

JUL 06 2007

COUNCIL TRANSMITTAL



TO: Lyn Creswell
Chief Administrative Officer

DATE: 7/6/2007

Sam Guevara
Deputy Mayor / Chief of Staff

FROM: Edwin P. Rutan, II
City Attorney

Evelyn J. Furse
Senior City Attorney

SUBJECT: North Salt Lake City Boundary Adjustment

STAFF CONTACT:

DOCUMENT TYPE: Resolution

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: Attached is a proposed resolution to adjust the boundary between North Salt Lake City and Salt Lake City by agreement. The two cities have consented to such adjustment as part of a settlement agreement between the two settling litigation regarding a proposed disconnection and a proposed condemnation. The property changing jurisdiction is tax exempt. The Resolution sets the date for public hearing on this matter for September 14, 2007 as required by statute.

RECOMMENDATION: The City Attorney's Office recommends that the Council adopt the revised ordinance.

RESOLUTION NO. _____ OF 2007

(BOUNDARY ADJUSTMENT WITH
NORTH SALT LAKE CITY)

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

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, 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, would be in the best interest of Salt Lake City;

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

The City Council intends to adopt an ordinance to adjust the common boundary between North Salt Lake City and Salt Lake City, as follows:

Pursuant to this boundary adjustment, certain property which is currently located within the municipal limits of Salt Lake City will become part of North Salt Lake City. That property is identified on the map attached hereto as Exhibit "A" and is more particularly described in Exhibit "B".

1. The Salt Lake City Council will hold a public hearing on the proposed boundary adjustment on September 18, 2007.
2. Notice will be given as required by section 10-2-419 of the Utah Code Annotated.
3. Upon conclusion of the public hearing, the Salt Lake City Council may adopt an ordinance adjusting the common boundary between Salt Lake City and North Salt Lake City, unless written protests are filed with the City Recorder as set forth in UTAH CODE § 10-2-419(3).

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2007.

SALT LAKE CITY COUNCIL

By: _____
CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 7/6/07
By Evelyn Shundo

Exhibit A

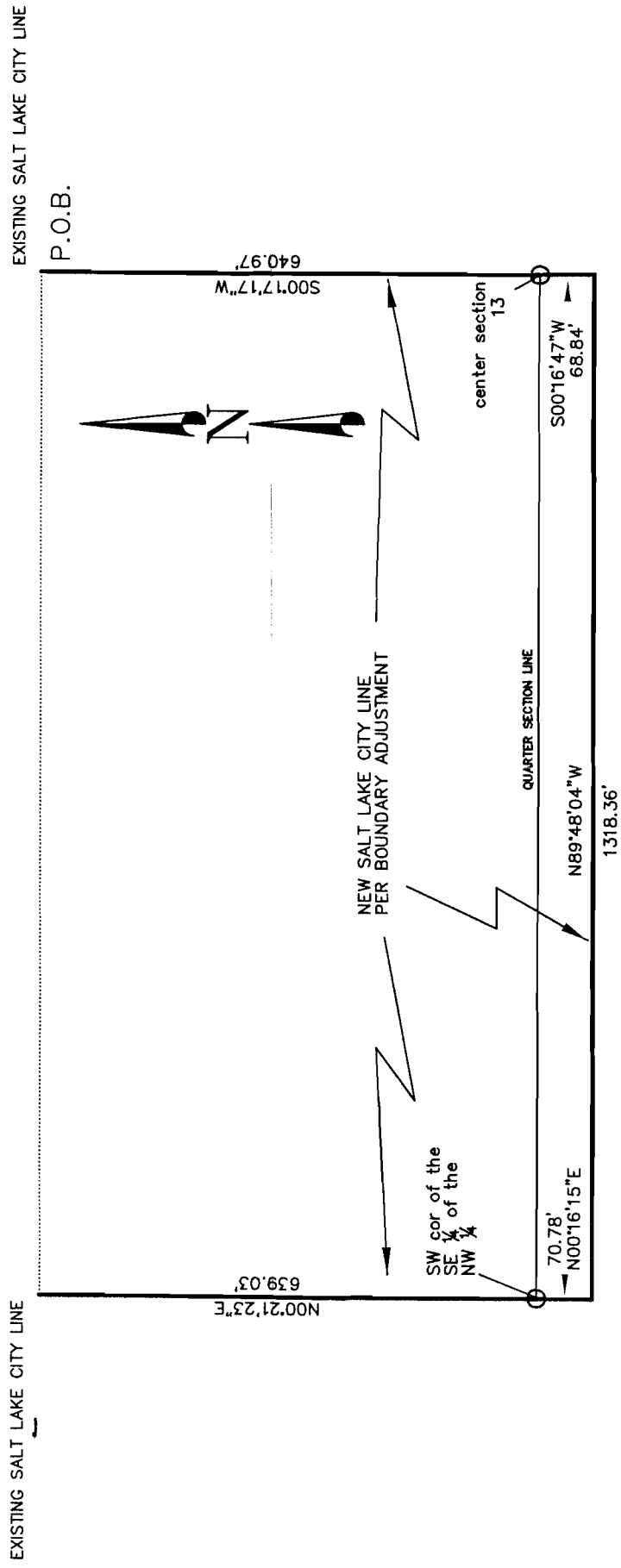


EXHIBIT B

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 SECTION 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.