

When recorded send to:

57-1-45.5. Conveyance document for a boundary adjustment -- Form and effect.

(1) A conveyance document, as defined in Sections 10-9a-103 and 17-27a-103, for a boundary adjustment shall comply with this section.

SIMPLE 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 _____ (city), Summit County, Utah. §57-1-45.5 (2) A conveyance document shall include: (a) the name and signature of each party to the conveyance document; (b) the address of each party to the conveyance document for assessment purposes;

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 as reflected in the current instruments recorded at Entry Number _____ Book ____ at Page ____ of the _____ County records: §57-1-45.5 (2) A conveyance document shall include: (c) a legal description of the parcel or lot owned by each party before the boundary adjustment.

Tax ID Number _____

[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 as reflected in the current instruments recorded as Entry Number _____ Book ____ at Page ____ of the _____ County records: §57-1-45.5 (2) A conveyance document shall include: (c) a legal description of the parcel or lot owned by each party before the boundary adjustment.

Tax ID Number _____

[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: §57-1-45.5 (2) A conveyance document shall include: (d) a legal description of the parcel or lot owned by each party after the boundary adjustment;

Party 1 Adjusted Property

Tax ID _____

[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: §57-1-45.5 (2) A conveyance document shall include: (d) a legal description of the parcel or lot owned by each party after the boundary adjustment;

Party 2 Adjusted Property

Tax ID _____

[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 __. §57-1-45.5 (3) In addition to the information required in Subsection (2), a conveyance document shall include as an exhibit, in a legible and recordable format: (a) a visual or graphic of the proposed boundary adjustment and all properties affected by the proposed boundary adjustment, depicting: (i) the former boundary location; (ii) the new boundary location; and (iii) the size, shape, and dimensions of each adjusted parcel or lot;

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 [County] Surveyor as [File Number]. §57-1-45.5 (3)(b) if the property owners have conducted a survey, a reference to the record of the survey map, as defined in Section 17-23-17, showing: (i) existing dwellings, outbuildings, improvements, and other physical features; (ii) existing easements, rights-of-way, conditions, or restrictions recorded or apparent; (iii) the former boundary location; (v) the size, shape, and dimensions of each adjusted lot or adjusted parcel; and (vi) other existing or proposed improvements that impact or are subject to land use regulations; and (c) if the conveyance document addresses a boundary adjustment that requires an amendment to a subdivision plat under Section 10-9a-523 or 17-27a-522, the amendment to the subdivision plat.

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. §57-1-45.5 (2) A conveyance document shall include: (e) sufficient language to convey title from one party to another party, in conformity

EXHIBIT A

[Insert Graphic]

Simple Boundary Adjustment

- 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 defined in Section 17-23-17, if conducted

57-1-45.5 (3) In addition to the information required in Subsection (2), a conveyance document shall include as an exhibit, in a legible and recordable format: (a) a visual or graphic of the proposed boundary adjustment and all properties affected by the proposed boundary adjustment, depicting: (i) the former boundary location; (ii) the new boundary location; and (iii) the size, shape, and dimensions of each adjusted parcel or lot; (b) if the property owners have conducted a survey, a reference to the record of the survey map, as defined in Section 17-23-17, showing: (i) existing dwellings, outbuildings, improvements, and other physical features; (ii) existing easements, rights-of-way, conditions, or restrictions recorded or apparent; (iii) the former boundary location; (v) the size, shape, and dimensions of each adjusted lot or adjusted parcel; and (vi) other existing or proposed improvements that impact or are subject to land use regulations; and (c) if the conveyance document addresses a boundary adjustment that requires an amendment to a subdivision plat under Section 10-9a-523 or 17-27a-522, the amendment to the subdivision plat.

EXHIBIT B

Notice of Consent

Simple Boundary Adjustment

I, _____, the designated Land Use Authority for _____ [City], in accordance with §10-9a-523 (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].

_____ [signature]

[printed name]

Designated Land Use Authority
of _____ [City]

§10-9a-523 or §17-27a-522 (2) A proposal for a simple boundary adjustment shall: (a) include a conveyance document that complies with Section 57-1-45.5; and (b) describe all lots or parcels affected by the proposed boundary adjustment. (3) A land use authority shall consent to a proposed simple boundary adjustment if the land use authority verifies that the proposed simple boundary adjustment: (a) meets the requirements of Subsection (2); and (b) does not: (i) affect a public right-of-way, county utility easement, or other public property; (ii) affect an existing easement, onsite wastewater system, or an internal lot restriction; or (iii) result in a lot or parcel out of conformity with land use regulations.

(7)(a) Consent under Subsection (3) or (6) is an administrative act. (b) Notice of consent under Subsection (3) or (6) shall be provided to the person proposing the boundary adjustment in a format that makes clear: (i) the land use authority is not responsible for any error related to the boundary adjustment; and (ii) a county recorder may record the boundary adjustment.

§57-1-45.5 (b) Before recording a conveyance document, a county recorder shall confirm that the conveyance document is: (i) in a legible and recordable format, including any exhibit to the conveyance document; and (ii) accompanied by a notice of consent to the boundary adjustment from a land use authority under Subsection 10-9a-523(3) or (6) or Subsection 17-27a-522(3) or (6).