

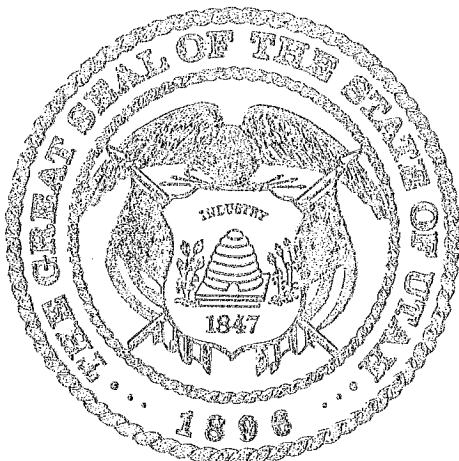


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation of the MIDWAY SANITATION DISTRICT, dated February 4<sup>th</sup>, 2014, 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 annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to MIDWAY SANITATION DISTRICT, located in Wasatch County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 30<sup>th</sup> day of April, 2014 at Salt Lake City, Utah.

SPENCER J. COX  
Lieutenant Governor

# **MIDWAY SANITATION DISTRICT**

75 NORTH 100 WEST • P.O. BOX 277

MIDWAY, UTAH 84049

435-654-3223

**Received**

**MAR 11 2014**

Spencer J. Cox  
Lieutenant Governor

March 2, 2014

Utah State Capitol Complex  
Lt. Governor Spencer Cox  
Suite 220  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

Re: Midway Sanitation District Annexation

Dear Lt. Governor Cox:

This letter will serve as the notice to you required by Utah Code Section 17B-1-414 that the Midway Sanitation District ("District") has annexed additional territory into the district.

Attached, you will find, as required, a copy of the District Board Resolution approving the annexation, including a legal description of the annexed area and a certification by the District Board that the District has complied with all legal requirements of the annexation. Please let me know if your office needs further information. Thank you for your attention to this matter.

Sincerely,



Becky Wood  
Midway Sanitation District Manager

# **MIDWAY SANITATION DISTRICT**

## **RESOLUTION NO. 2014-02**

### **A RESOLUTION ANNEXING CERTAIN PROPERTY INTO THE BOUNDARIES OF THE MIDWAY SANITATION DISTRICT**

WHEREAS, pursuant to Utah Code Section 17B-1-402, Sharon Jensen ("Applicant") has filed a petition seeking annexation of certain property that she owns into the boundaries of the Midway Sanitation District ("District"); and

WHEREAS, the District has certified the petition for annexation pursuant to Utah Code Section 17B-1-405; and

WHEREAS, no public hearing on the proposed annexation was required to be held; and

WHEREAS, all required public notice of the proposed annexation has been given.

NOW THEREFORE, the Midway Sanitation District, acting through its Board of Trustees, resolves as follows:

Section 1: The Property described on Exhibit A attached hereto is hereby annexed into the Midway Sanitation District, subject to the terms and conditions of this resolution.

Section 2: The annexation of the Property is expressly conditioned upon the applicant complying with all required design and construction standards as approved by the District Board of Trustees and directed by the District Engineer.

Section 3: Applicant understands and agrees that the sewer connection by which the annexed Property will be connected to the District's system will be a private lateral beginning at the annexed Property and continuing to the point of gravity discharge into the District's system ("the private facilities"). All ownership, construction and maintenance of the private facilities will perpetually be the responsibility of the owner of the annexed Property and not the responsibility of the District. Applicant will also be required to install an eight-inch casing in which the private facilities of the owner, and potentially of other future surrounding owners, will be contained. Installation and maintenance of each potential owner's private facilities, including but not limited to those facilities within the eight-inch casing, will be the responsibility of the respective owner. No user of the eight-inch casing will be allowed to exclude other surrounding property owners from using the eight-inch casing to connect to the District's system. All potential users of the eight-inch casing will be required to petition for annexation and obtain approval of the District Board prior to connection and usage of the eight-inch casing.

Section 4: Applicant, for itself and all of its successors, also agrees to the terms contained in this paragraph. Applicant will be solely and fully responsible for the private facilities, which include, but are not limited to, the following components: a gravity sewer service line, a private low pressure grinder pump station within the lateral sewer line that

facilitates movement through the lateral sewer line and into the main sewer line, and a pressurized sewer service line, with associated valves, etc. Each lot owner shall be solely responsible for all costs related to or arising from the maintenance, repair or replacement of any aspect of the lateral sewer service line servicing the lot. The District shall have no liability or responsibility for the operations, maintenance, repair or replacement of any aspect of any lateral sewer service line or any costs associated therewith. All emergency repairs and investigations, questions, complaints, repair requests and other inquiries shall not be directed to the District. The District shall have no responsibility to respond to any such items, nor shall the District have any liability for damages resulting from the operation or any failure in the private facilities.

Section 5: This Resolution shall be appurtenant to the Property and title thereto shall be subject to the terms and provisions contained within this Resolution. The terms and provisions of this Resolution shall run with title to the Property, and shall be binding upon all parties having or acquiring any right, title, or interest in or to all or any portion of the Property and subsequent owners thereof in perpetuity (who shall each have the same duties and responsibilities as the Applicant as set forth above with respect to the private lateral sewer line for the Property).

Section 6: This Resolution, and every term and provision hereof, shall be binding upon and shall inure to the benefit of the Applicant and the District, and their respective assigns, heirs, and successors in interest. Applicant and the District Chair shall sign this Resolution below to manifest their agreement to its terms. Upon and after recordation of this Resolution in the office of the Wasatch County Recorder, it shall be deemed to be incorporated by reference into any instrument subsequently recorded in the office of the Wasatch County Recorder which purports to convey any interest in all or any portion of the Property.

Section 7: The District Clerk is hereby directed to file the necessary legal documents with the Utah Lieutenant Governor and the Wasatch County Recorder in order to effect the annexation of the Property.

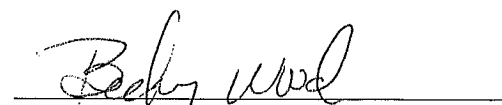
PASSED AND ADOPTED the 4<sup>th</sup> day of February, 2014.

	<u>Aye</u>	<u>Nay</u>
Board Member Bonner	X	
Board Member Cluff	X	
Board Member Gertsch	X	

SIGNED:

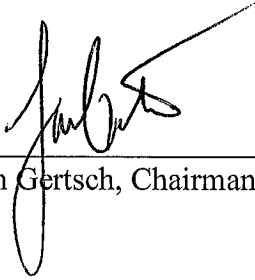
  
Alan Cluff, Board Chair

ATTEST:

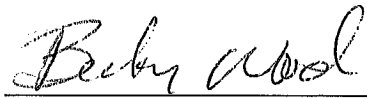
  
Becky Wood, District Clerk

**MIDWAY SANITATION DISTRICT  
CERTIFICATION OF ANNEXATION PETITION**

The District Board, having received a Petition for Annexation filed by Sharon J. Jensen, hereby certifies that said petition meets the requirements of Utah Code Annotated 17B-1-404 and 17B-1-405.

A handwritten signature in black ink, appearing to read 'Laren Gertsch', written over a horizontal line.

Laren Gertsch, Chairman

A handwritten signature in black ink, appearing to read 'Becky Wood', written over a horizontal line.

Becky Wood, District Clerk

**PETITION FOR ANNEXATION  
INTO THE MIDWAY SANITATION DISTRICT**

We, the undersigned owner(s) of the real property identified by the precise legal description contained on Exhibit A attached hereto ("the Property"), do hereby petition the Board of Trustees of the Midway Sanitation District ("the District") to annex the Property into the boundaries of the District, pursuant to Utah Code section 17B-1-402. The street address of the Property is 65 SOUTH JOHNSON MILL RD.. The property tax parcel number of the Property is DWL-0448-5-036-034. An accurate plat map of the Property, prepared by a licensed surveyor and suitable for recording, is attached hereto as Exhibit B.

This Petition is filed by SHARON JENSEN (name) ("Petitioner"), who is the sponsor of this Petition and is the owner listed on the deed recorded with the Wasatch County Recorder as the record owner of the Property. Petitioner's current residence address is 65 So Johnson Mill Rd. <sup>MIDWAY, UT 84249</sup>. Petitioner's current mailing address is same.

Petitioner's signature below certifies that the above information is true and accurate.

  
Petitioner's Signature

9-3-2013  
Date Signed

Petitioner's Contact Information (and Professional Representative, if any):

SUMMIT ENGINEERING GROUP, INC. 435-654-9229  
BRIAN BALLS, PE

Exhibit A



Google earth

feet  
meters

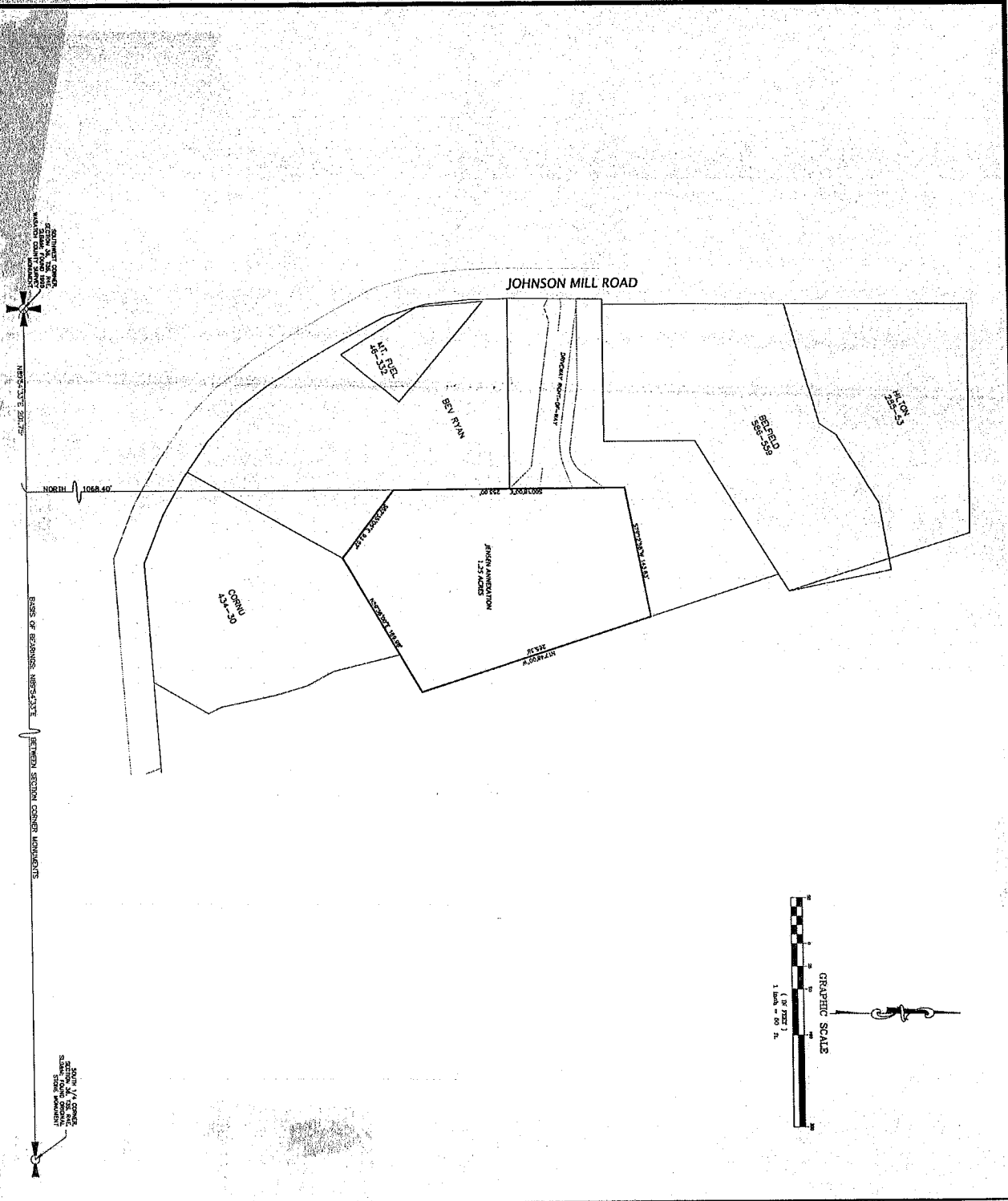


## JENSEN 1.29 ACRE DESCRIPTION

BEGINNING AT A FOUND REBAR AND CAP SURVEY MARKER SET BY WILLIAM C. JORDAN (RLS 1715), SAID SURVEY MARKER LYING NORTH 89°54'33" EAST 201.75 FEET ALONG THE SECTION LINE AND NORTH 1068.40 FEET FROM THE 1995 WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS: UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE);

AND RUNNING THENCE NORTH 00°18' WEST 255.00 FEET; THENCE NORTH 79°12'58" EAST 143.63 FEET; THENCE SOUTH 17°48' EAST 285.80 FEET; THENCE SOUTH 65°52'17" WEST 164.76 FEET; THENCE NORTH 53°07'02" WEST 95.97 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.29 ACRES



# SURVEYOR'S CERTIFICATE

I, the undersigned, a professional land surveyor registered in the State of Utah, have conducted a professional land survey in accordance with the provisions of the Utah Professional Land Surveyor Act, Chapter 10, Section 10-1, of the Utah Code, and have prepared this certificate to certify that the results of a survey conducted under my supervision at the location indicated, are true and correct.

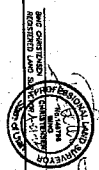
I, the undersigned, hereby certify that the results of a survey conducted under my supervision at the location indicated, are true and correct.

## JENSEN ANNEXATION DESCRIPTION

Beginning at a point lying on the south line of Section 36, T3S, R4E, SLB&M, and running north 89° 13' 35\"/>

## SURVEYOR'S NARRATIVE

The undersigned, a professional land surveyor registered in the State of Utah, have conducted a professional land survey in accordance with the provisions of the Utah Professional Land Surveyor Act, Chapter 10, Section 10-1, of the Utah Code, and have prepared this narrative to certify that the results of a survey conducted under my supervision at the location indicated, are true and correct.



## MIDWAY SANITATION DISTRICT APPROVAL

Approved by Resolution No. 2014-02 on February 4, 2014  
 April 11, 2014  
 Mayor, Midway

