

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of withdrawal pertaining to the EASTERN SUMMIT COUNTY WATER CONSERVANCY SPECIAL SERVICE DISTRICT, dated July 29<sup>th</sup>, 2009, complying with Section 17D-1-603, 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 withdrawal, referred to above, on file with the Office of the Lieutenant Governor pertaining to EASTERN SUMMIT COUNTY WATER CONSERVANCY SPECIAL SERVICE DISTRICT, located in Summit 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 7<sup>th</sup> day of December, 2009.

A handwritten signature in black ink that reads "Greg Bell".

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GREG BELL  
Lieutenant Governor



DAVID R. BRICKEY  
COUNTY ATTORNEY

SUMMIT  
COUNTY

Summit County Courthouse \$ 60 N. Main \$ P.O. Box 128 \$ Coalville, Utah 84017  
Telephone (435) 3363206 Facsimile (435) 3363287  
email: (first initial)(last name)@co.summit.ut.us

Criminal Division

AUGUSTUS G. CHIN  
Prosecuting Attorney

PAUL R. CHRISTENSEN  
Prosecuting Attorney

JOY NATALE  
Prosecuting Attorney

Civil Division

DAVID L. THOMAS  
Chief Deputy

JAMI R. BRACKIN  
Deputy County Attorney

HELEN E. STRACHAN  
Deputy County Attorney

August 24, 2009

Utah Lieutenant Governor's Office  
Utah State Capitol Complex  
P.O. Box 142325  
Salt Lake City, Utah 84114

*Re: Certification of Annexation / Withdrawal from  
Special Service District in Summit County, State of Utah*

To Whom It May Concern:

My name is Helen Strachan and I am a deputy attorney for Summit County. Pursuant to Utah's Special Service District Act, UCA §17D-1-101 et. seq., the Summit County Council recently both annexed and withdrew certain real property from the boundaries of the Eastern Summit County Water Conservancy Special Service District. Please find enclosed a copy of the notices of impending boundary action and approved final local entity plat that meets the requirements of UCA §67-1a-6.5. I understand that once these documents are received and assuming all requirements are met, your office will issue certificates of withdrawal and annexation, at which point the new district boundaries will be official. Upon your issuance of a certificate of annexation and a certificate of withdrawal, we shall file the necessary records with the Summit County Recorder. Please let me know if you have any questions or concerns, or if you need anything else. I appreciate your help.

Sincerely,

*Helen Strachan*

Helen E. Strachan  
Deputy Summit County Attorney

cc. Enclosures

Received

NOV 18 2009

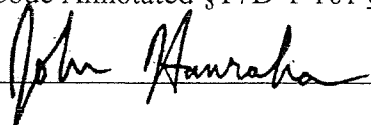
Map Sumit 11-18  
Greg Bell  
Lieutenant Governor

**Notice of Impending Boundary Action**

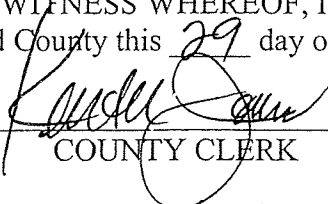
Pursuant to Utah Code Annotated §67-1a-6.5, the County Council of Summit County hereby provides written notice to the Lieutenant Governor's Office of an impending boundary action that affects Summit County and the Eastern Summit County Water Conservancy Special Service District.

The SCC seeks a certificate of withdrawal as it relates to the Eastern Summit County Water Conservancy Special Service District. Pursuant to UCA §17D-1-101 et. seq., the Summit County Council created the Eastern Summit County Water Conservancy Special Service District on December 17, 2008. In doing so, it inadvertently included the municipalities of Summit County within the District's boundaries. On July 29, 2009, the Council adopted a resolution to de-annex, or withdraw, the municipalities from the boundaries of the District.

The Summit County Council hereby certifies that the attached constitutes a true and correct copy of the Resolution withdrawing the municipalities from the boundaries of the Eastern Summit County Water Conservancy Special Service District. The Summit County Council further certifies that all the requirements for the withdrawal of property from the boundaries of the Eastern Summit County Water Conservancy Special Service District have been complied with pursuant to Utah Code Annotated §17D-1-101 et. seq.

  
\_\_\_\_\_  
CHAIRPERSON OF THE SUMMIT  
COUNTY COUNCIL

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County this 29 day of July, 2009.

  
\_\_\_\_\_  
COUNTY CLERK



RESOLUTION NO. 2009-20

**A RESOLUTION APPROVING THE WITHDRAWAL OF CERTAIN REAL PROPERTY FROM THE BOUNDARIES OF THE EASTERN SUMMIT COUNTY WATER CONSERVANCY SPECIAL SERVICE DISTRICT**

**WHEREAS**, pursuant to Utah Code Annotated, §17D-1-101 et. seq., the “Utah Special Service District Act” (hereinafter referred to as “the Act”) 1953, amended, the former Board of Commissioners of Summit County, Utah, established a special service district designated as the Eastern Summit County Water Conservancy Special Service District (the “District”) to provide within its boundaries oversight and management of any and all waste water facilities within Eastern Summit County, including but not limited to the establishment of rules promulgated by the Summit County Board of Health to regulate and manage such facilities, the possible future acquisition and/or construction of waste water facilities, systems or improvements to be located within the District, together with necessary appurtenances and equipment therefore. That District was created by Resolution 2008-32; and

**WHEREAS**, §17D-1-601 of the Act provides that, by resolution, an area may be withdrawn from a special service district if the legislative body of the county determines that the area should not or cannot be provided the service that the special service district provides; and

**WHEREAS**, when Summit County passed Resolution 2008-32 creating the District, it inadvertently included portions of property, described more particularly in Exhibit A, within the boundaries of the proposed district, thus now necessitating that those portions of property be withdrawn from the District. Those areas are all of the municipalities within the boundaries of Summit County including the town of Henefer, the city of Coalville, the town of Oakley, the city of Kamas, and the town of Francis. It was never the intention of Summit County to include these areas within the boundaries of the District; and

**WHEREAS**, pursuant to §17D-1-602 of the Act, there are no outstanding and unpaid bonds, notes or other obligations of the District and no existing contractual obligations to provide services to the District, which would prevent withdrawal of the area described in Exhibit A from the District; and

**NOW, THEREFORE**, be it hereby resolved by the Summit County Council as follows:

The Summit County Council hereby finds and determines that the public health, convenience, and necessity requires that certain land situation in Summit County, State of Utah, as more particularly described in Exhibit A, be withdrawn from the boundaries of the District as allowed under §17D-1-601 of the Utah Special Service District Act. The land described in Exhibit A was inadvertently included within the District boundaries at the time of the District’s creation.

There are no outstanding and unpaid bonds, notes or other obligations of the District and no existing contractual obligations to provide service to the District, which would prevent the withdrawal of this area from the District.

Pursuant to UCA §17D-1-603, within thirty (30) days after the SCC adopts this Resolution, the SCC shall file with the Lieutenant Governor's Office a copy of a notice of an impending boundary action as defined by UCA §67-1a-6.5 that meets the requirements of UCA §67-1a-6.5(3) and a copy of an approved final local entity plat as defined by UCA §67-1a-6.5. Upon the Lieutenant Governor's issuance of a certificate of withdrawal, the SCC shall, pursuant to UCA §67-1a-6.5, submit to the Summit County Recorder the original notice of an impending boundary action, the original certificate of withdrawal, the original approved final local entity plat; and a certified copy of the resolution approving the withdrawal.

Given and ordered published this 29th day of July, 2009.

ATTEST: [Signature]  
County Clerk

[Signature]  
Chairperson



*EXHIBIT A*

The following lands are to be withdrawn from the Eastern Summit County Water Conservancy Special Service District:

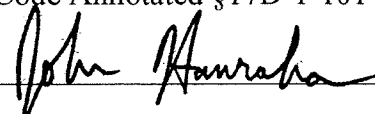
THAT PORTION OF THE EASTERN SUMMIT COUNTY WATER CONSERVANCY SPECIAL SERVICE DISTRICT LYING WITHIN THE BOUNDARIES OF THE TOWN OF HENEFER, THE CITY OF COALVILLE, THE TOWN OF OAKLEY, THE CITY OF KAMAS, AND THE TOWN OF FRANCIS.

**Notice of Impending Boundary Action**

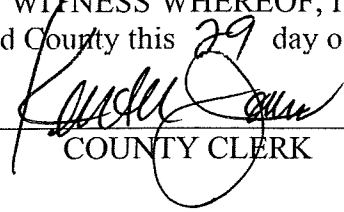
Pursuant to Utah Code Annotated §67-1a-6.5, the County Council of Summit County hereby provides written notice to the Lieutenant Governor's Office of an impending boundary action that affects Summit County and the Eastern Summit County Water Conservancy Special Service District.

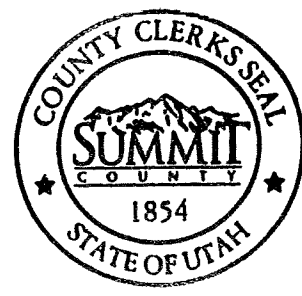
The SCC seeks a certificate of withdrawal as it relates to the Eastern Summit County Water Conservancy Special Service District. Pursuant to UCA §17D-1-101 et. seq., the Summit County Council created the Eastern Summit County Water Conservancy Special Service District on December 17, 2008. In doing so, it inadvertently included the municipalities of Summit County within the District's boundaries. On July 29, 2009, the Council adopted a resolution to de-annex, or withdraw, the municipalities from the boundaries of the District.

The Summit County Council hereby certifies that the attached constitutes a true and correct copy of the Resolution withdrawing the municipalities from the boundaries of the Eastern Summit County Water Conservancy Special Service District. The Summit County Council further certifies that all the requirements for the withdrawal of property from the boundaries of the Eastern Summit County Water Conservancy Special Service District have been complied with pursuant to Utah Code Annotated §17D-1-101 et. seq.

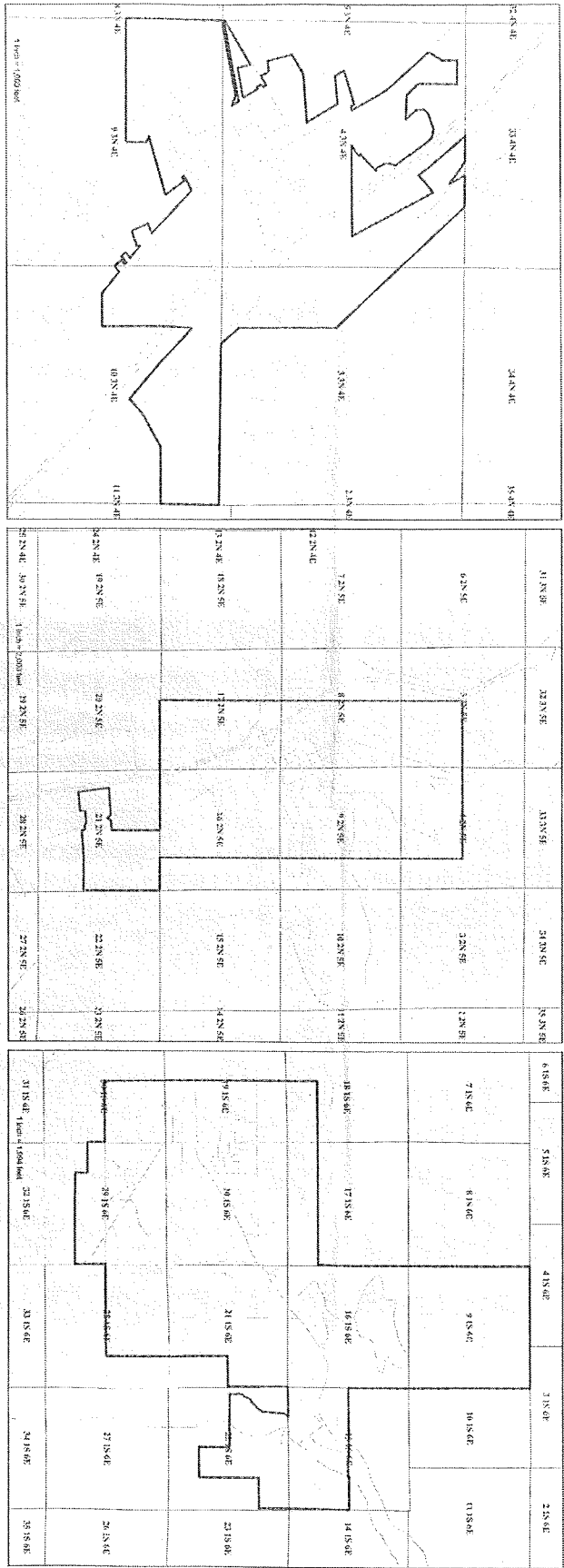
  
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CHAIRPERSON OF THE SUMMIT  
COUNTY COUNCIL

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County this 29 day of July, 2009.

  
\_\_\_\_\_  
COUNTY CLERK



Withdrawal of the Towns of Henefer and Oakley, and the City of Coalville from the Eastern Summit County Water Conservancy Special Service District.



**Withdrawal Description**

The following is to be withdrawn from the Eastern Summit County Water Conservancy Special Service District:

That portion of the Eastern Summit County Water Conservancy Special District lying within the boundaries of the Town of Henefer, the City of Coalville, and the Town of Oakley.

<p><b>Legend</b></p> <p><input type="checkbox"/> City Boundaries</p> <p><input type="checkbox"/> Streets</p> <p><input type="checkbox"/> Section Lines</p>	<p><b>Surveyor's Certificate</b></p> <p>I, <u>Michael J. ...</u> Surveyor, do hereby certify that the foregoing is a true and correct copy of the original plat on file in my office.</p>	<p><b>Local Entry Approving Authority</b></p> <p>By: <u>[Signature]</u> Date: <u>7/1/2004</u></p>	<p><b>Approved As a Final Local Entry Plat</b></p> <p>By: <u>[Signature]</u> Date: <u>7/1/2004</u></p>	<p><b>FINAL LOCAL ENTRY PLAT APPROVAL</b></p> <p>Approved by the Board of County Commissioners on this <u>22nd</u> day of <u>July</u>, 2004.</p>	<p><b>Summit County Recorder</b></p> <p>Recording</p>
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FILE NO. S0007038

S-7038