

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 COTTONWOOD HEIGHTS and the CITY OF HOLLADAY, dated July 1<sup>st</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 COTTONWOOD HEIGHTS and the CITY OF HOLLADAY, located in Salt Lake County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 11<sup>th</sup> day of June, 2014 at Salt Lake City, Utah.

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

SPENCER J. COX  
Lieutenant Governor

CALLISTER NEBEKER & McCULLOUGH

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
GATEWAY TOWER EAST SUITE 900  
10 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84133  
TELEPHONE 801-530-7300  
FAX 801-364-9127

TO CONTACT WRITER DIRECTLY  
(801) 530-7478  
wstopham@cnmlaw.com

Wm. Shane Topham

July 3, 2013

UTAH LT. GOVERNOR  
Attn. Jaclyn Burt  
Utah State Capitol, Suite 220  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action (Boundary Adjustment Between city of Cottonwood Heights and City of Holladay)

Greetings:

Enclosed is the original of a notice of impending boundary action that is being filed with your office by the city of Cottonwood Heights in connection with a pending boundary adjustment between Cottonwood Heights and the City of Holladay that has been approved by the legislative bodies of both cities following full compliance with the statutory process. I am informed that Holladay's notice will be filed with your office within the next few days, and that the final local entity plat showing the new boundary between the two cities will be filed within the next week.

Please contact me to discuss this filing and any related issues, as desired.

Thank you.

Very truly yours,

CALLISTER NEBEKER & McCULLOUGH

*Wm. Shane Topham*

Wm. Shane Topham  
Cottonwood Heights City Attorney

# COTTONWOOD HEIGHTS

## NOTICE TO THE UTAH LIEUTENANT GOVERNOR OF IMPENDING BOUNDARY ACTION

**PLEASE TAKE NOTICE** that:

A. Effective 26 March 2013, the city council of the city of Cottonwood Heights (“*Cottonwood Heights*”) enacted its ordinance no. 202 adjusting the common boundary (the “*Boundary Adjustment*”) between Cottonwood Heights and the City of Holladay (“*Holladay*”); and

B. Effective 6 June 2013, Holladay’s city council enacted its ordinance no. 2013-13 approving the Boundary Adjustment; and

C. An approved final local entity plat showing the Boundary Adjustment has been or soon will be filed with the office of the Utah Lieutenant Governor by the office of the Salt Lake County surveyor, and all other requirements applicable to such boundary adjustment have been met; and

D. Pursuant to UTAH CODE ANN. 61-1a-6.5(3)(e)(i), Cottonwood Heights certifies that all requirements applicable to such boundary adjustment have been met.

E. Pursuant to UTAH CODE ANN. 10-2-425(4), the Boundary Adjustment will be effective 1 January 2014.

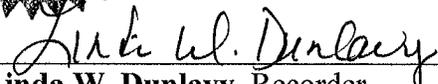
**DATED** 1 July 2013.

**COTTONWOOD HEIGHTS**



By

  
Kelynn H. Cullimore, Jr., Mayor

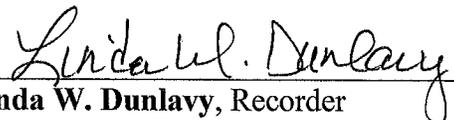
  
Linda W. Dunlavy, Recorder

VERIFICATION

STATE OF UTAH )  
 :SS.  
COUNTY OF SALT LAKE )

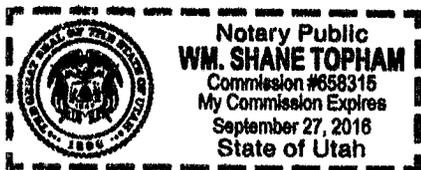
Kelvyn H. Cullimore, Jr. and Linda W. Dunlavy, being sworn, say that they are the mayor and the recorder, respectively, of COTTONWOOD HEIGHTS, a Utah municipality, and that the facts set forth in the foregoing "Notice of Impending Boundary Action" are true, accurate, and complete to the best of their knowledge and belief.

  
\_\_\_\_\_  
Kelvyn H. Cullimore, Jr., Mayor

  
\_\_\_\_\_  
Linda W. Dunlavy, Recorder

SUBSCRIBED AND SWORN to before me this 2 day of July 2013.

  
\_\_\_\_\_  
Notary Public



**CITY OF HOLLADAY**

**ORDINANCE NO. 2013-13**

**AN ORDINANCE ADJUSTING THE COMMON BOUNDARY  
BETWEEN COTTONWOOD HEIGHTS AND THE CITY OF HOLLADAY.**

**WHEREAS**, the City of Holladay (the "City") and the City of Cottonwood Heights ("Cottonwood Heights") share a common boundary; and

**WHEREAS**, pursuant to the provisions of Utah Code Ann. § 10-2-419-428, two or more municipalities sharing a common boundary may adjust such common boundary; and

**WHEREAS**, the City's City Council (the "Council") considers it necessary and desirable and for the benefit of the City to adjust its common boundary with Cottonwood Heights; and

**WHEREAS**, to effect such adjustment, pursuant to Utah Code Ann. § 10-2-419 the City (a) adopted its Resolution No. 2013-10 indicating the City's intent to adjust the common boundary with Cottonwood Heights; (b) held a public hearing (the "Hearing") on May 16, 2013 with respect to the proposed adjustment; and (c) published notice of the Hearing and the proposed adjustment as provided by law; and

**WHEREAS**, no written protests to the proposed boundary adjustment have been filed with the City Recorder by anyone legally authorized to so protest; and

**WHEREAS**, the Council, in satisfaction of statutory requirements, desires to (a) adopt this Ordinance (this "Ordinance") adjusting the City's common boundary with Cottonwood Heights; and (b) direct the providing of all legally required notices and filings concerning such boundary adjustment;

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

**SECTION I  
FINDINGS AND DETERMINATIONS**

The Council hereby finds, determines and declares that all actions legally required to be taken prior to the adoption of this Ordinance (including, without limitation, the holding of the Hearing and the giving of proper notice) have been taken. The Council hereby further finds, determines and declares that the adjustment of the City's common boundary with Cottonwood Heights, as further described in Section II hereof, is in the public interest and is in the best interest of the City and its residents.

**SECTION II  
ADJUSTMENT OF COMMON BOUNDARY**

- (a) The common boundary between the City and Cottonwood Heights is hereby adjusted to transfer the following described real property (the "Parcel") from the City to Cottonwood Heights:

BEGINNING AT A POINT that is South 89°57'01" West 147.600 feet from the Northeast corner of the Southwest quarter of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence from said corner South 89°57'01" West 216.897 feet to the East Right of way of 3000 East Street; thence along said right of way North 12°26'45" Easterly 216.968 feet to a pointed located at the center of Big Cottonwood Creek; thence along center line of said Creek the following three courses: (1) South 56°02'40" East 37.630 feet; (2) South 51°11'48" East 46.170 feet; and (3) South 46°00'57" East 142.990 feet; thence departing said creek center line South 00°03'09" East 62.430 feet to the point of beginning.

- (b) As a result of such transfer of the Parcel, the common boundary between the City and Cottonwood Heights shall be as shown on the attached exhibit.

**SECTION III  
NOTICES AND FILINGS**

The City's Mayor, Manager, Recorder, Attorney and other officers, employees and agents are hereby authorized, empowered and directed to make such filings and to provide such notices as may be legally required to effect and to formalize the boundary adjustment contemplated by this Ordinance, including, without limitation, filing a notice of impending boundary action with the Lt. Governor's Office pursuant to Utah Code Ann. § 10-2-425.

**SECTION IV  
ACTION OF OFFICERS**

All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

**SECTION V  
SEVERABILITY**

All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

**SECTION VI  
REPEALER**

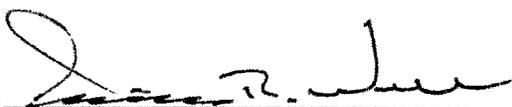
All ordinances, resolutions or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

**SECTION VII  
EFFECTIVE DATE**

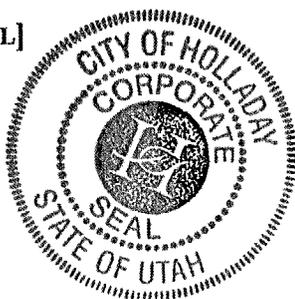
This Ordinance, assigned No. 2013-13, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the Office of the City's Recorder, or such later date as may be required by Utah Code Ann. § 10-2-419(5), Utah Code Ann. § 10-2-425(4) or other applicable Utah statute.

PASSED AND APPROVED this 6<sup>th</sup> day of June, 2013.

**HOLLADAY CITY COUNCIL**

By:   
Dennis R. Webb, Mayor

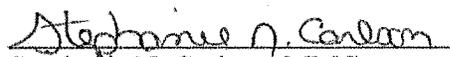
[SEAL]



**VOTING:**

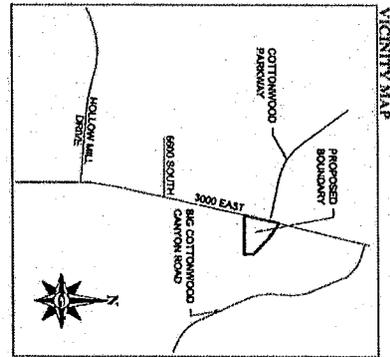
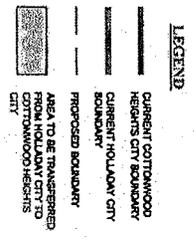
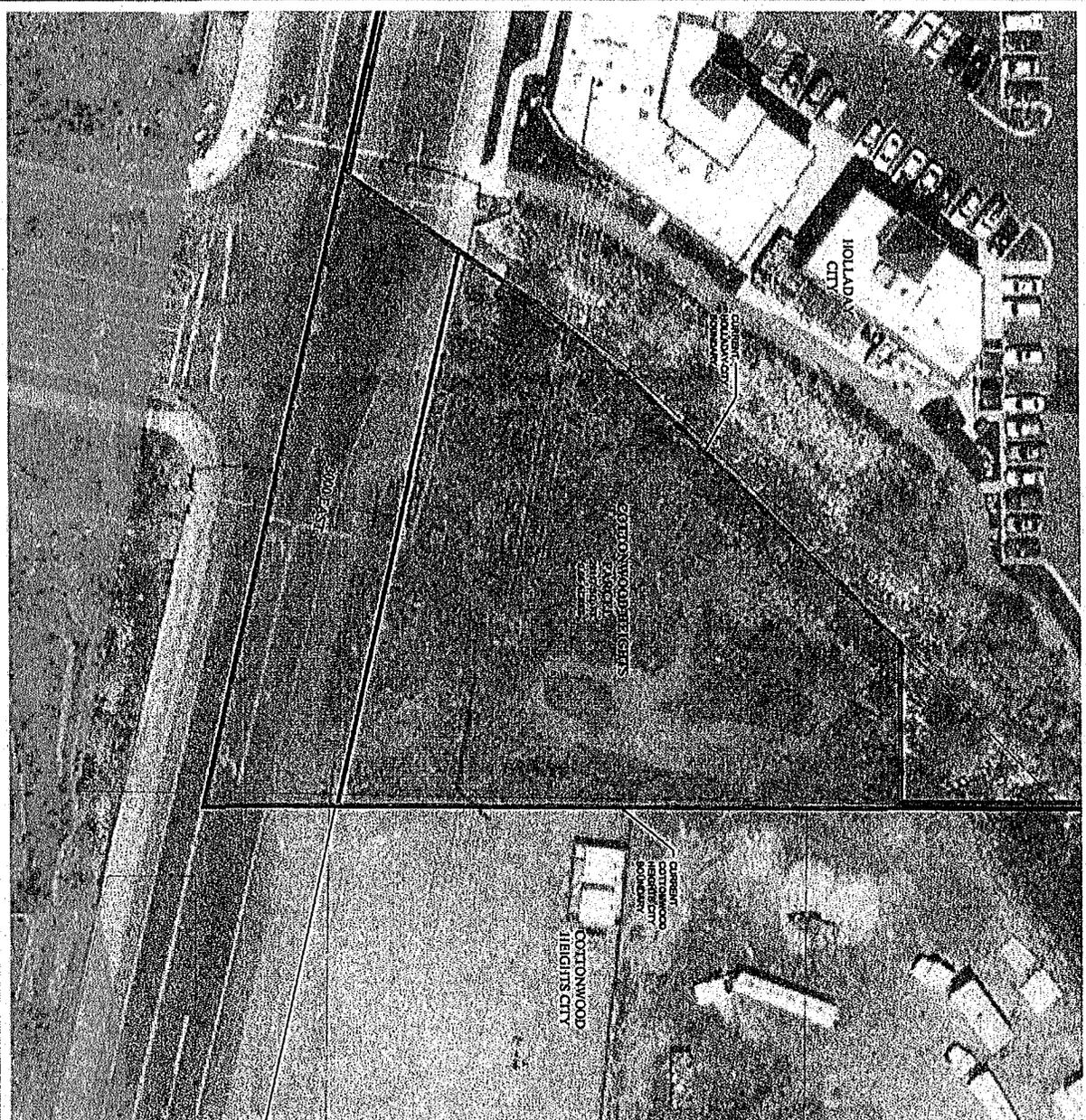
|                      |     |          |     |              |
|----------------------|-----|----------|-----|--------------|
| Lynn H. Pace         | Yea | <u>X</u> | Nay | ___          |
| J. James Palmer, Jr. | Yea | <u>X</u> | Nay | ___          |
| Sabrina R. Petersen  | Yea | <u>X</u> | Nay | ___          |
| Patricia Pignanelli  | Yea | ___      | Nay | ___ (absent) |
| Steven H. Gunn       | Yea | <u>X</u> | Nay | ___          |
| Dennis R. Webb       | Yea | ___      | Nay | ___ (absent) |

**ATTEST:**

  
Stephanie N. Carlson, MMC  
City Recorder

DEPOSITED in the office of the City Recorder this 6<sup>th</sup> day of June, 2013.

RECORDED this 6<sup>th</sup> day of June, 2013.



|                  |  |                  |                 |                                    |  |
|------------------|--|------------------|-----------------|------------------------------------|--|
| <b>EX 1</b>      | <b>COTTONWOOD HEIGHTS-HOLLADAY BOUNDARY ADJUSTMENT</b> | DATE: 2013       | REVISION: 01    |                                    |  |
|                  | 6600 SOUTH 3000 EAST<br>COTTONWOOD HEIGHTS, UTAH       | DRAWN BY: [ ]    | CHECKED BY: [ ] |                                    |  |
| SCALE: 1" = 100' | DATE: 05/14/13   | PROJECT: 2101238 | SHEET: 1 OF 1   | CONSULTING ENGINEERS AND SURVEYORS |  |

**CITY OF HOLLADAY**

**NOTICE OF PUBLIC HEARING AND INTENT TO  
ADJUST COMMON BOUNDARY**

PUBLIC NOTICE IS HEREBY GIVEN that on March 7, 2013, the City Council (the "*City Council*") of the City of Holladay, Salt Lake County, UT (the "*City*") adopted a resolution (the "*Resolution*") indicating the City Council's intent to adjust the City's common boundary with the City of Cottonwood Heights ("*Cottonwood*") and calling a public hearing to receive input from the public with respect to such adjustment, all pursuant to UTAH CODE ANN. § 10-2-419.

**ADJUSTMENT OF COMMON BOUNDARY**

The City Council has proposed to adjust the City's common boundary with Cottonwood by transferring to Cottonwood, or receiving from Cottonwood (as applicable), such parcels of real property as may be necessary to result in a common boundary between the two cities as shown and described on the plat that is attached to the Resolution, a copy of which is on file with the City Recorder.

**TIME, PLACE AND LOCATION OF PUBLIC HEARING**

The City will hold a public hearing (the "Public Hearing") during its regular City Council meeting, which begins at 6:00 p.m. on May 16, 2013. The Public Hearing will be held at the regular meeting place of the City Council in the Council Chambers at 4580 S 2300 E Holladay, UT.

**EFFECT ON LOCATION DISTRICTS PROVIDING FIRE PROTECTION,  
PARAMEDIC AND EMERGENCY SERVICES**

No local district providing fire protection, paramedic and emergency services will be affected by the proposed boundary adjustment.

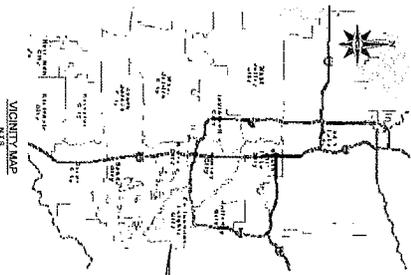
**NOTICE OF RIGHT TO FILE PROTESTS TO PREVENT THE ADJUSTMENT  
OF THE COMMON BOUNDARY**

NOTICE IS FURTHER GIVEN THAT, pursuant to UTAH CODE ANN. 10-2-419, the City Council will adopt an ordinance adjusting its common boundary with Holladay unless, at or before the Public Hearing, written protests to the adjustment have been filed with the City Recorder of the City by the owners of private real property that: (a) is located within the area proposed for adjustment; (b) covers at least 25% of the total private land area within the area proposed for adjustment; and (c) is equal in value to at least 15% of the value of all private real property within the area proposed for adjustment.

Stephanie N. Carlson, MMC  
City Recorder

DATES OF PUBLICATION: (Publish once a week for three (3) successive weeks).

March 22, 2013  
March 29, 2013  
April 5, 2013

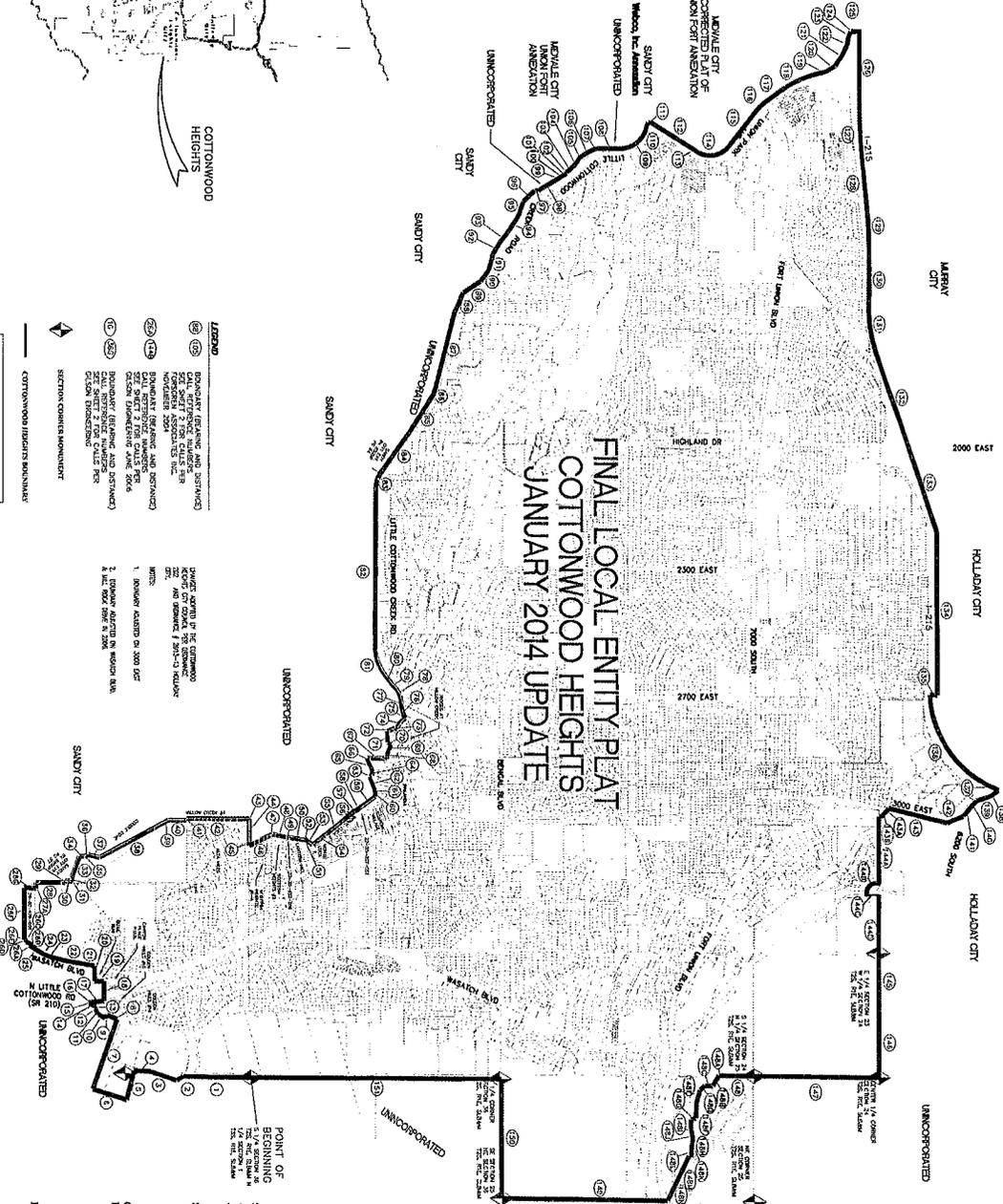


- LEGEND**
- ① BOUNDARY (RETRACING AND SURVEYING)
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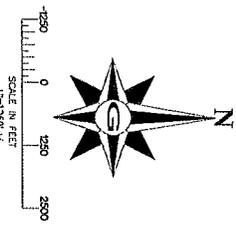
POINT OF BEGINNING OF THE COTTONWOOD HEIGHTS RECORDING DISTRICT IS LOCATED AT THE INTERSECTION OF THE 3000 EAST STREET AND THE 2700 EAST STREET.

1. BOUNDARY ADJUSTED TO 3000 EAST STREET

2. BOUNDARY ADJUSTED TO 2700 EAST STREET



# FINAL LOCAL ENTITY PLAT COTTONWOOD HEIGHTS JANUARY 2014 UPDATE



**NOTES:**

1. THIS DRAWING IS BASED ON THE ORIGINAL COTTONWOOD HEIGHTS RECORDING DISTRICT PLAT AS RECORDED IN BOOK 20057 PAGE 22.

2. THIS DRAWING IS BASED ON THE ORIGINAL COTTONWOOD HEIGHTS RECORDING DISTRICT PLAT AS RECORDED IN BOOK 20057 PAGE 22.

3. THIS DRAWING IS BASED ON THE ORIGINAL COTTONWOOD HEIGHTS RECORDING DISTRICT PLAT AS RECORDED IN BOOK 20057 PAGE 22.

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9. THIS DRAWING IS BASED ON THE ORIGINAL COTTONWOOD HEIGHTS RECORDING DISTRICT PLAT AS RECORDED IN BOOK 20057 PAGE 22.

10. THIS DRAWING IS BASED ON THE ORIGINAL COTTONWOOD HEIGHTS RECORDING DISTRICT PLAT AS RECORDED IN BOOK 20057 PAGE 22.

**NO SURVEY WAS PERFORMED IN THE PROCESS OF CREATING THIS PLAT. THE BOUNDARY BETWEEN COTTONWOOD HEIGHTS AND HOLLADAY CITY AND COTTONWOOD HEIGHTS AND SANDY CITY IS SHOWN AS SHOWN ON THIS MAP.**

GILSON ENGINEERING WAS REQUESTED IN 2006 TO UPDATE THE CITY BOUNDARY BETWEEN COTTONWOOD HEIGHTS AND HOLLADAY CITY AND COTTONWOOD HEIGHTS AND SANDY CITY AND COTTONWOOD HEIGHTS AND SANDY CITY. THIS MAP IS A REPRESENTATION OF THE PARCELS OF LAND AND THE ADJUSTED BOUNDARY ADJUSTMENT ON 3000 EAST STREET BEING ADDED TO COTTONWOOD HEIGHTS, BEING THE ADJUSTED BOUNDARY LINE AGREED UPON BETWEEN HOLLADAY CITY AND COTTONWOOD HEIGHTS AS PERMITTED HEREON. THIS MAP ALSO IS SHOWING THE ADJUSTMENT BETWEEN HOLLADAY CITY AND COTTONWOOD HEIGHTS AND SANDY CITY AND COTTONWOOD HEIGHTS AND SANDY CITY AND 3000 EAST COTTONWOOD HEIGHTS CITY.

SALT LAKE COUNTY SURVEYOR  
APPROVED THIS 5th DAY OF January, A.D. 2014  
AS A FINAL LOCAL ENTITY PLAT BY THE SALT LAKE COUNTY SURVEYOR  
NED J. BERGHAAN

COTTONWOOD HEIGHTS CITY APPROVAL  
MAYOR KEVIN H. CHILHAMORE, JR.  
DATE 5/14/14

HOLLADAY CITY APPROVAL  
MAYOR ROBERT M. DAVILE  
DATE 5/14/14

**GILSON**  
ENGINEERING AND SURVEYING  
1100 S. 1000 E. SUITE 100  
SALT LAKE CITY, UT 84143  
TEL: 801.487.7700  
WWW.GILSONENGINEERING.COM

SALT LAKE COUNTY, UTAH  
SECTIONS 20-29 + 33-36, T2S, R1E, SLB+M  
SECTIONS 1 + 2, T3S, R1E, SLB+M

| DATE    | BY | REVISIONS                                |
|---------|----|--|
| 1/14/14 | JK | 1. INITIAL ADJUSTED TO 3000 EAST STREET  |
| 1/14/14 | JK | 2. BOUNDARY ADJUSTED TO 2700 EAST STREET |



SALT LAKE COUNTY RECORDER  
STATE OF UTAH COUNTY OF SALT LAKE RECORDED AND FILED AT THE  
DATE 5/14/14 TIME 10:00 AM PAGE 1  
FEE \$ 10.00 SALT LAKE COUNTY RECORDER

3000 EAST  
REV  
1 OF 2

