

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of withdrawal pertaining to the COTTONWOOD IMPROVEMENT DISTRICT, dated August 16th, 2017, complying with Section 17B-1-512, 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 the COTTONWOOD IMPROVEMENT DISTRICT, located in Salt Lake County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 7th day of September, 2017 at Salt Lake City, Utah.



A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor

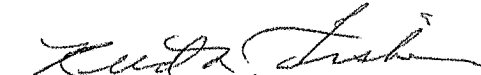
NOTICE OF IMPENDING BOUNDARY ACTION

Spencer J. Cox
Lieutenant Governor
Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

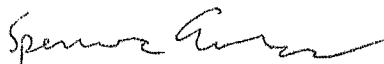
Cottonwood Improvement District desires to allow Murray City School District to withdraw certain property from the boundaries of Cottonwood Improvement District, which property is defined as Lot 2, Clarus Subdivision, Salt Lake County, Utah. The property is within the boundaries of Murray City and will be provided sewer service by Murray City.

In accordance with Utah Code § 67-1a-6.5(3), Cottonwood Improvement District hereby verifies and certifies that all requirements applicable to the boundary action have been met.

COTTONWOOD IMPROVEMENT DISTRICT

By: 
Reed Fisher, Chair

ATTEST:

By: 
District Clerk

COTTONWOOD IMPROVEMENT DISTRICT

Resolution No. 2017-03

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE
COTTONWOOD IMPROVEMENT DISTRICT
APPROVING THE PETITION OF MURRAY CITY SCHOOL DISTRICT TO
WITHDRAW CERTAIN PROPERTY COMMONLY KNOWN AS LOT 2, CLARUS
SUBDIVISION FROM
COTTONWOOD IMPROVEMENT DISTRICT**

PREAMBLE

WHEREAS, Murray City School District ("Applicant") owns certain property located in Murray City, Utah which is in known as Lot 2, Clarus Subdivision and identified as Salt Lake County Parcel 127-001-0000 (the "Property"). A legal description of the Property is attached hereto as Exhibit 1.

WHEREAS, pursuant to Utah Code Ann. § 17B-1-501, *et seq.*, Applicant has submitted to Cottonwood Improvement District ("District") a petition to withdraw the Property from the District.

WHEREAS, pursuant to Utah Code Ann. § 17B-1-510(2), the Board of Trustees finds that the area to be withdrawn has obtained the same service that is provided by the local district or a commitment to provide the same service that is provided by the local district from another source.

WHEREAS, the Board of Trustees finds that the withdrawal will not result in none of the conditions in Utah Code Ann. § 17B-1-510(3) warranting a denial of the petition.

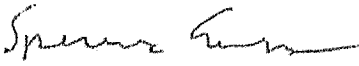
NOW, THEREFORE, be it resolved by the Board of Trustees of the Cottonwood Improvement District as follows:

1. The petition of Applicant to withdraw the Property from Cottonwood Improvement District is APPROVED.
2. The effective date of the withdrawal shall be August 16, 2017, or such date as the Applicant complies with all conditions and requirements of Utah Code Ann. § 17B-1-501, *et seq.*
3. The withdrawal is not subject any terms and conditions.

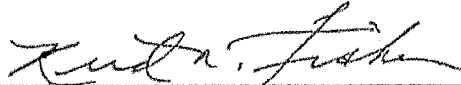
ADOPTED by the Board of Trustees of Cottonwood Improvement District, this 16th
day of August, 2017.

COTTONWOOD IMPROVEMENT DISTRICT
BOARD OF TRUSTEES

ATTEST:



Spencer Evans, Clerk

By: 

Reed Fisher, Chair

Prepared and Submitted by:
 Jeremy C. Sink (9916)
McKAY, BURTON & THURMAN
 15 W. South Temple, Suite 1000
 Salt Lake City, UT 84101
 Telephone: (801) 521-4135
 Fax: (801) 521-4252
 Email: jsink@mbt-law.com

BEFORE THE COTTONWOOD IMPROVEMENT DISTRICT
8620 South Highland Drive, Sandy, UT 84093

<p>In re:</p> <p>6337 South Glenn Oaks Street, Murray, UT 84121,</p> <p align="center">Petitioner.</p>	<p>PETITION TO WITHDRAW FROM THE COTTONWOOD IMPROVEMENT DISTRICT</p>
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Murray City School District, by and through their counsel, McKay, Burton & Thurman, PC, herein petitions the Cottonwood Improvement District for the withdrawal of property owned by Murray City School District and located at 6337 South Glenn Oaks Street, Murray, UT 84121, from the Cottonwood Improvement District pursuant to UCA 17B-1-504 et seq. In support of this petition and pursuant to UCA 17B-1-506, Murray City School District represented as follows:

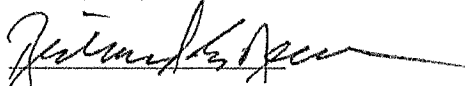
1. **Property to be Withdrawn:** 6337 South Glenn Oaks Street, Murray, UT 84121 (“Property”). Also known as Lot 2, Clarus Subdivision, according to the Official Plat thereof on file and of record in the Salt Lake County Recorder’s Office. A.P.N. 22-20-

127-001-0000 and 22-20-127-002-0000. A copy of the Clarus Subdivision and specifically Lot 2 of the Clarus Subdivision is attached hereto at Exhibit 1.

2. **Property Owner:** Murray City School District, pursuant to that certain Warranty Deed recorded in the Salt Lake County Recorder's Office, Book 10218, Page 7384-7385.

3. **Signature of Property Owner:**

Murray City School District

A handwritten signature in black ink, appearing to read "Richard Reese", written over a horizontal line.

By: Richard Reese

Its: Business Administrator


4. **Reasons for Withdrawal:**

- A. The Property is currently not serviced by sewer access to the Cottonwood Improvement District.
- B. The Murray City School District has retained Ensign Engineering to subdivide the Property proposed to be withdrawn into two separate lots.
- C. The proposed subdivision needs to be approved by Murray City.
- D. The proposed 2 lot subdivision will be used by the Murray City School District for high school educational purposes for the construction of two separate single family dwellings to be built by Murray City School District students under the supervision of qualified professionals.
- E. In addition to being part of the Cottonwood Improvement District, the Property is within the Murray City boundaries and has access to the Murray City sewer system. See Declaration of Danny J. Astill attached hereto as Exhibit 2.

- F. Upon de-annexation or withdrawal from the Cottonwood Improvement District, the Property will obtain sewer service from Murray City. See Declaration of Danny J. Astill attached hereto as Exhibit 2.
- G. Although the Property is currently within the Cottonwood Improvement District, there is no sewer connection on the property and the nearest connection to the Cottonwood Improvement District is located uphill and to the east, at 900 East.
- H. The proposed single family units to be built on the property are designed to have basements which cannot be serviced by the Cottonwood Improvement District.
5. Petition Sponsor: As this petition only affects one property owner and one parcel currently located in the Cottonwood Improvement District it is sponsored by Murray City School District, as the sole petitioner and sole Property owner. The contact for the school district is Richard Reese, 5102 S. Commerce Drive, Murray, UT 84107, ph# 801-264-7100 Ext. 5008. Contact can also be made through Jeremy Sink, counsel for the school district at 15 W. South Temple, Suite 1000, Salt Lake City, UT 84101, ph# 801-521-4135.
6. Map of Property to be withdrawn from the Cottonwood Improvement District: See Exhibit 1 attached hereto.

Dated May 16, 2017

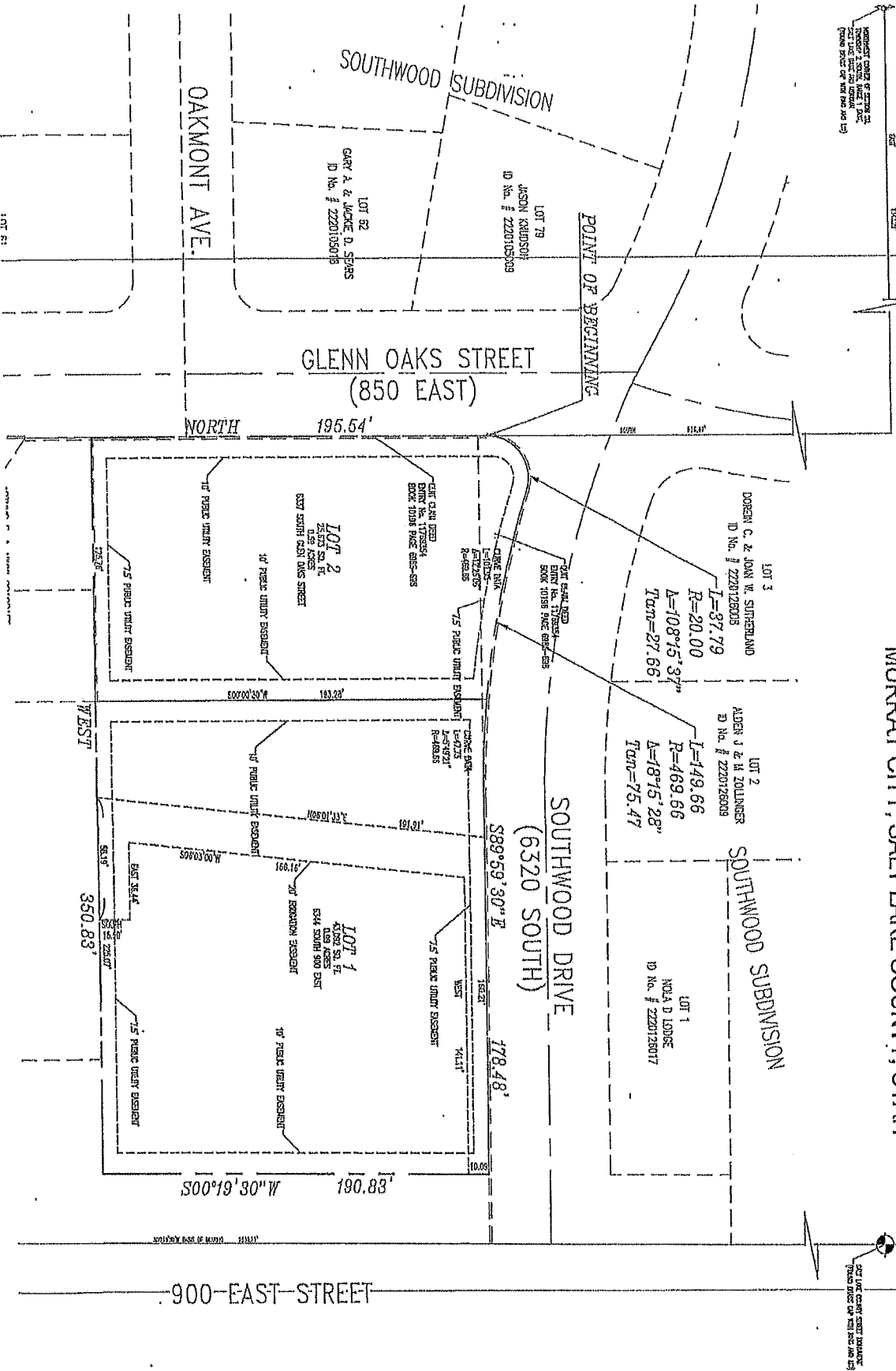
McKay, Burton & Thurman


By: Jeremy C. Sink, Esquire

CLARUS SUBDIVISION

(APPENDING A PROSPECTOR STATE TITHEIN SOUTHWOOD SUBDIVISION)

LOCATED IN THE NORTHWEST ¼ OF SECTION 20,
TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN,
MURRAY CITY, SALT LAKE COUNTY, UTAH



PROSPECTOR STATE TITHEIN
SECTION 20, TWP. 2 S., R. 1 E.,
SALT LAKE COUNTY, UTAH
(FROM PLAT OF THE 1968 AND 1973)

DO NOT LINE DRAW STREET DIMENSIONS
(FROM PLAT OF THE 1968 AND 1973)

PLAT FOR UTILITY, INCLUDING
AGENCY, AND TELEPHONE
AND CABLE TELEVISION
CONNECTIONS, AND FOR
PLAT MAP AS LAY BE IN
WITHIN AND WITHOUT THE
PLAT MAP AS LAY BE IN
CONNECTIONS INCLUDING
PLACED WITHIN THE SAME
BE PLACED WITHIN THE
APPROVAL OF THE UTILITIES
CONTAINED WITHIN THE
SEWER, STORM SEWER AND/OR
LAWRENCE, AND/OR A
SEWER AND STORM SEWER
CONNECTION BY AUNBURY

Prepared and Submitted by:
Jeremy C. Sink (9916)
McKAY, BURTON & THURMAN
15 W. South Temple, Suite 1000
Salt Lake City, UT 84101
Telephone: (801) 521-4135
Fax: (801) 521-4252
Email: jsink@mbt-law.com

BEFORE THE COTTONWOOD IMPROVEMENT DISTRICT
8620 South Highland Drive, Sandy, UT 84093

<p>In re:</p> <p>6337 South Glenn Oaks Street, Murray, UT 84121,</p> <p style="text-align: center;">Petitioner.</p>	<p>DECLARATION IN SUPPORT OF MURRAY CITY SCHOOL DISTRICT'S PETITION TO WITHDRAW PROPERTY FROM THE COTTONWOOD IMPROVEMENT DISTRICT</p>
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Danny J. Astill, under penalty of criminal perjury, states as follows:

1. I am the Water Superintendent for Murray City.
2. As part of my job description, I am involved in approving sewer hookups to the Murray City sewer system.
3. I am aware of the property located at 6337 South Glenn Oaks Street, Murray , Utah 84121 ("Property"), owned by the Murray City School District and aware of the school district's plans to build two single family dwellings on the property through educational programs.
4. The Property is within the Murray City boundaries and can be connected to the Murray City sewer system.

5. Upon withdrawal/de-annexation from the Cottonwood Improvement District, the Property can hook up to the Murray City sewer system.

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed this 16 day of May, 2017.

Danfy J. Astill
Danfy J. Astill

