



Property Boundary Adjustment Application

**Ogden City Development Services
2549 Washington Blvd. Suite 240
Ogden, Utah 84401
(801) 629-8930**

Please complete all areas:

Property # 1 Information

Owner of record name:

Address: _____ Parcel # (County Tax ID) _____

City: _____ State: _____ Zip Code: _____

Phone: _____ E-mail: _____

Property # 2 Information

Owner of record name:

Address: _____ Parcel # (County Tax ID) _____

City: _____ State: _____ Zip Code: _____

Phone: _____ E-mail: _____

***If the request involves more than 2 properties, please complete, and include the form found on the last page of this application

The purpose of a boundary adjustment is to relocate parcel or lot boundary lines between adjoining properties with the consent of the owners of record.

CHECKLIST FOR PROPERTY BOUNDARY ADJUSTMENT

FEE: \$275 (Required at time of application submittal)

DOCUMENTS REQUIRED- The attached 'Boundary Adjustment Agreement' template may be used, or property owners may create their own provided it includes all of the required elements. (As established in Utah Code §57-1-45.5)

- Name and signature of each party
- Name and address of each party (for tax assessment purposes)
- Existing legal description of each property before the adjustment
- New legal description of each resulting parcel after the adjustment
- Conveyance language exchanging title to each property to each respective party
- Notarial acknowledgment for each party's signature
- Graphical exhibit of all properties affected by the adjustment, depicting:
 - Former boundary location
 - New boundary location
 - Size, shape and dimensions of each adjusted property, and
- A reference to a record of survey (If conducted, see link in 'Exhibit A' for an example)

BOUNDARY ADJUSTMENT AGREEMENT

The Agreements and Conveyances set forth hereinafter are made and entered into by and between [Party 1], of [insert Party 1 address], (hereinafter referred to as "Party 1"), and [Party 2], of [insert Party 2 address], (hereinafter referred to as "Party 2"). All the Property described herein is in Weber County, Utah.

This Boundary Adjustment Conveyance Document is made in accordance with Utah Code § 57-1-45.5 between adjoining property owners adjusting their existing common boundary.

RECITALS

WHEREAS:

A. "Party 1" is the owner of the following parcel of real property:

[INSERT CURRENT PARTY 1 DESCRIPTION]

(Hereinafter referred to as the "**Party 1 Property**.)

B. "Party 2" is the owner of the following parcel of real property:

[INSERT CURRENT PARTY 2 DESCRIPTION]

(Hereinafter referred to as the "**Party 2 Property**.)

C. Party 1 and Party 2 desire to adjust the boundary line between the **Party 1 Property** and the **Party 2 Property** to a more desirable position.

AGREEMENT AND CONVEYANCE

NOW THEREFORE, in consideration of the above premises, and for other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, and for the purpose of permanently establishing an adjusted boundary line between the **Party 1 Property** and the **Party 2 Property**, Party 1 and Party 2 agree as follows:

1. The **Party 1 Property** shall henceforth be referred to as the "**Party 1 Adjusted Property**" and shall, based upon the adjusted boundary, be more particularly described as follows:

Party 1 Adjusted Property

[INSERT PARTY 1 ADJUSTED DESCRIPTION]

2. The **Party 2 Property** shall henceforth be referred to as the "**Party 2 Adjusted Property**" and shall, based upon the adjusted boundary, be more particularly described as follows:

Party 2 Adjusted Property

[INSERT PARTY 2 ADJUSTED DESCRIPTION]

3. A visual graphic prepared in accordance with §57-1-45.5(3)(a) depicting the affected properties with their former and new adjusted boundary location is attached as Exhibit "A".

4. [INSERT IF SURVEY IS CONDUCTED] The undersigned parties mutually recognize that a survey has been made in accordance with §57-1-45.5(3)(b) to describe permanent monuments defining the location of the established boundary between their respective parcels. The said survey was performed on [Date], by [Name of Company], of [City], Utah, and certified by [Surveyor Name], [License Number], as [Project Number]. The survey is filed in the office of the Weber County Surveyor as [File Number].

5. In order to establish the adjusted boundary, Party 1 hereby relinquishes, conveys and quitclaims to Party 2 any right, title, interest and estate Party 1 may have in the property described in Paragraph 2 above which lies within the adjusted boundary of the **Party 2 Adjusted Property**.

6. In order to establish the adjusted boundary, Party 2 hereby relinquishes, conveys, and quitclaims to Party 1 any right, title, interest, and estate Party 2 may have in the property described in Paragraph 1 above, which lies within the adjusted boundary of the Party 1 Adjusted Property.

7. Nothing contained herein shall be construed as giving, granting, conveying, releasing, relinquishing, or otherwise affecting any existing easement rights, interests or claims which otherwise inure to the benefit of Party 1 or Party 2.

8. The terms and conditions of this agreement shall be and hereby are agreed to be binding on the heirs, administrators, executors, personal representatives, successors, and/or assigns of the parties hereto and shall run with the property.

Dated this [redacted] day of [redacted] [year].

Party 1

State of Utah)
:SS
County of Weber)

The foregoing instrument was acknowledged before me this [redacted] day of [redacted] [year], by Party 1.

Notary Public

Dated this [redacted] day of [redacted] [year],

Party 2

State of Utah)
County of Weber) :SS

The foregoing instrument was acknowledged before me this [redacted] day of [redacted] [year], by **Party 2**.

Notary Public

EXHIBIT A

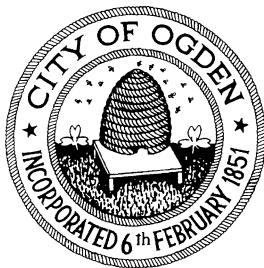
Please use the space provided below to insert the graphic created by applicant(s) to illustrate the proposed changes to each parcel or lot involved. The examples in the links below are illustrative of the requirements for the graphic that will be submitted, and should depict clearly:

- Former boundary location
- New boundary location
- Size, shape and dimensions of each adjusted property
- A reference to a 'record of survey' if conducted

[Example of graphic for Simple Boundary Adjustment](#) : This link is an example of what the graphics for a simple boundary adjustment should look like. The requirements are listed on the example graphic and in the checklist.

[Example for Record of Survey for Simple Boundary Adjustment](#) : This link depicts a *Record of Survey* for a simple boundary adjustment and describes the required documentation.

[insert or attach graphic]



Notice of Consent – Simple Boundary Adjustment

Land Serial #: [xx-xxx-xxxx]

Property Description: [Insert Content]

I, Barton Brierley, the designated Land Use Authority for Ogden City, in accordance with §10-9a-523 (3) or §17-27a-522 (3), hereby provide consent to a Simple Boundary Adjustment proposed by [Party 1] and [Party 2] that:

- (a) Includes the attached conveyance document that complies with §57-1-45.5;
- (b) Does not:
 - (i) affect a public right-of-way, county utility easement, or other public property;
 - (ii) affect an existing easement, onsite wastewater regulation, or an internal lot restriction;
 - or
 - (iii) result in a lot or parcel out of conformity with land use regulations.

This notice of consent is an administrative act. The land use authority is not responsible for any error related to the boundary adjustment. The recording of a boundary adjustment does not constitute a land use approval. The land use authority may withhold approval of a land use application for property that is subject to a boundary adjustment if the county determines that the resulting lots or parcels are not in compliance with the county's land use regulations in effect on the day on which the boundary adjustment is recorded.

Signed this _____ day of _____ [year].

Barton Brierley,
Manager, Planning Division

State of Utah)
County of Weber)
:SS)

On this, the _____ day of _____, _____ personally appeared before me, Barton Brierley, Manager of the Planning Division of the Community and Economic Development Department of Ogden City, Utah who acknowledged that he signed the above certificate on behalf of said City.

Notary Public