

#### 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 April 21<sup>st</sup>, 2009, complying with Section 17B-2-514, 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 4<sup>th</sup> day of May, 2009.

GARY R. HERBERT Lieutenant Governor April 21, 2009

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. This annexation has also been sent to the Weber County Recorder for recording.

If you have any questions please contact me.

amer FWrod

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

Lance L Wood, P.E.

General Manager

Received

APR 2 2 2009

Gary R. Herbert Lieutenant Governor

Enclosure

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

TO: LIEUTENANT GOVERNOR OF THE STATE OF UTAH

NOTICE is hereby given that, on April 20, 2009, the Board of Trustees of the Central Weber Sewer Improvement District, which provides sanitary sewage collection, treatment and disposal services (the "District"), adopted Resolution 2009-18 (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 <a href="Utah Code Ann.">Utah Code Ann.</a> § 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 <a href="Utah Code Ann.">Utah Code Ann.</a> § 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 21st day of April, 2009.

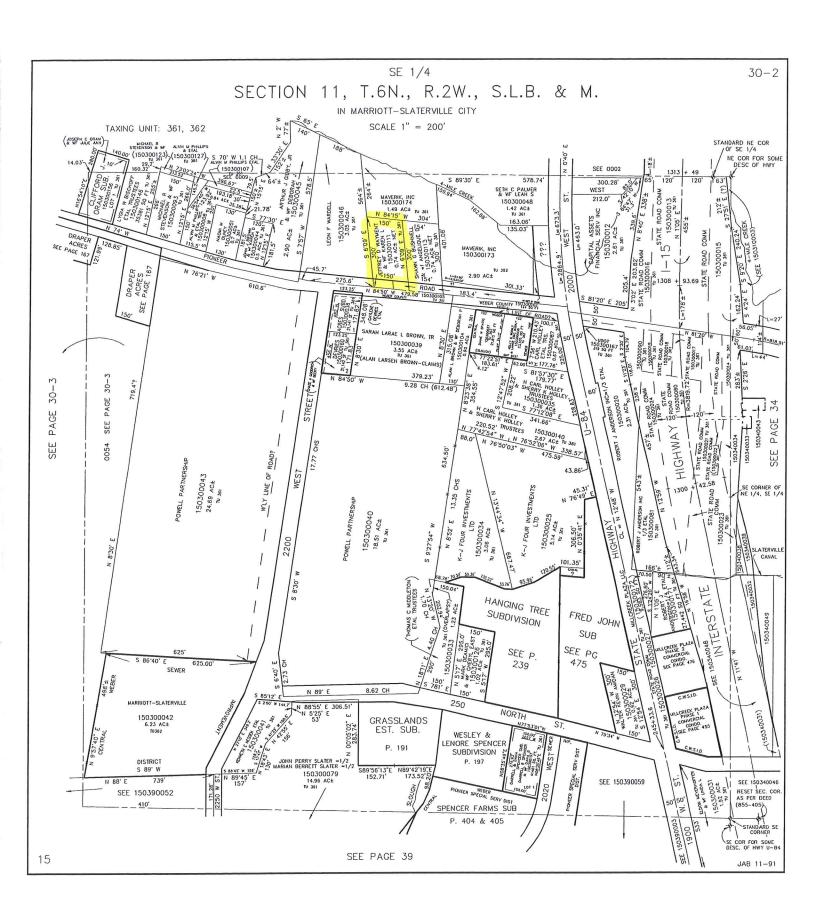
CENTRAL WEBER SEWER
IMPROVEMENT DISTRICT

By:

General Manager

### Parcel Serial #15-030-0111 (Wayment)

PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 10.8 CHAINS WEST OF THE NORTHEAST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE SOUTH 40' WEST 535.92 FEET ALONG CENTER OF ROAD TO MONUMENT LINE OF CERTAIN COUNTY ROAD; THENCE NORTH 84D15' WEST 371.25 FEET; THENCE NORTH 84D15'WEST 337.4 FEET ALONG MONUMENT LINE TO A DRAIN AND THE TRUE POINT OF BEGINNING; THENCE NORTH 6D09' WEST 300 FEET; THENCE SOUTH 84D15' EAST 150 FEET; THENCE SOUTH 6D09' EAST 300FEET, MORE OR LESS TO CENTER LINE OF ROAD; THENCE NORTH 84D15'WEST 150 FEET TO PLACE OF BEGINNING. CONTAINING 0.74 ACRES NET EXCEPT THAT PORTION IN PIONEER ROAD (1104-146).

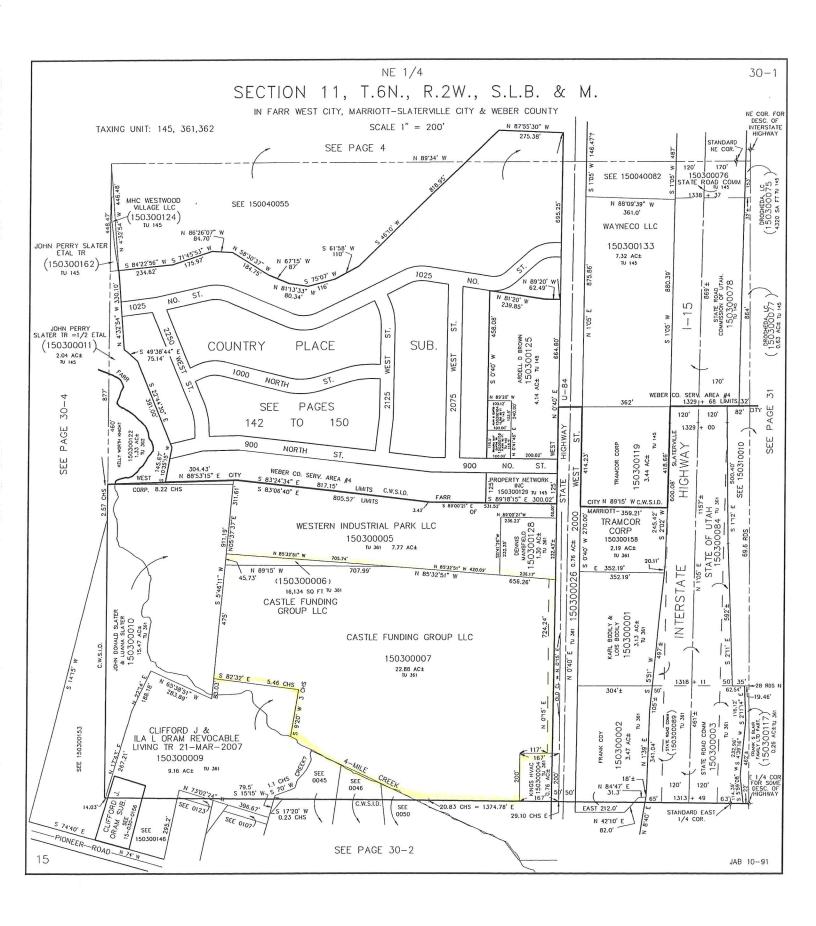


#### **Parcel Serial #15-030-0007 (Steed)**

PART OF SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11,TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 20.83 CHAINS EAST FROM THE SOUTHWEST CORNER OF NORTHEAST QUARTER AND IN CENTER OF 4 MILE CREEK, THENCE EAST TO A POINT 167 FEET WEST OF THE CENTER OF STATE ROAD, THENCE NORTH 200 FEET, THENCE EAST 117 FEET TO THE WEST SIDE OF THE STATE ROAD, THENCE NORTH 15' EAST 724.24 FEET, THENCE NORTH 85D32'51" WEST 656.26, THENCE NORTH 89D15' WEST 707.99FEET MORE OR LESS TO SOUTHWEST CORNER OF KORAB PROPERTY AS CONVEYED IN BOOK 692, PAGE 665, THENCE SOUTH 5D25' WEST475 FEET, THENCE SOUTH 82D32' EAST 5.46 CHAINS, THENCE SOUTH9D20' WEST 3 CHAINS TO CENTER OF 4-MILE CREEK, THENCE ALONG CHANNEL OF SAID CREEK TO BEGINNING.

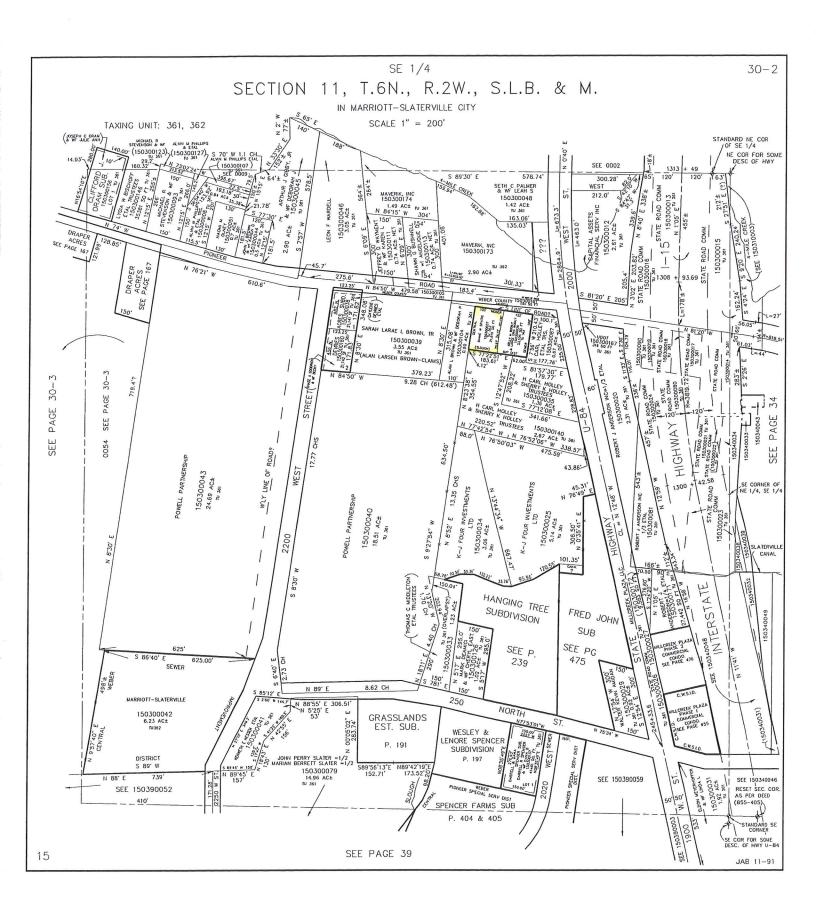
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PART OF THE SOUTH 1/2 OF THE NORTHEAST QUARTER OF SECTION 11,TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U S SURVEY: BEGINNING AT A POINT ON THE WEST SIDE OF STATE HIGHWAY, SAID POINT BEING THE SOUTHEAST CORNER OF GRANTORS LAND AND FURTHER DESCRIBED AS FOLLOWS: EAST 1374.78 FEET FROM THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER TO THE CENTER OF 4 MILE CREEK, THENCE EAST TO A POINT 167 FEET WEST OF THE CENTER OF THE STATE HIGHWAY, THENCE NORTH 200 FEET, THENCE EAST 117 FEET TO THE WEST LINE OF SAID HIGHWAY, THENCE NORTH 15' EAST 766.62 FEET, AND RUNNING THENCE NORTH 89D15' WEST 654.52 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 5D25' EAST 45.73 FEET TO A FENCE, THENCE SOUTHWEST CORNER, THENCE NORTH 5D25' EAST 45.73 FEET TO A FENCE, THENCE SOUTH 85D32'51"EAST ALONG SAID FENCE 705.74 FEET TO POINT OF BEGINNING.



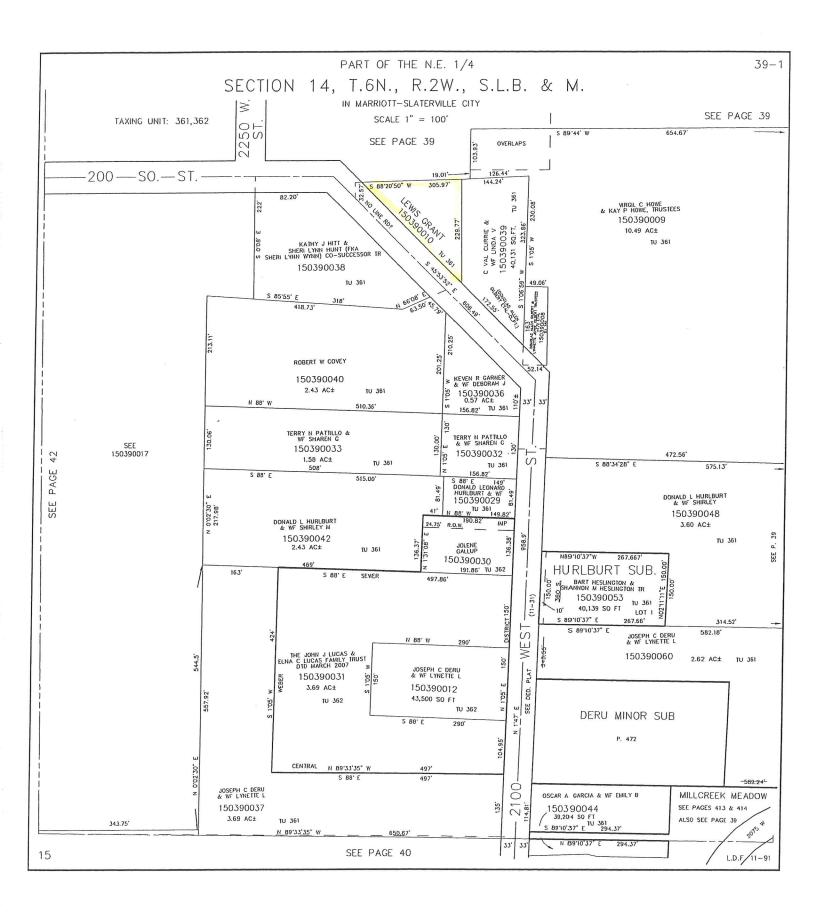
### Parcel Serial #15-030-0037 (Spatig/Howell)

PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING ON THE SOUTH LINE OF A COUNTY ROAD 663.3 FEET SOUTH AND NORTH82D03' WEST 726 FEET AND NORTH 82D48' WEST 340.3 FEET AND SOUTH 7D51' WEST 33 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 82D48' EAST 123 FEET; THENCE SOUTH 7D51' WEST 188 FEET TO A SLOUGH; THENCE NORTHWESTERLY ALONG SAID SLOUGH TO A POINT SOUTH 7D51' WEST TO THE PLACE OF BEGINNING; THENCE NORTH 7D51' EAST 173 FEET TO BEGINNING.



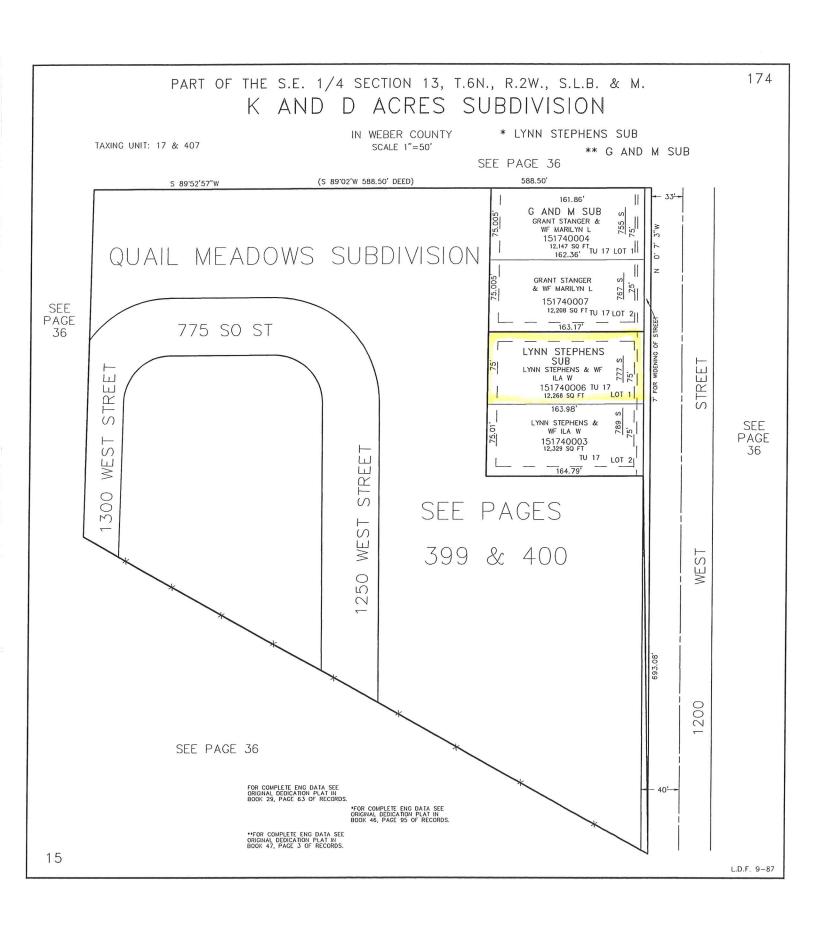
## Parcel Serial #15-039-0010 (Grant)

PART OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH LIES THE FOLLOWING 3 COURSES AND DISTANCES FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN(1) SOUTH 89D33'35" EAST 994.42 FEET; (2) NORTH 1D05' EAST1385.82 FEET, MORE OR LESS, TO AN EXISTING FENCE POST, AND (3)SOUTH 88D20'50" WEST 144.24 FEET ALONG AN EXISTING FENCE; AND RUNNING THENCE ALONG SAID FENCE SOUTH 88D20'50" WEST 305.97FEET; THENCE SOUTH 0D48' EAST 32.57 FEET TO THE NORTH SIDE OF A ROAD RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY SOUTH58D36'05" EAST 361.54 FEET; THENCE NORTH 0D48' WEST 229.77FEET TO THE POINT OF BEGINNING.



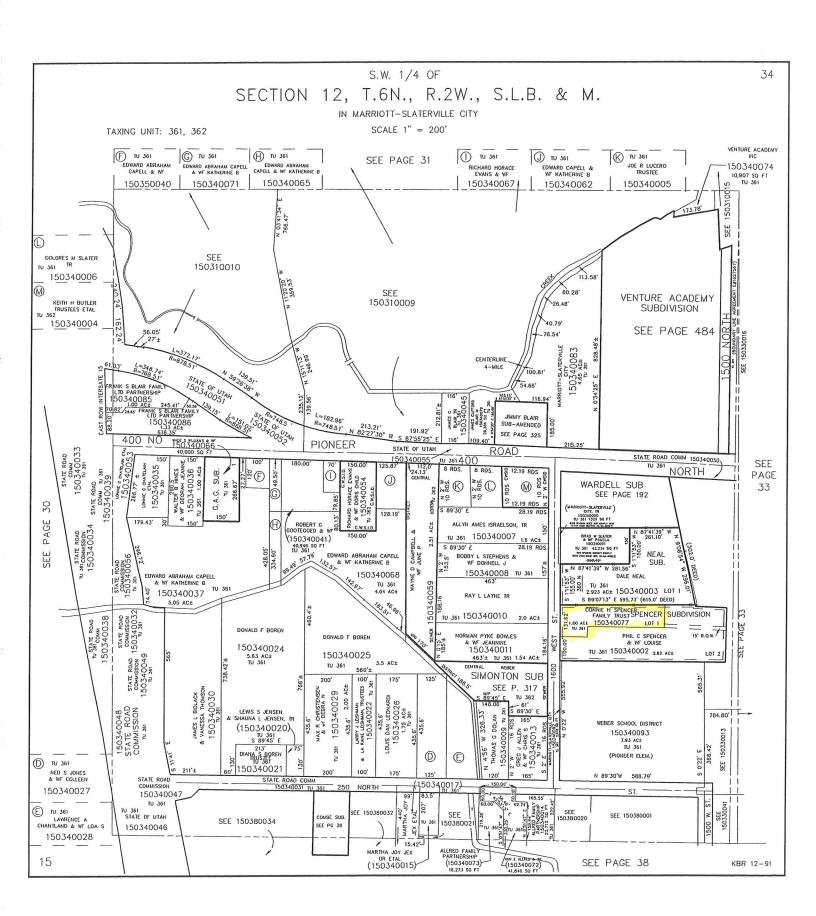
Parcel Serial #15-174-0006 (Stephens)

ALL OF LOT 1, LYNN STEPHENS SUBDIVISION, WEBER COUNTY, UTAH.



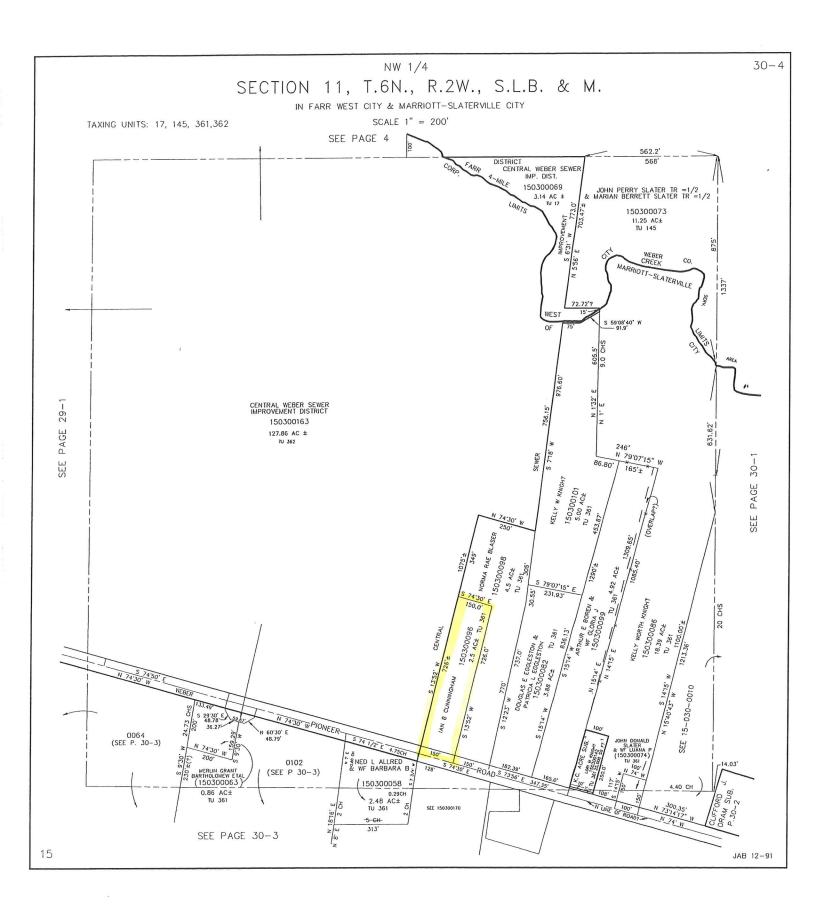
Parcel Serial #15-034-0077 (Spencer)

ALL OF LOT 1, SPENCER SUBDIVISION, WEBER COUNTY, UTAH.



### Parcel Serial #15-030-0096 (Cunningham)

PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING ATA POINT NORTH 89D41' EAST 2073.0 FEET ALONG THE SECTION LINE AND SOUTH 6D31' WEST 773.0 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER SECTION (SAID POINT BEING IN CENTERLINE OF CREEK SOUTH 89D41' WEST 562.2 FEET AND SOUTH 6D31' WEST773.0 FEET FROM THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER SECTION); RUNNING THENCE SOUTH 7D18' WEST 1061.15 FEET; THENCE SOUTH 2D23' WEST 770 FEET, MORE OR LESS, TO CENTER LINE OF COUNTY ROAD; THENCE NORTH 74D30' WEST 300.00 FEET ALONG CENTERLINE OF COUNTY ROAD TO THE TRUE POINT OF BEGINNING; RUNNING THENCE SOUTH 74D30' EAST 150.0 FEET ALONG THE CENTERLINE OF COUNTY ROAD; THENCE NORTH 13D52' EAST 726.0 FEET; THENCE NORTH 74D30' WEST 150 FEET, THENCE SOUTH 13D52'WEST 726.0 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO COUNTY ROAD RIGHT OF WAY ACROSS THE SOUTHERLY APPROXIMATELY 33 FEET THEREOF.



#### CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

#### **RESOLUTION 2009-18**

### **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 <u>Utah Code Ann</u>. §§ 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 <u>Utah Code Ann</u>. § 17B-1-405;

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

WHEREAS, since the Petition has been signed by 100% of the owners of the Subject Property, pursuant to <u>Utah Code Ann.</u> § 17B-1-413(1), the District Board is not required to hold a public hearing pursuant to <u>Utah Code Ann.</u> §§ 17B-1-409 and -410 and the protest provisions of <u>Utah Code Ann.</u> § 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 <u>Utah Code Ann.</u> § 17B-1-406 and the provisions of <u>Utah Code Ann.</u> § 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 <u>Utah Code Ann.</u> § 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 <u>Utah Code Ann</u>. §§ 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 20th day of April, 2009.

Mark C. Allen, Board Chair

STATE OF UTAH ) :ss.
COUNTY OF WEBER )

The foregoing Resolution was subscribed before me, a notary public, this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 20 \_\_\_\_\_\_ by Mark C. Allen, Chairman of the Board of Trustees of the Central Weber Sewer Improvement District.

Notary Public

# **EXHIBIT A Subject Property**

#### 15-030-0007 (Steed)

PART OF SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11,TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 20.83 CHAINS EAST FROM THE SOUTHWEST CORNER OF NORTHEAST QUARTER AND IN CENTER OF 4 MILE CREEK, THENCE EAST TO A POINT 167 FEET WEST OF THE CENTER OF STATE ROAD, THENCE NORTH 200 FEET, THENCE EAST 117 FEET TO THE WEST SIDE OF THE STATE ROAD, THENCE NORTH 15' EAST 724.24 FEET, THENCE NORTH 85D32'51" WEST 656.26, THENCE NORTH 89D15' WEST 707.99FEET MORE OR LESS TO SOUTHWEST CORNER OF KORAB PROPERTY AS CONVEYED IN BOOK 692, PAGE 665, THENCE SOUTH 5D25' WEST475 FEET, THENCE SOUTH 82D32' EAST 5.46 CHAINS, THENCE SOUTH9D20' WEST 3 CHAINS TO CENTER OF 4-MILE CREEK, THENCE ALONG CHANNEL OF SAID CREEK TO BEGINNING.

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