

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexations from the CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, dated November 24th, 2008, complying with Section 17B-1-414, 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 annexations, referred to above, on file with the Office of the Lieutenant Governor pertaining to CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, located in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 3rd day of December, 2008.



GARY R. HERBERT
Lieutenant Governor



Central Weber Sewer Improvement District

November 24, 2008

The Honorable Gary R. Herbert
Lieutenant Governor of the State of Utah
State Capital Building
Salt Lake City, Utah 84114

SUBJECT: Notice of Annexation

Dear Lieutenant Governor Herbert:

Enclosed is a Notice of Annexation for parcels of property in Weber County to be annexed into the Central Weber Sewer Improvement District. These annexations have also been sent to the Weber County Recorder for recording.

If you have any questions please contact me.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

A handwritten signature in blue ink that reads "Lance L. Wood".

Lance L Wood, P.E.
General Manager

Enclosure

Received

DEC 03 2008

**Gary R. Herbert
Lieutenant Governor**

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT
NOTICE OF ENTITY BOUNDARY CHANGE**

TO: LIEUTENANT GOVERNOR OF THE STATE OF UTAH

NOTICE is hereby given that, on November 17, 2008, the Board of Trustees of the Central Weber Sewer Improvement District, which provides sanitary sewage collection, treatment and disposal services (the "District"), adopted Resolution 2008-16 (the Annexation Resolution") annexing the real property which is described and/or otherwise identified in attached Exhibit "A" located in Weber County, Utah into the District, in accordance with Utah Code Ann. § 17B-1-414, with the annexation to be effective upon the issuance by you of a certificate of boundary change. A copy of the Annexation Resolution accompanies this Notice. The annexation is pursuant to Annexation Petition(s) signed by property owner(s) who own at least 75% of the subject real property (by area and by assessed value). From and after the effective date of the annexation, the subject property shall be subject to user fees or charges imposed by and property taxes and other taxes levied by or for the benefit of the District as provided in Utah Code Ann. § 17B-1-418.

As stated in the attached Annexation Resolution, the Board of Trustees of the District has certified and does certify that all requirements for the annexation of the subject real property into the District have been complied with.

DATED this 24th day of November, 2008.

**CENTRAL WEBER SEWER
IMPROVEMENT DISTRICT**

By: _____



General Manager

EXHIBIT A
Subject Property

The legal description for the Maverik Site at Pioneer Road and 2000 West is:

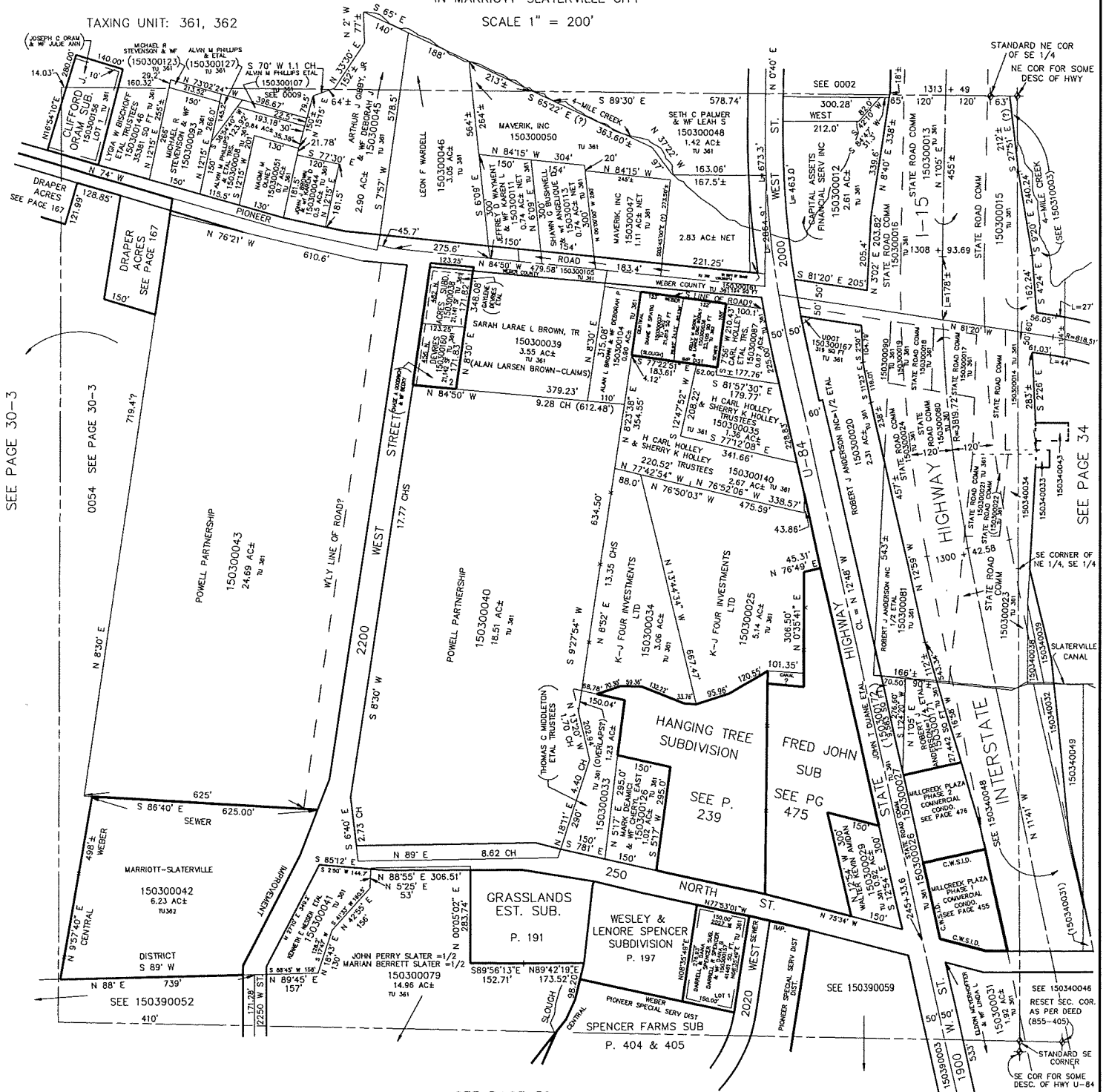
BEGINNING AT A POINT ON THE NORTH LINE OF PIONEER ROAD AND THE WEST LINE OF STATE ROAD 126, SAID POINT BEING NORTH 0°12'35" WEST 2151.65 FEET ALONG THE SECTION LINE AND SOUTH 90°00'00" WEST 839.33 FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH AND RUNNING THENCE NORTH 81°20'00" WEST 306.33 FEET ALONG THE NORTH LINE OF PIONEER ROAD TO A POINT OF CURVATURE TO A 10,033.00-FOOT RADIUS CURVE TO THE LEFT; THENCE CONTINUING ALONG SAID NORTH LINE AND SAID CURVE FOR AN ARC DISTANCE OF 84.90 FEET, (CENTRAL ANGLE = 0°29'05", CHORD BEARING AND DISTANCE = NORTH 81°34'32" WEST 84.90 FEET); THENCE ALONG A FENCE LINE AND FENCE LINE EXTENDED NORTH 03°43'26" WEST 401.08 FEET TO THE CENTER OF 4 MILE CREEK; THENCE ALONG THE CENTER OF SAID CREEK THE FOLLOWING 2 COURSES AND DISTANCES: SOUTH 65°00' EAST 159.94 FEET, SOUTH 50°37' EAST 162.88 FEET TO THE EXTENSION OF A FENCE LINE; THENCE SOUTH 89°37'12" EAST 135.03 FEET ALONG SAID FENCE LINE AND SAID LINE EXTENDED TO THE WEST LINE OF STATE ROAD 126 AND A POINT ON A 2914.90-FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY ALONG SAID CURVE FO A DISTANCE OF 72.28 FEET, (CENTRAL ANGLE = 01°25'14", CHORD BEARING AND DISTANCE = SOUTH 03°35'57" EAST 72.28 FEET); THENCE SOUTH 0°39'09" EAST 214.87 FEET ALONG SAID STATE ROAD 126 TO THE POINT OF BEGINNING, CONTAINING 2.90 ACRES.

SECTION 11, T.6N., R.2W., S.L.B. & M.

IN MARIOTT-SLATERVILLE CITY

SCALE 1" = 200'

TAXING UNIT: 361, 362



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CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

RESOLUTION 2008-16

Annexation Approval Resolution

WHEREAS, the Central Weber Sewer Improvement District (the "District") is a duly organized improvement district primarily located in Weber County, Utah, but also including a relatively small part of Davis County, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the Utah Code and other relevant portions of Title 17B of the Utah Code;

WHEREAS, the District owns and operates sanitary sewer outfall collection and treatment facilities which serve much of Weber County and a small portion of Davis County, Utah;

WHEREAS, one or more Landowner Annexation Petitions (the "Petition") have been filed with the District requesting that the real property identified on Exhibit "A" attached to this Resolution (the "Subject Property") be annexed into the District in order to receive sanitary sewer service treatment and disposal services from the District (the landowners are referred to herein collectively and individually as "Applicant");

WHEREAS, the District requires that Applicant's property be annexed into the District as a condition to receiving, and continuing to receive, sewer service;

WHEREAS, the District Board of Trustees (the "Board") has the statutory authority to annex areas into the District pursuant to the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, which outlines the procedure to be followed to accomplish such annexations;

WHEREAS, Applicant owns 100% of the Subject Property;

WHEREAS, the Petition satisfies the applicable requirements of Utah Code Ann. §§ 17B-1-403 and -404;

WHEREAS, within thirty days after the Petition was filed, at a duly called meeting of the Board of Trustees of the District for which certification of the Petition was listed on the agenda, the Board voted to certify the Petition in accordance with Utah Code Ann. § 17B-1-405;

WHEREAS, the identified contact sponsor(s) were notified, in writing, of the certification of the Petition as required by Utah Code Ann. § 17B-1-405;

WHEREAS, since the Petition has been signed by 100% of the owners of the Subject Property, pursuant to Utah Code Ann. § 17B-1-413(1), the District Board is not required to hold a public hearing pursuant to Utah Code Ann. §§ 17B-1-409 and -410 and the protest provisions of Utah Code Ann. § 17B-1-412 are not applicable to this annexation proceeding;

WHEREAS, a notice of the proposed annexation was given pursuant to the requirements of Utah Code Ann. § 17B-1-413;

WHEREAS, the written Notice referenced in the immediately preceding paragraph contained a brief description of the proposed annexation and included the name of the Central Weber Sewer Improvement District, the services provided by the District, a description and/or map of the area proposed to be annexed, a local district telephone number where additional information about the proposed annexation could be obtained and an explanation of the right of an owner of property located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition to request a public hearing on the proposed annexation in accordance with Utah Code Ann. § 17B-1-413(2)(a)(ii)(B), provided that such request was submitted to the District Board of Trustees within 20 days after the date the Notice was given;

WHEREAS, more than 20 days have passed since the notice was given, no property owner or registered voter having a right to do so has requested a hearing, and the time for submitting a request for a public hearing has passed;

WHEREAS, not more than 30 days has passed since the expiration of the time for submitting a request for a public hearing;

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any local district or special service district which is authorized to perform the same functions or provide the same services as the District nor is it located within the boundaries of any municipality or any county that provides the same service that the District provides;

WHEREAS, it is not necessary to provide a notice of the proposed annexation to any county or municipality pursuant to Utah Code Ann. § 17B-1-406 and the provisions of Utah Code Ann. §§ 17B-1-407 through -408 are not applicable; and

WHEREAS, the Board has determined that all applicable statutory requirements have been satisfied and, having considered the proposed annexation, has determined it to be in the best general interest of the District and of the property owners, residents and taxpayers within both the District as presently constituted and the area proposed to be annexed for the requested annexation to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Central Weber Sewer Improvement District, as follows:

1. That all of the legal requirements stated in Title 17B, Chapter 1, Part 4 of the Utah Code that must be satisfied before the adoption of this Resolution have been satisfied.

2. That, in accordance with Utah Code Ann. § 17B-1-414, the real property described and/or otherwise identified in attached Exhibit "A," which is incorporated by reference as part of this Resolution, shall be and hereby is annexed into and, from the effective date of the annexation, shall be part of the Central Weber Sewer Improvement District.

3. That, from and after the issuance by the Lt. Governor of a certificate of annexation pursuant to Utah Code Ann. §§ 67-1a-6.5(7) and § 17B-1-414(3)(a), the Subject Property shall be an integral part of the District and the taxable property located within the Subject Property shall be subject to taxation for the purposes of the District, including the payment of any bonds and other obligations now outstanding or hereafter authorized and issued. All properties within and users of services provided by the District, as enlarged by this annexation, shall be subject to the payment of service and user fees and such other applicable fees and charges as may be assessed from time to time by the District and shall be subject to all rules, regulations, powers and authority of the District and of the Board as provided by law or otherwise.

4. That the Chairman and/or General Manager of the District be and are instructed, within 30 days after adoption of this Annexation Resolution, to file a written Notice of Entity Boundary Change with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution and an accurate map and/or legal description of the boundaries of the annexed area (the Subject Property) which is adequate for the purposes of the County Assessor and the County Recorder. The certificate of boundary change issued by the Lt. Governor shall be maintained with the District's records.

5. That this Resolution shall take effect immediately upon its approval and adoption but the annexation shall not be complete until the date on which the Lt. Governor issues the certificate of boundary change.

Approved and adopted by the Board of Trustees of the Central Weber Sewer Improvement District this 17th day of November, 2008.



Mark C. Allen, Board Chair

ATTEST:



John E. Cardon, Clerk

EXHIBIT A
Subject Property

The legal description for the new Maverik Site at Pioneer Road and 2000 West is:

BEGINNING AT A POINT ON THE NORTH LINE OF PIONEER ROAD AND THE WEST LINE OF STATE ROAD 126, SAID POINT BEING NORTH 0°12'35" WEST 2151.65 FEET ALONG THE SECTION LINE AND SOUTH 90°00'00" WEST 839.33 FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH AND RUNNING THENCE NORTH 81°20'00" WEST 306.33 FEET ALONG THE NORTH LINE OF PIONEER ROAD TO A POINT OF CURVATURE TO A 10,033.00-FOOT RADIUS CURVE TO THE LEFT; THENCE CONTINUING ALONG SAID NORTH LINE AND SAID CURVE FOR AN ARC DISTANCE OF 84.90 FEET, (CENTRAL ANGLE = 0°29'05", CHORD BEARING AND DISTANCE = NORTH 81°34'32" WEST 84.90 FEET); THENCE ALONG A FENCE LINE AND FENCE LINE EXTENDED NORTH 03°43'26" WEST 401.08 FEET TO THE CENTER OF 4 MILE CREEK; THENCE ALONG THE CENTER OF SAID CREEK THE FOLLOWING 2 COURSES AND DISTANCES: SOUTH 65°00' EAST 159.94 FEET, SOUTH 50°37' EAST 162.88 FEET TO THE EXTENSION OF A FENCE LINE; THENCE SOUTH 89°37'12" EAST 135.03 FEET ALONG SAID FENCE LINE AND SAID LINE EXTENDED TO THE WEST LINE OF STATE ROAD 126 AND A POINT ON A 2914.90-FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY ALONG SAID CURVE FO A DISTANCE OF 72.28 FEET, (CENTRAL ANGLE = 01°25'14", CHORD BEARING AND DISTANCE = SOUTH 03°35'57" EAST 72.28 FEET); THENCE SOUTH 0°39'09" EAST 214.87 FEET ALONG SAID STATE ROAD 126 TO THE POINT OF BEGINNING, CONTAINING 2.90 ACRES.

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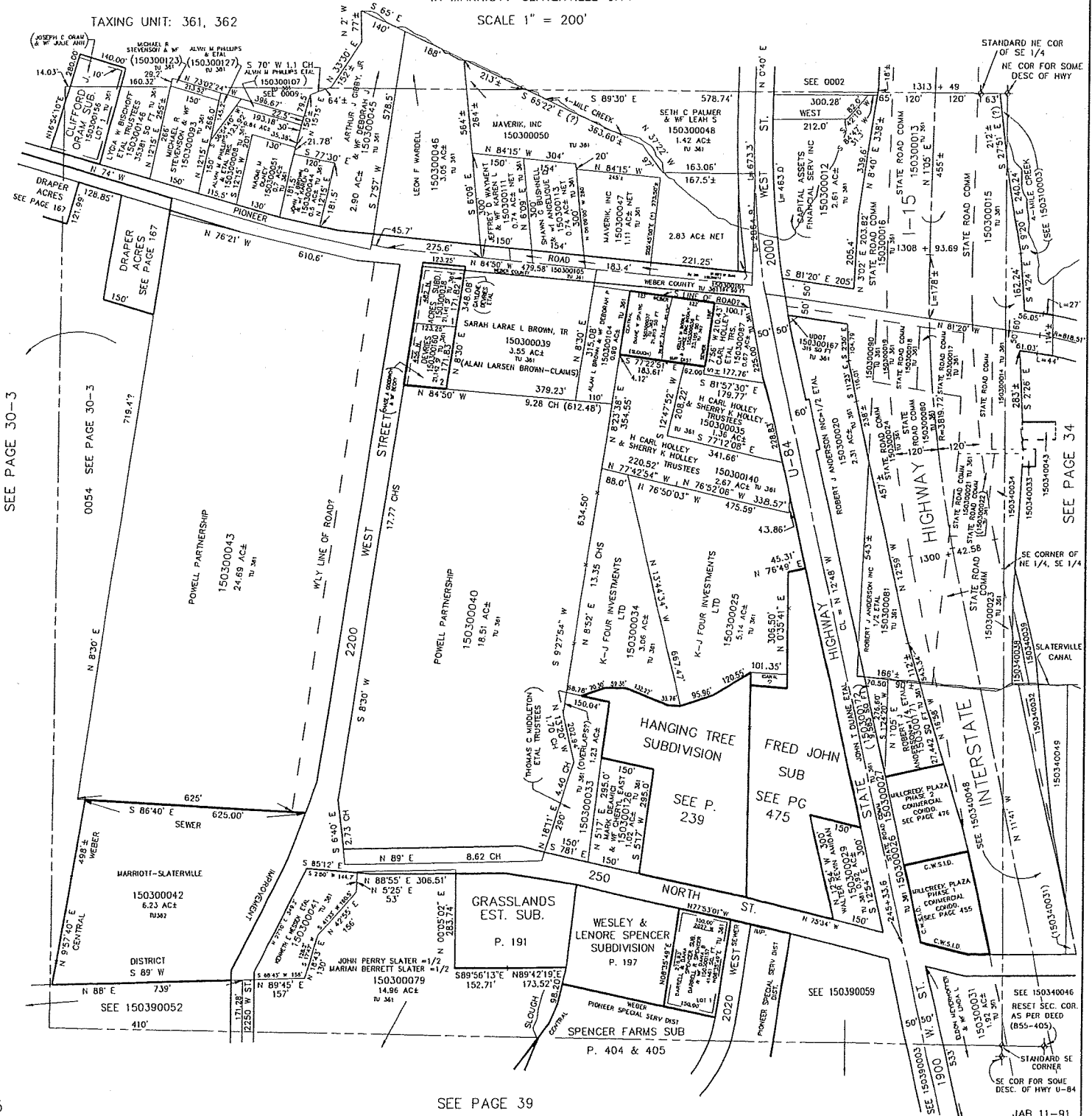
30-2

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