

RESOLUTION NO. _____, 2021

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING
EXECUTION OF A BOUNDARY LINE AGREEMENT WITH MAXFIELD
BEARDSLEY, LLC, REGARDING CERTAIN REAL PROPERTY LOCATED
ADJACENT TO THE SURPLUS CANAL

W I T N E S S E T H

A. Salt Lake County (“County”) is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control flood flows and is the record owner of owns certain real property located at approximately 1050 West Beardsley Place, Salt Lake City, Utah, being part of the Surplus Canal (the “County Property”).

B. Over the years, the County has acquired various types of interest from private property Owner for the Surplus Canal’s existing location.

C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal’s levee system.

D. Maxfield Beardsley, LLC (the “Maxfield”), owns a parcel of real property adjacent to the County Property, having an address of 1012 West Beardsley Place, Salt Lake City, Utah (Parcel No. 15-23-328-015), together with any and all improvements located thereon and encumbrances affecting the same (the “Maxfield Property”).

E. The Maxfield Property is located adjacent to the western boundary line of the County Property. Many years ago, a fence was constructed near the deeded boundary line separating the Maxfield Property from the County Property (the “Fence”), but the Fence was not installed along the exact boundary line. A portion of the Fence encroaches into the County Property, and a portion of the Fence encroaches into the Maxfield Property.

F. To resolve this confusion regarding the boundary between the County Property and the Maxfield Property, the County and Maxfield have negotiated a Property Boundary Line Agreement (the “Agreement”), which is attached hereto as Exhibit 1.

G. It has been determined that the best interests of the County and the general public will be served by entering into the Agreement. The adjustment of the boundary line will comply with all applicable state statutes and City and County ordinances.

R E S O L U T I O N

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the boundary line between the County Property and the Maxfield Property shall be adjusted in accordance with the terms of Agreement; and the Mayor and County Clerk are hereby authorized to execute said Agreement, a copy of which is attached as Exhibit 1, and by this reference made a

part of this Resolution.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized to execute such other documents as may be reasonably necessary to effectuate the terms contemplated by the approved Agreement.

APPROVED and ADOPTED this ____ day of _____, 2021.

SALT LAKE COUNTY COUNCIL:

Steve DeBry, Chair

ATTEST:

Salt Lake County Clerk

Council Member Alvord voting	_____
Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Winder-Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Stringham voting	_____
Council Member Theodore voting	_____

APPROVED AS TO FORM:

R. Christopher Preston
Deputy District Attorney

EXHIBIT 1
PROPERTY BOUNDARY LINE AGREEMENT