

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF BOUNDARY ADJUSTMENT

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of boundary adjustment between the CITY OF OREM and the CITY OF PROVO, dated August 27<sup>th</sup>, 2013, complying with Section 10-2-419, 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 adjustment, referred to above, on file with the Office of the Lieutenant Governor pertaining to the CITY OF OREM and the CITY OF PROVO, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 14<sup>th</sup> day of January, 2014 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX  
Lieutenant Governor



COMMUNITY  
DEVELOPMENT  
TEL 801 852 6400  
330 W 100 S  
PO BOX 1849  
PROVO, UT 84603

December 30, 2013

Honorable Spencer J. Cox  
Lieutenant Governor  
Utah State Capitol Complex, Suite 220  
PO Box 142325  
Salt Lake City, UT 84114-2325

RE: Notice of Impending Boundary Action

The City of Orem and the City of Provo hereby respectfully request the Lieutenant Governor's issuance of a Certificate of Boundary Adjustment under Sections 67-1a-6.5 of the Utah State Code, as pertaining to the adjustment of a common boundary line between two cities located within the same county (Utah County).

The boundary adjustment is located at approximately 1170 East and 1170 South in Orem (approximately 450 West 2780 North in Provo) and as described more exactly on the attached final local entity plat. Also attached are certified copies of the respective ordinances approved by the Provo City Municipal Council (2013-38) and the Orem City Council (O-2013-0021).

Though this notice I hereby verify all noticing, ordinance, and mapping requirements applicable to the boundary action as required through Sections 10-2-419, 10-2-425, and 67-1a-6.5 of the Utah State Code, have been met.

A handwritten signature in black ink, appearing to read "Brian W. Maxfield", is written over the typed name.

Brian W. Maxfield  
Planning Supervisor  
Provo City Community Development Department  
330 W 100 South  
PO Box 1849  
Provo, UT 84603

801-852-6429  
bmaxfield@provo.org

S



ENT 97000:2013 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2013 Oct 16 11:27 am FEE 0.00 BY ED  
RECORDED FOR OREM CITY CORPORATION

ORDINANCE NO. O-2013-0021

EFFECTIVE DATE 09/02/2013

AN ORDINANCE BY THE OREM CITY COUNCIL APPROVING THE  
COMMON BOUNDARY LINE WITH THE CITY OF PROVO FOR  
PROPERTY LOCATED GENERALLY AT 1450 SOUTH 1140 EAST

WHEREAS on May 21, 2013, Alex Dunn filed an application with the City of Orem requesting the City Council amend the common boundary with Provo City for property located generally at 1450 South 1140 East; and

WHEREAS on July 10, 2013, the Planning Commission held a public hearing to consider the subject application and forwarded a positive recommendation to the City Council; and

WHEREAS on September 17, 2013, the City Council held a public hearing to consider the subject application; and

WHEREAS notice was published as required by law and mailed to all adjacent property owners within 300 feet of the subject property and the property was posted; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the city; the orderly development of land in the city; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan; and the special conditions applicable to the request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council hereby finds this request is in the best interest of the public.
2. The City Council hereby amends the common boundary line between Provo and Orem for

property located generally at 1450 South 1140 East as shown on Exhibit A, which is attached hereto and incorporated herein by this reference.

ENT 97000:2013 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2013 Oct 16 11:27 am FEE 0.00 BY EI  
RECORDED FOR OREM CITY CORPORATION

This document is an  
EXACT COPY OF  
THE ORIGINAL

*Norma R. Steaven*  
City Recorder - Orem

3. The City Council hereby authorizes the Mayor and the City Manager to sign any documents required to complete the boundary adjustment.

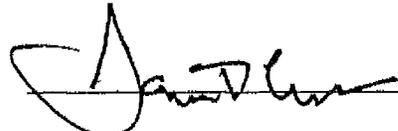
4. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

5. All other ordinances in conflict herewith are hereby repealed.

6. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED, and ORDERED PUBLISHED this 27<sup>th</sup> day of August 2013.



  
James T. Evans, Mayor

ATTEST:

  
Donna R. Weaver, City Recorder

ENT 97000:2013 PG 2 of 4

COUNCILMEMBERS VOTING "AYE"

COUNCILMEMBERS VOTING "NAY"

Hans Andersen

\_\_\_\_\_

Margaret Black

\_\_\_\_\_

Jim Evans

\_\_\_\_\_

Mark Seastrand

\_\_\_\_\_

Mary Street

\_\_\_\_\_

Brent Sumner

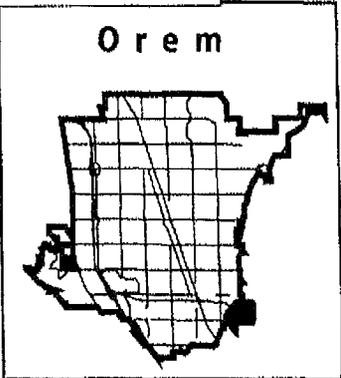
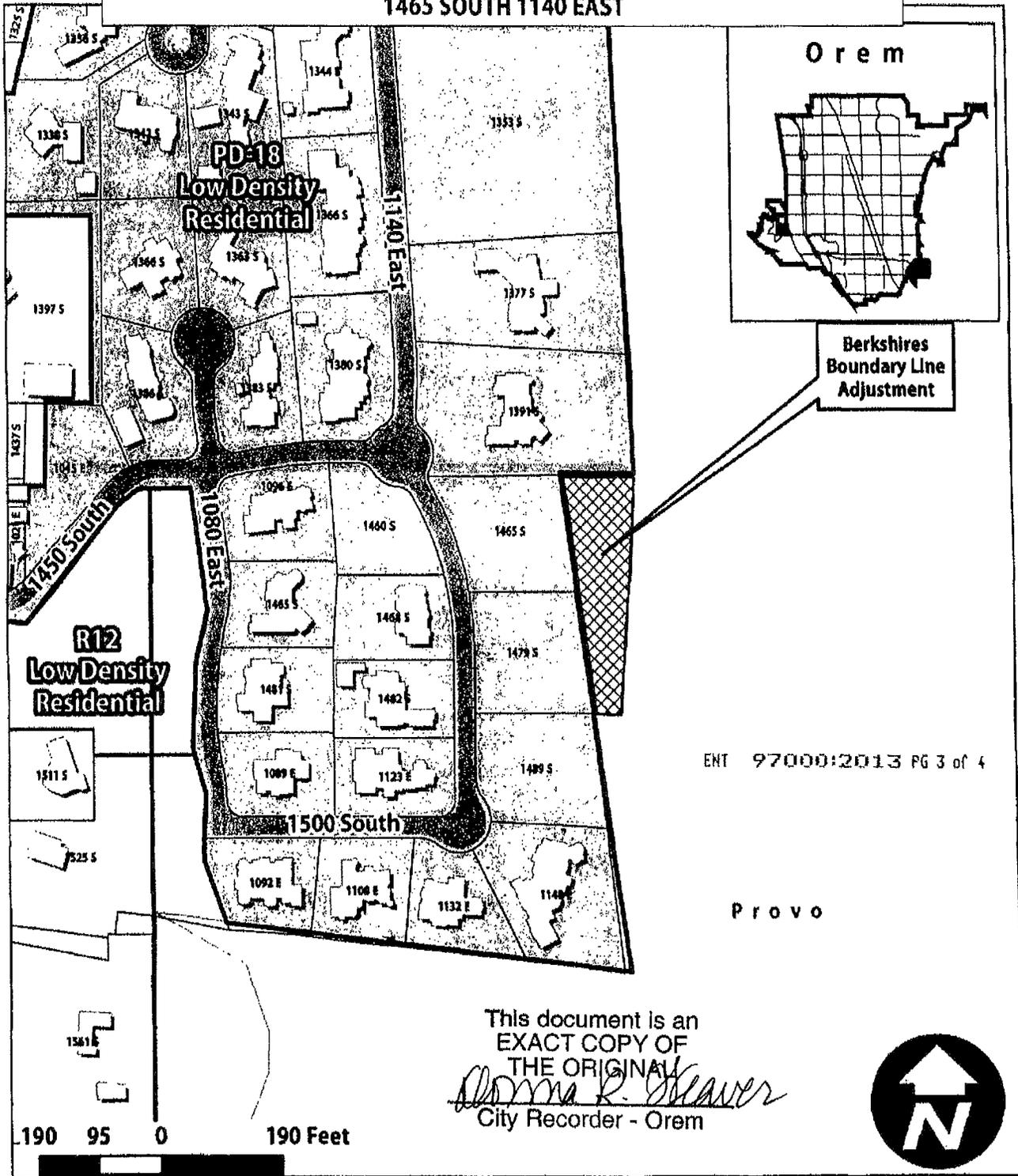
\_\_\_\_\_

*\*\*Councilmember Karen McCandless was excused from the meeting.*

This document is an  
EXACT COPY OF  
THE ORIGINAL  
  
City Recorder - Orem

# Berkshires Boundary Line Adjustment

1465 SOUTH 1140 EAST



Berkshires Boundary Line Adjustment

ENT 97000:2013 PG 3 of 4

Provo

This document is an  
 EXACT COPY OF  
 THE ORIGINAL  
*Donna R. Weaver*  
 City Recorder - Orem



◆ Berkshires Boundary Line Adjustment

**NIA CONTACT:**  
 Hillcrest Neighborhood  
 Dewon Holt

**Legend**  
 Buildings  
 Parcels

4770 S. 5600 W.  
 P.O. BOX 704005  
 WEST VALLEY CITY, UTAH 84170  
 FED.TAX I.D.# 87-0217663  
 801-204-6910

The Salt Lake Tribune

MEDIA One

Deseret News

PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
CITY OF OREM,  56 NORTH STATE STREET  OREM UT 84057	9001355319	7/1/2013

CITY OF OREM,			
8012297037			
0000887578		/ 100887578-06232013	
SCHEDULE			
Start 06/23/2013		End 06/30/2013	
CUST. REF. NO.			
Boundary Line Adjustment			
CAPTION			
CITY OF OREM NOTICE OF PROPOSED OREM/PROVO BOUNDARY LINE ADJ			
SIZE			
49 Lines		2.00 COLUMN	
TIMES		RATE	
8			
MISC. CHARGES		AD CHARGES	
TOTAL COST			
334.28			

**CITY OF OREM  
 NOTICE OF PROPOSED OREM/PROVO  
 BOUNDARY LINE ADJUSTMENT**

Notice is hereby given that on June 11, 2013, the Orem City Council adopted a resolution indicating the council's intent to consider the request of Alex Dunn to adjust the boundary between the City of Orem and the City of Provo.

The area proposed for annexation is located at property at approximately 1465 South 1140 East and is more particularly described as follows:

Commencing at a point located North 00°36'51" West along the Section line 721.98 feet and East 2610.39 feet from the West quarter corner of Section 25, Township 6 South, Range 2 East, Salt Lake Base and Meridian (which point is a common angle point on the boundary line between the City of Orem and the City of Provo in the Northeast quarter of said Section 25), thence East 36.72 feet, thence North 04°52'31" East 362.27 feet to a common angle point on the boundary line between the City of Orem and the City of Provo, said point being located North 00°36'51" West along the Section line 1082.96 feet and East 2681.41 feet from the West quarter corner of said Section 25.

The Orem City Council will hold a public hearing on Tuesday, August 27, 2013 at 6:00 p.m. in the Council Chambers at 56 North State Street, Orem, Utah to receive public comment on the proposed boundary adjustment and will consider adjusting the boundaries unless, at or before the public hearing, written protests to the adjustment are filed by the owners of private real property that (1) is located within the area proposed for adjustment, (2) covers at least 25% of the total private land area within the area proposed for adjustment, and (3) is equal in value to at least 15% of the value of all private real property within the area proposed for adjustment. This proposed boundary adjustment will have no effect on any boundary adjustments to the local fire protection, paramedic, and emergency services.

Written protests may be filed at the City Recorder's Office, 56 North State Street, Orem, Utah. Anyone interested may attend and comment on the proposed boundary adjustment.

**PUBLISHED IN THE DESERET NEWS**  
 SUNDAYS, JUNE 23 & 30 and JULY 7, 2013  
**PUBLISHED IN THE SALT LAKE TRIBUNE**  
 SUNDAYS, JUNE 23 & 30 and JULY 7, 2013

887578 UPAXLP

This document is an  
 EXACT COPY OF  
 THE ORIGINAL

*Norma R. Weaver*  
 City Recorder - Orem

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC (dba MEDIA ONE OF UTAH) LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF CITY OF OREM NOTICE OF PROPOSED OREM/PROVO BOUNDARY LINE ADJUSTMENT Notice is hereby given that on June 11, 2013, the Orem City Council adopted a resolution for CITY OF OREM, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC (dba MEDIA ONE OF UTAH) AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAH.LEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAH.LEGALS.COM INDEFINITELY.

PUBLISHED ON Start 06/23/2013 End 06/30/2013

SIGNATURE

*[Signature]*

VIRGINIA CRAFT  
 Notary Public, State of Utah  
 Commission # 581469  
 My Commission Expires  
 January 12, 2014

DATE 7/1/2013

*Virginia Craft*

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
 PLEASE PAY FROM BILLING STATEMENT

ORDINANCE 2013-38

SHORT TITLE:

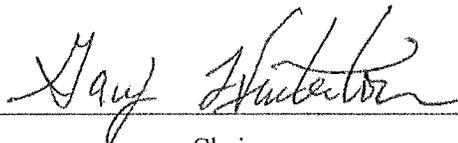
An ordinance adjusting approximately 750 feet of the common boundary between the City of Provo and the City of Orem at property approximately adjacent to 1290 East 1525 South, Orem, Utah and the Riverside Country Club.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER
CW 1	LAURA H. CABANILLA					
CW 2	GARY GARRETT					
CD 1	GARY WINTERTON					
CD 2	RICHARD D. HEALEY					
CD 3	HAL MILLER					
CD 4	KAY VAN BUREN					
CD 5	STERLING BECK					
				TOTALS		

This ordinance was passed by the Municipal Council of Provo City, on the 17 day of September, 2013 on a roll call vote as described above. Signed this 17 day of September, 2013.

  
Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 17 day of September 2013.

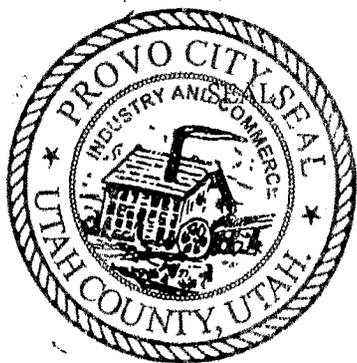
  
Mayor

ORDINANCE 2013-38

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 30 day of September 2013, with a short summary being published on the 28 day of September 2013, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2013-38.



Signed this 30 day of September 2013.

Juanita Weiss  
City Recorder

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

ORDINANCE 2013-38.

AN ORDINANCE ADJUSTING APPROXIMITELY 750 FEET OF THE COMMON BOUNDARY BETWEEN THE CITY OF PROVO AND THE CITY OF OREM AT PROPERTY APPROXIMATELY ADJACENT TO 1290 EAST 1525 SOUTH, OREM, UTAH AND THE RIVERSIDE COUNTRY CLUB, PROVO, UTAH (13-074)

WHEREAS, on August 20, 2013 the Municipal Council approved a resolution of intent to consider an adjustment to approximately 750 feet of the common boundary between Orem City and Provo City at property approximately adjacent to 1290 East 1525 South, Orem, Utah and the Riverside Country Club, Provo, Utah at a duly noticed public hearing to be held on September 17, 2013; and

WHEREAS, between August 20, 2013 and September 17, 2013 no written protests to the adjustment have been filed with the City Recorder by the owners of private real property that are located within the area proposed for adjustment; and

WHEREAS, on August 27, 2013 the Orem City Council adopted an ordinance to approve the adjustment of the common boundary; and

WHEREAS, on September 17, 2013 the Municipal Council held a duly noticed public meeting to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the meeting record; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds that the common boundary as legally described in Exhibit "A" between Provo City and Orem City should be adjusted.

NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah, as follows:

PART I:

The Provo Municipal Council approves approximately 750 feet of the common boundary between Orem City and Provo City at property approximately adjacent to 1290 East 1525 South, Orem, Utah and the Riverside Country Club, Provo, Utah as described in Exhibit "A".

PART II:

This ordinance shall take effect immediately after being posted or published as required by law.

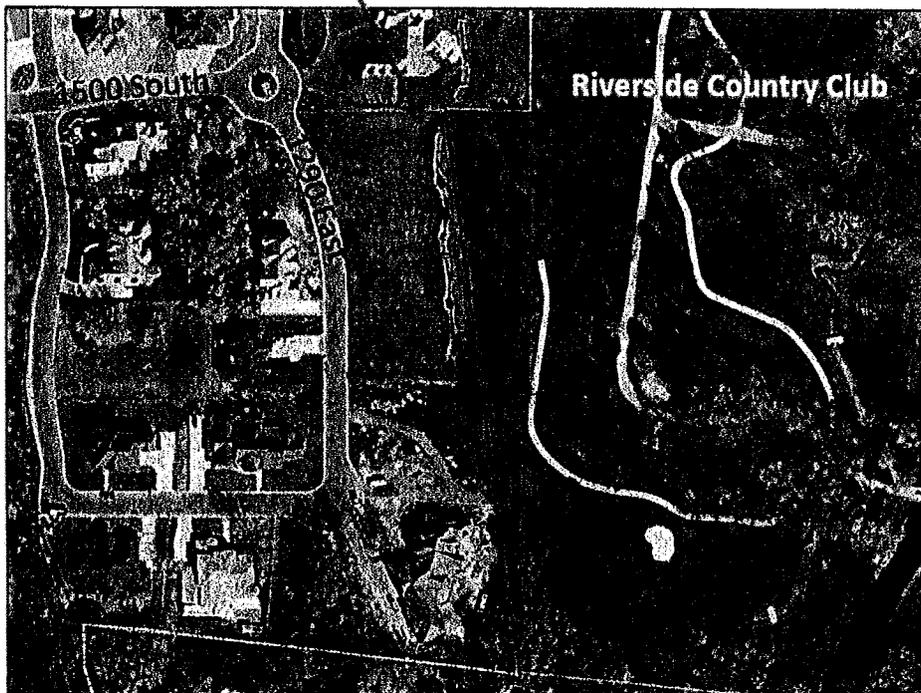
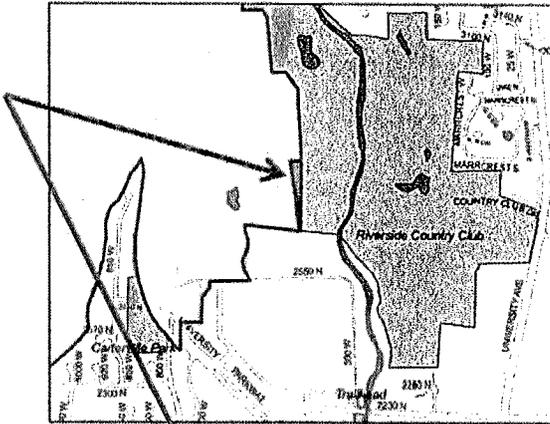
END OF ORDINANCE.

# EXHIBIT "A"

## LEGAL DESCRIPTION

Commencing at a point located North  $00^{\circ}36'51''$  West along the Section line 721.98 feet and East 2610.39 feet from the West quarter corner of Section 25, Township 6 South, Range 2 East, Salt Lake Base and Meridian (which point is a common angle point on the boundary line between the City of Orem and the City of Provo in the Northeast quarter of said Section 25); thence East 36.72 feet; thence North  $04^{\circ}52'31''$  East 362.27 feet to a common angle point on the boundary line between the City of Orem and the City of Provo, said point being located North  $00^{\circ}36'51''$  West along the Section line 1082.96 feet and East 2681.41 feet from the West quarter corner of said Section 25.

Area Proposed  
to be Ceded to  
Orem City



\*\*\* Proof of Publication \*\*\*

The Daily Herald  
State of Utah, Utah County > SS -----

Provo City Corporation  
P.O. Box 1849  
Provo, UT 84603

ORDER NUMBER 17984

PROVO CITY CORPORATION  
OFFICE OF THE RECORDER  
ORDINANCE 2013-38

Notice is hereby given that in the regular Municipal Council Meeting of September 17, 2013, the Provo Municipal Council passed Ordinance 2013-38. This is an ordinance adjusting approximately 750 feet of the common boundary between the City of Provo and the City of Orem at property approximately adjacent to 1290 East 1525 South, Orem, Utah and the Riverside Country Club.

/s/Janene M. Weiss, City Recorder  
Legal Notice 17984 Published in The Daily Herald September 28, 2013

I, being first duly sworn depose and say that I am the Legal Billing Clerk of The Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the ad attached hereto, and which is a copy, was published in said newspaper; that said notice was published in the regular and entire issue of the paper during that period and times of publication, and was published in the newspaper proper and not in the supplement.

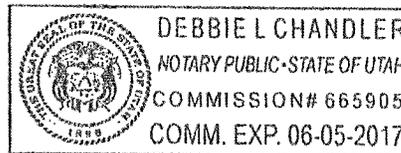
Same was also published online at utahlegals.com, according to Section 45-1-101, Utah Code Annotated, beginning on the first date of publication and for at least 30 days thereafter.

*Breanna Wells*

PUBLISHED ON: 09/28/2013

TOTAL AD COST: 22.10  
FILED ON: 9/30/2013

*Debbie L Chandler*  
SIGNATURE



Subscribed and sworn to before me this the 30 DAY OF September, 2013

