens of Washington Terrace with essential and innovative services in a timely and cost efficient manner.

Mayor and Council Members

Mayor Mark C. Allen • Mary Johnston • Warren A. Vaughn • Matt Thorngren • Scott Monsen • David VandenBosch

**CITY OF WASHINGTON TERRACE
ORDINANCE 09-04**

AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH, ADJUSTING A COMMON BOUNDARY ADJUSTMENT WITH SOUTH OGDEN CITY, UTAH, AS PROVIDED HEREIN; ZONE C-2; DIRECTING THAT THE BOUNDARY ADJUSTMENT BE FILED WITH THE LIEUTENANT GOVERNOR'S OFFICE; AND PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the City of Washington Terrace (hereinafter "City") is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §10-2-419, 1953, as amended, provides a procedure for two or more municipalities to adjust a common boundary;

WHEREAS, the City, in conjunction with South Ogden City, have recently completed an annexation relating to the new location for South Ogden Jr. High School and surrounding property, and in the process have identified an area where a boundary adjustment is necessary between the two cities;

WHEREAS, that on March 3, 2009, the City adopted a Resolution indicating the intent of the City Council to adjust a common boundary in accordance with *Utah Code Annotated* §10-2-419, and has published the required notice;

WHEREAS, the City has published the required notice in accordance with *Utah Code Annotated* §10-2-419;

WHEREAS, the City Council held its public hearing on this boundary adjustment at its regular meeting on March 24, 2009;

WHEREAS, the City Council finds that no written protests to the boundary adjustment have been filed with the City Recorder by owners of private real property that is located within the area proposed for adjustment as provided in *Utah Code Annotated* §10-2-419.

WHEREAS, the City Council finds that the City has complied with state law relating to this boundary adjustment and not desires to act upon this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Washington Terrace, Utah, as follows:

Section 1. Authority. The City Council is acting in its capacity as the legislative body of the City of Washington Terrace, Utah, in accordance with *Utah Code Annotated* §10-2-419, 1953, as amended.

Section 2. Boundary Adjustment Approved. The City Council hereby approves the boundary adjustment provided in this Ordinance by adjusting the City's common

boundary with South Ogden City, Utah. The area of the boundary adjustment is legally identified on the record of survey or map prepared by a licensed surveyor and hereby approved by the City Council as Exhibit "A" attached hereto and incorporated herein by this reference.

Section 3. Zoning Designated. Upon the effective date of this Ordinance, the zoning of the property subject to the Ordinance as specified in Exhibit "A" is hereby designated to be in the C-2 Zone as specified in the *Washington Terrace Municipal Code*.

Section 4. Finalization. Staff is hereby authorized and directed to comply with the requirements of *Utah Code Annotated* §10-2-425, 1953, as amended, and otherwise, to finalize this boundary adjustment. The mayor is hereby authorized to execute any and all instruments associated with this Ordinance, or to effectuate the same, for and on behalf of the City Council.


Section 5. Effective Date. This Ordinance is effective immediately upon adopting and posting, subject to compliance with the requirement set forth in *Utah Code Annotated* §10-2-425, 1953 as amended.

PASSED AND APPROVED by the City Council this 21ST day of April, 2009.



MARK C. ALLEN, Mayor

ATTEST:



AMY RODRIGUEZ, City Recorder

AMENDED ARTICLES OF INCORPORATION

WHEREAS, the City of Washington Terrace, Utah, was duly incorporated on or about the December 12, 1958;


WHEREAS, the City of Washington Terrace, Utah, and the City of South Ogden, Utah, mutually adopted by Resolution the required notice of intent to adjust their respective municipal boundaries in accordance with Title 10, Chapter 2 of the *Utah Code Annotated*;

WHEREAS, after issuing the requisite notices and holding a public hearing, the City Council of the City of Washington Terrace, Utah, acting as the legislative body, duly approved Ordinance 09-04 adopting the boundary adjustment with the City of South Ogden, Utah, on April 21, 2009, and approved by the City of South Ogden, Utah, on April 7, 2009;

NOW, THEREFORE, in accordance with *Utah Code Annotated* §10-1-117, 1953, the City of Washington Terrace hereby amends its Articles of Incorporation as set forth in the legal description provided in Ordinance 09-04 attached hereto as Exhibit "A" and incorporated herein by this reference. The new boundaries of the City of Washington Terrace are hereby amended to include the legal description set forth in Exhibit "A" incorporated herein.

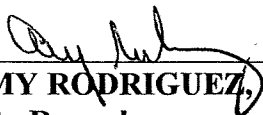
DATED this 21st day of April, 2009.

BY THE CITY OF WASHINGTON TERRACE:



MARK C. ALLEN,
Mayor

ATTESTED:

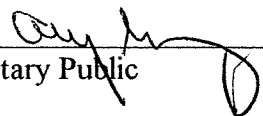


AMY RODRIGUEZ,
City Recorder

VERIFICATION

State of Utah)
 ss:
County of Weber)

On the 21 day of April, 2009, personally appeared before me MARK C. ALLEN, duly sworn, did say that he is the Mayor of the City of Washington Terrace, Utah, and did execute the foregoing instrument in his authorized capacity after approval by the legislative body.



Notary Public



**CITY OF WASHINGTON TERRACE
ORDINANCE 09-04**

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ADJUSTING A COMMON BOUNDARY ADJUSTMENT WITH SOUTH
OGDEN CITY, UTAH, AS PROVIDED HEREIN; ZONE C-2; DIRECTING
THAT THE BOUNDARY ADJUSTMENT BE FILED WITH THE
LIEUTENANT GOVERNOR'S OFFICE; AND PROVIDE FOR AN
EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (hereinafter "City") is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §10-2-419, 1953, as amended, provides a procedure for two or more municipalities to adjust a common boundary;

WHEREAS, the City, in conjunction with South Ogden City, have recently completed an annexation relating to the new location for South Ogden Jr. High School and surrounding property, and in the process have identified an area where a boundary adjustment is necessary between the two cities;

WHEREAS, that on March 3, 2009, the City adopted a Resolution indicating the intent of the City Council to adjust a common boundary in accordance with *Utah Code Annotated* §10-2-419, and has published the required notice;

WHEREAS, the City has published the required notice in accordance with *Utah Code Annotated* §10-2-419;

WHEREAS, the City Council held its public hearing on this boundary adjustment at its regular meeting on March 24, 2009;

WHEREAS, the City Council finds that no written protests to the boundary adjustment have been filed with the City Recorder by owners of private real property that is located within the area proposed for adjustment as provided in *Utah Code Annotated* §10-2-419.

WHEREAS, the City Council finds that the City has complied with state law relating to this boundary adjustment and not desires to act upon this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Washington Terrace, Utah, as follows:

Section 1. Authority. The City Council is acting in its capacity as the legislative body of the City of Washington Terrace, Utah, in accordance with *Utah Code Annotated* §10-2-419, 1953, as amended.

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Section 5. Effective Date. This Ordinance is effective immediately upon adopting and posting, subject to compliance with the requirement set forth in *Utah Code Annotated* §10-2-425, 1953 as amended.

PASSED AND APPROVED by the City Council this 21ST day of April, 2009.



MARK C. ALLEN, Mayor

ATTEST:



AMY RODRIGUEZ, City Recorder