

# SALT LAKE CITY CORPORATION

EDWIN P. RUTAN, II  
CITY ATTORNEY


LAW DEPARTMENT

ROSS C. ANDERSON  
MAYOR

September 14, 2007

## MEMORANDUM

TO: City Council Members  
Cindy Gust-Jensen  
Janice Jardine

FROM: Ed Rutan   
Eve Furse

RE: North Salt Lake Boundary Adjustment

---

This is the final stage for implementing the settlement agreement with North Salt Lake. Roughly 80 acres were originally in dispute. Pursuant to the Settlement Agreement, the northern most approximately 20 acres--including approximately 7 acres that will be preserved as natural open space pursuant to a conservation easement that North Salt Lake has granted to Salt Lake City--are to be transferred to the jurisdiction of North Salt Lake by boundary adjustment.

Utah Code Ann. § 10-2-419 provides the procedure for a municipal boundary adjustment. The Council began the process by passing a resolution in July stating its intent to adopt the boundary adjustment. By statute, only owners of property within the area to be adjusted have standing to object. North Salt Lake owns all the property in the area to be adjusted and obviously will not object. Following public notice, which has been given, a public hearing is to be held. That public hearing is scheduled for September 18, 2007.

Following the public hearing, the Council votes on an ordinance specifying the new boundary.

North Salt Lake will follow the same process. The boundary adjustment becomes effective when each municipality has adopted its ordinance.

cc: Mayor Anderson  
Lyn Creswell  
Louis Zunguze

HB\_ATTYY-#1757-v1-Memorandum\_to\_City\_Council\_Members.DOC

ORDINANCE NO. \_\_\_\_\_ 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 \_\_\_\_\_ day of September, 2007.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

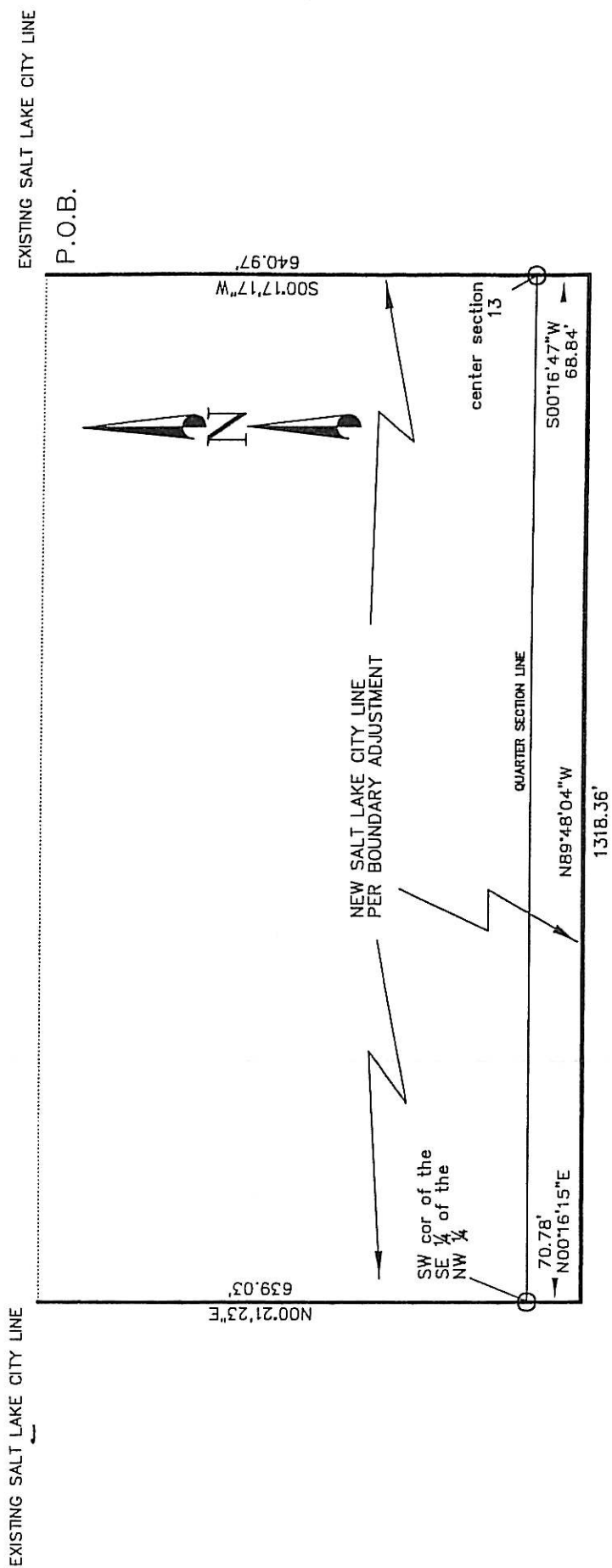
(SEAL)

Bill No. \_\_\_\_\_ of 2007.

Published: \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date September 14, 2007  
By [Signature]

# 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.