

STATE OF UTAH

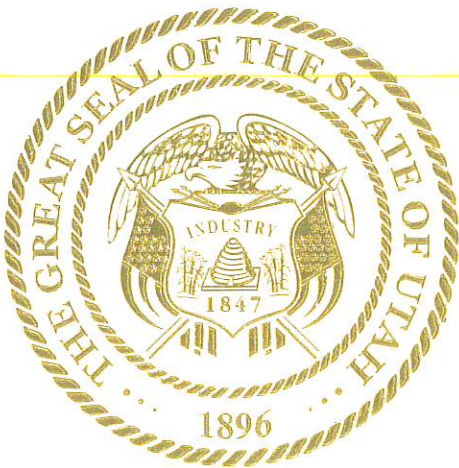


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF BOUNDARY ADJUSTMENT

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of a common boundary adjustment known as the RIVER BOTTOMZZ ANNEXATION, between PROVO CITY and CITY OF OREM, dated JUNE 25, 2024, complying with §10-2-425, 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 common boundary adjustment, referred to above, on file with the Office of the Lieutenant Governor pertaining to the RIVER BOTTOMZZ ANNEXATION, 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 2nd day of July, 2024 at Salt Lake City, Utah.

A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON
Lieutenant Governor

TO:

UTAH LIEUTENANT GOVERNOR'S OFFICE
350 North State Street, Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

NOTICE OF IMPENDING BOUNDARY ACTION

*700 North 1550 East (Orem Address) Boundary Line Adjustment
between the City of Orem and Provo City*


Please take notice of the 700 North 1550 (Orem address) Boundary Line Adjustment between the City of Orem and Provo City. The Boundary Line Adjustment was approved by Ordinance No.2024-0012, and was adopted on the 28th day of May, 2024, by the City of Orem Municipal Council, as per§ 10-2-407(6), UCA. As required by§ 67-1a-6.5(3)(e)(i), UCA, we certify that the City of Orem has met all requirements for approval of the boundary action. Accordingly, we request the Lieutenant Governor to issue a certificate of boundary adjustment, as per§ 10-2-425, UCA.

In accordance with UCA 10-2-425(4)(b), the effective date of the boundary adjustment shall be the date of the lieutenant governor's issuance of the certificate of boundary adjustment.

CITY OF OREM MUNICIPAL COUNCIL:


David A Young, Mayor

ATTEST:


Teresa McKitrick, City Recorder



TO:

UTAH LIEUTENANT GOVERNOR'S OFFICE
350 North State Street, Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

NOTICE OF IMPENDING BOUNDARY ACTION

River Bottomzz Boundary Line Adjustment between the City of Orem and Provo City

Please take notice of the River Bottomzz Boundary Line Adjustment. The Boundary Line Adjustment was approved by Ordinance No.2024-27, and was adopted on the 4th day of June, 2024, by the Provo City Council, as per § 10-2-407(6), UCA. As required by § 67-1a-6.5(3)(e)(i), UCA, we certify that Provo City has met all requirements for approval of the boundary action. Accordingly, we request the Lieutenant Governor to issue a certificate of boundary adjustment, as per § 10-2-425, UCA.

In accordance with UCA 10-2-425(4)(b), the effective date of the boundary adjustment shall be the date of the lieutenant governor's issuance of the certificate of boundary adjustment.

ATTEST:



Heidi Allman, City Recorder

PROVO CITY COUNCIL:



Chair





ORDINANCE NO. O-2024-0012

AN ORDINANCE BY THE OREM CITY COUNCIL ADJUSTING A COMMON BOUNDARY BETWEEN THE CITY OF OREM AND PROVO CITY TO PLACE APPROXIMATELY 3.18 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 700 NORTH 1550 EAST (OREM ADDRESS) ENTIRELY WITHIN PROVO CITY

WHEREAS, Utah Code Annotated §10-2-419 allows the legislative bodies of two cities to adjust a common boundary between the cities; and

WHEREAS, it has been proposed that Orem and Provo adjust their common boundary to transfer approximately 3.18 acres from the City of Orem jurisdiction to Provo City jurisdiction at approximately 700 North 1550 East in Orem as shown in the attached Exhibit A; and

WHEREAS, the Orem City Council passed a resolution indicating its intent to adjust a common boundary between the City of Orem and Provo City regarding the 3.18 acres referred to herein at a duly noticed public meeting on November 14, 2023; and

WHEREAS, more than 60 days have now passed since the City Council adopted the resolution indicating its intent to adjust a common boundary with Provo City; and

WHEREAS, the Orem City Council considered this matter at a duly noticed public hearing on January 23, 2024; and

WHEREAS, the City of Orem provided notice of the public hearing to consider adjusting the common boundary with Provo City as required by Utah Code Section 10-2-419(3); and

WHEREAS, the Orem City Council has not received any written protests to the boundary adjustment; and

WHEREAS, the Orem City Council passed Ordinance 2024-0002 on January 23, 2024; and

WHEREAS, all the materials (including Ordinance 2024-0002) from Orem and Provo necessary for the Lieutenant Governor to issue a certificate of boundary adjustment were not delivered to the Lieutenant Governor within 60 days pursuant to Utah Code Section 10-2-425; and

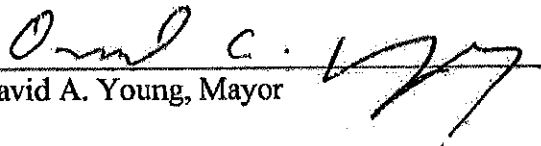
WHEREAS, it is necessary to again enact an ordinance adjusting the common boundary between the City of Orem and Provo City so that it can be submitted to the Lieutenant Governor pursuant to Utah Code Section 10-2-425; and

WHEREAS the City Council having considered the matter at a public hearing and finding that the adjustment of a common boundary with Provo City as described herein is in the best interest of the City of Orem.

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

1. The City Council of the City of Orem hereby adjusts the common boundary between the City of Orem and Provo City as shown in Exhibit A.
2. The Mayor and/or the City Manager are hereby authorized to take all steps and to sign any documents necessary to finalize this boundary adjustment.
3. All acts, orders, resolutions and ordinances, and parts thereof, in conflict with this ordinance are hereby rescinded.
4. If any portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
5. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED and APPROVED this 28th day of May, 2024.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder

| COUNCILMEMBER | YES | NO | ABSTAIN |
|----------------|-------------------------------------|--------------------------|--------------------------|
| David A. Young | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jenn Gale | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Killpack | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



1550 East (Public)

Orem City
65:345:0006

Canyon River
Holdco LLC
65:419:0001
Lot 1, Plat "C"
Canyon River Subd.
(Orem City)

S 68°01'02" E
181.82'

S 19°01'04" W
66.95'

PROVO RIVER

657 North University LLC
65:345:0005
(Orem City)

Lot 1
3.18 AC
138,433 sq.ft.

T1

T2

T3

T4

S 65°08'58" W
78.42'

S 9°47'30" E
54.68'

Canyon River
Holdco LLC
51:198:0001
Lot 1, Phase IV
Riverwoods Research
and Business Park
(Provo City)

477.88'

N 01°17'25" W

Canyon River
Holdco LLC
65:419:0001
Lot 1, Plat "C"
Canyon River Subd.

S 27°05'33" E
163.59'

S 89°08'57" W
213.98'

Canyon River
Holdco LLC
20:014:0095
(Provo City)

| Line Table | | |
|------------|--------|---------------|
| Line | Length | Direction |
| T1 | 29.08' | S 00°50'26" W |
| T2 | 64.05' | S 79°13'57" E |
| T3 | 61.10' | S 08°44'33" W |
| T4 | 54.37' | S 23°19'14" W |
| T5 | 12.76' | N 89°40'16" E |

| Curve Data Table | | | | | |
|------------------|---------|--------|--------|---------------|-----------|
| Curve | Radius | Length | Chord | Bearing | Delta |
| C1 | 327.85' | 98.04' | 98.66' | S 13°08' W | 17°19'24" |
| C2 | 203.00' | 34.31' | 31.46' | S 19°50'55" E | 26°37'02" |

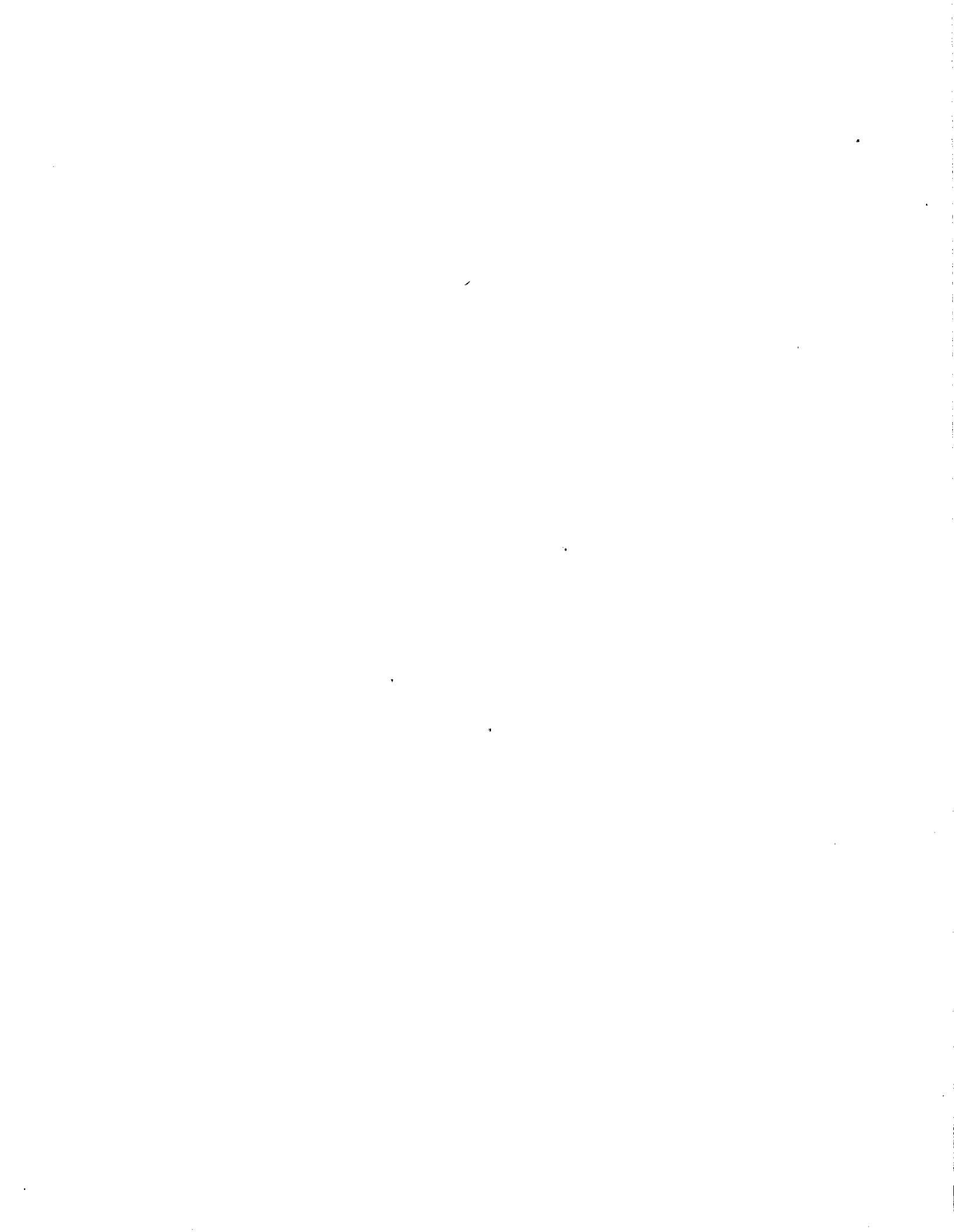
New Boundary Line Description

Commencing on a common boundary point between Orem City and Provo City, said point being located South $00^{\circ}53'07''$ East along the Section line 846.75 feet and West 12.76 feet from the West quarter corner of Section 7, Township 6 South, Range 3 East, Salt Lake Base and Meridian; thence North $89^{\circ}40'16''$ East 12.76 feet; thence North $00^{\circ}53'07''$ West 211.62 feet; thence South $88^{\circ}01'02''$ East 161.82 feet; thence South $19^{\circ}01'04''$ West 66.95 feet; thence South $00^{\circ}50'26''$ West 29.08 feet; thence South $79^{\circ}13'57''$ East 64.05 feet; thence along the arc of a 327.56 foot radius curve to the left 99.04 feet (chord bears South $01^{\circ}37'08''$ West 98.66 feet); thence along the arc of a 203.00 foot curve to the left 94.31 feet (chord bears South $19^{\circ}50'55''$ East 93.46 feet); thence South $55^{\circ}08'59''$ West 78.42 feet; thence South $09^{\circ}47'30''$ East 54.68 feet; thence South $21^{\circ}05'43''$ East 193.59 feet; thence South $08^{\circ}44'33''$ West 61.10 feet; thence South $23^{\circ}15'14''$ West 54.37 feet more or less to the Orem City / Provo City common boundary line as shown on the Orem City / Provo City Common Boundary Adjustment as Entry No. 13418:2011, said point being located South $00^{\circ}53'07''$ East along said Section line 1321.34 feet and East 204.61 feet from the West quarter corner of said Section 7.

Property to be transferred to Provo City

Commencing on a common boundary point between Orem City and Provo City, said point being located South $00^{\circ}53'07''$ East along the Section line 635.97 feet from the West quarter corner of Section 7, Township 6 South, Range 3 East, Salt Lake Base and Meridian: thence South $88^{\circ}01'02''$ East 161.82 feet; thence South $19^{\circ}01'04''$ West 66.95 feet; thence South $00^{\circ}50'26''$ West 29.08 feet; thence South $79^{\circ}13'57''$ East 64.05 feet; thence along the arc of a 327.56 foot radius curve to the left 99.04 feet (chord bears South $01^{\circ}37'08''$ West 98.66 feet); thence along the arc of a 203.00 foot radius curve to the left 94.31 feet (chord bears South $19^{\circ}50'55''$ East 93.46 feet); thence South $55^{\circ}08'59''$ West 78.42 feet; thence South $09^{\circ}47'30''$ East 54.68 feet; thence South $21^{\circ}05'43''$ East 193.59 feet; thence South $08^{\circ}44'33''$ West 61.10 feet; thence South $23^{\circ}15'14''$ West 54.37 feet more or less to the Orem City / Provo City common boundary line as shown on the Orem City / Provo City Common Boundary Adjustment as Entry No. 13418:2011, thence South $89^{\circ}06'57''$ West along said boundary line 213.98 feet; thence North $01^{\circ}17'24''$ West along said boundary line 477.88 feet ; thence North $89^{\circ}40'16''$ East 12.76 feet; thence North $00^{\circ}53'07''$ West 211.62 feet more or less to the point of beginning.

Area = 138,433 sq.ft. or 3.18 Acres



Ordinance 2024-27

SHORT TITLE:

AN ORDINANCE ADJUSTING THE COMMON BOUNDARY BETWEEN PROVO AND OREM TO ACCOMMODATE A NEW RESIDENTIAL DEVELOPMENT NEAR THE INTERSECTION OF UNIVERSITY AVENUE IN PROVO AND 800 NORTH IN OREM. (24-019)

I
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

| DISTRICT | NAME | FOR | AGAINST | OTHER |
|----------|-------------------|-----|---------|-------|
| CW 1 | KATRICE MACKAY | ✓ | | |
| CW 2 | GARY GARRETT | ✓ | | |
| CD 1 | CRAIG CHRISTENSEN | ✓ | | |
| CD 2 | GEORGE HANDLEY | ✓ | | |
| CD 3 | BECKY BOGDIN | ✓ | | |
| CD 4 | TRAVIS HOBAN | ✓ | | |
| CD 5 | RACHEL WHIPPLE | ✓ | | |
| TOTALS | | 7 | 0 | |

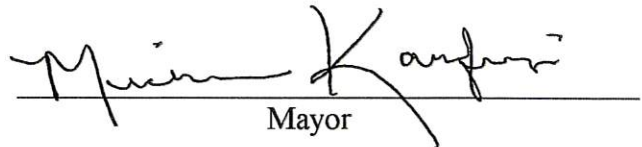
This ordinance was passed by the Municipal Council of Provo City, on the 4th day of June 2024, on a roll call vote as described above. Signed this 20th day of June 2024.



Chair

II
APPROVAL BY MAYOR

This ordinance is approved by me this 20th day of June 2024.



Mayor

Ordinance 2024-27

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 24th day of June 2024 and was published on the Utah Public Notice Website on the 6th day of June 2024. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2024-27.



Deirdre Allman

City Recorder

ORDINANCE 2024-27

AN ORDINANCE ADJUSTING THE COMMON BOUNDARY BETWEEN
PROVO AND OREM TO ACCOMMODATE A NEW RESIDENTIAL
DEVELOPMENT NEAR THE INTERSECTION OF UNIVERSITY AVENUE IN
PROVO AND 800 NORTH IN OREM. (24-019)

RECITALS:

On October 17, 2023, the Municipal Council approved a resolution of intent to consider an adjustment to the common boundary between Provo and Orem to accommodate a new residential development near the intersection of University Avenue in Provo and 800 North in Orem; and

The proposed adjustment would consist of transferring approximately 138,433 square feet from Orem to Provo; and

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

This boundary line adjustment was previously approved in Ordinance 2024-7 on February 15, 2024. For technical reasons, that previous ordinance needs to be rescinded and the adjustment approved again; and

The Orem City Council has considered or will also consider an ordinance to approve the adjustment of the common boundary; and

On June 4, 2024, the Municipal Council held a duly noticed public hearing to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record; and

After considering the facts and comments presented to the Municipal Council, the Council finds that (i) the common boundary as legally described in Exhibit A between Provo City and Orem should be adjusted and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

PART I:

40 The Provo Municipal Council approves the adjustments to the common boundary between
41 Provo City and Orem shown on the attached Exhibit A.

42

43 PART II:

44

45 Ordinance 2024-7, previously approved on February 15, 2024, is rescinded.

46

47 PART III:

48

49 A. If a provision of this ordinance conflicts with a provision of a previously adopted
50 ordinance, this ordinance prevails.

51

52 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
53 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
54 the ordinance is not affected by that determination.

55

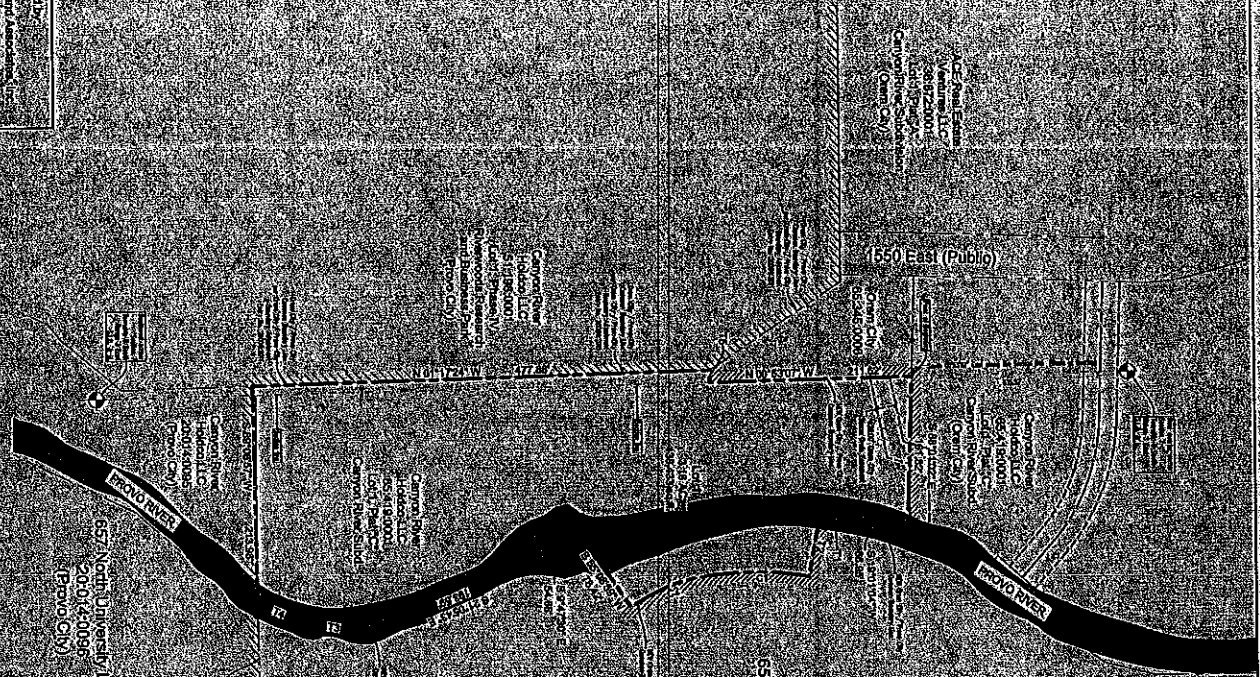
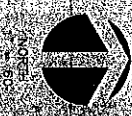
56 C. This ordinance shall be uncodified.

57

58 D. This ordinance shall take effect immediately after it has been posted or published in
59 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
60 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713. Notwithstanding
61 the foregoing, if the Orem Municipal Council does not pass an ordinance approving the
62 boundary line adjustment described herein by January 31, 2025, this ordinance shall expire
63 and shall be null and void.

Exhibit A

Prepared by:
 Landmark Associates
 10000 N. 10th Street
 Suite 100
 Omaha, NE 68114
 Phone: (402) 426-1234



657 North University, LLC
 2001430096
 (Private City)

657 North University, LLC
 6324150005
 (Open City)



| Parcel ID | Area (Acres) | Owner |
|---------------------------|--------------|---------------------------|
| 1550 East (Public) | 1.2 | City of Omaha |
| 657 North University, LLC | 0.8 | 657 North University, LLC |
| 6324150005 | 0.5 | 657 North University, LLC |

| Parcel ID | Area (Acres) | Owner |
|---------------------------|--------------|---------------------------|
| 657 North University, LLC | 0.8 | 657 North University, LLC |
| 6324150005 | 0.5 | 657 North University, LLC |



Date of Preparation:
 January 25, 2023

River Bottomz Annexation
 A MAP OF THE BOUNDARY OF THE CITY OF OMAHA, NEBRASKA
 (COMMON BOUNDARY ADJUSTMENT)

Project No. 2023-001
 Scale: 1" = 60 Feet
 City of Omaha, Nebraska

Author: [Signature]
 Date: 1/25/23
 Title: [Signature]
 Date: 1/25/23
 Title: [Signature]

City of Omaha, Nebraska
 Mayor: [Signature]
 City Clerk: [Signature]

City of Omaha, Nebraska
 Mayor: [Signature]
 City Clerk: [Signature]

City of Omaha, Nebraska
 Mayor: [Signature]
 City Clerk: [Signature]

City of Omaha, Nebraska
 Mayor: [Signature]
 City Clerk: [Signature]

City of Omaha, Nebraska
 Mayor: [Signature]
 City Clerk: [Signature]

