

STATE OF UTAH

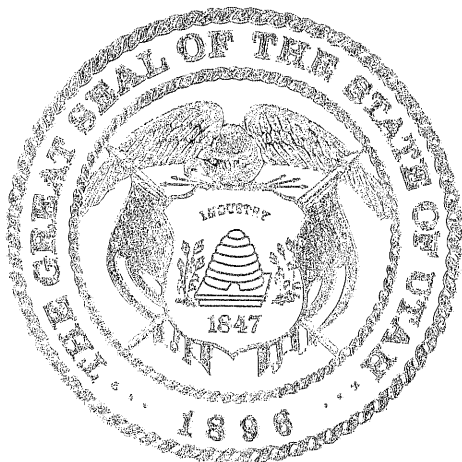


OFFICE OF THE LIEUTENANT GOVERNOR

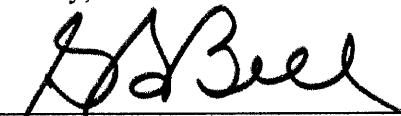
CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation of the CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, dated May 16<sup>th</sup>, 2011, complying with Section 17D-1-401, 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 the 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 19<sup>th</sup> day of May, 2011.

  
\_\_\_\_\_  
GREG BELL  
Lieutenant Governor



## Central Weber Sewer Improvement District

May 18, 2011

The Honorable Greg Bell  
Lieutenant Governor of the State of Utah  
Utah State Capitol Complex  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

SUBJECT: Notice of Annexation

Dear Lieutenant Governor Bell:

We are submitting to you a Notice of Annexation for parcels of property in Weber County to be annexed into the Central Weber Sewer Improvement District. Enclosed please find the following three items:

- A copy of Resolution No. 2011-02 Initiating Annexation Proceedings (twelve months continuous service)
- A copy of Notice of Public hearing on Proposed Annexation
- A copy of Resolution No. 2011-03 Annexation Approval Resolution; and,
- An approved final local entity plat as defined in Utah Code Ann. § 67-1a-6.5 and meeting the requirements of Utah Code Ann. § 17-23-20.

It is requested that a certificate of annexation in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

Lance L Wood, P.E.  
General Manager

Enclosures

**Received**

MAY 18 2011

Greg Bell  
Lieutenant Governor

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

**RESOLUTION NO. 2011-02**

**RESOLUTION INITIATING ANNEXATION PROCEEDINGS  
(twelve months continuous service)**

WHEREAS, the Central Weber Sewer Improvement District (the "District"), owns and operates a regional sewage treatment plant ("POTW" or "Publicly Operated Treatment Works") and related sewer main lines.

WHEREAS, for a period in excess of the last twelve consecutive months, the District has provided sewage treatment service through its POTW to the real property located in Weber County, Utah (the "Annexation Area") which is described and identified more particularly in attached Exhibit "A" which is incorporated herein by this reference;

WHEREAS, the Annexation Area is not located within the boundaries of any municipality or other governmental entity that provides sewage treatment service and, consequently, no notice is required to be delivered to any county or municipality pursuant to Utah Code Ann. §17B-1-406;

WHEREAS, even though the Annexation Area is receiving sewage treatment service from the District, the property within the Annexation Area is not subject to the payment of property taxes to the District while properties served by the District that are located within the District do pay property taxes;

WHEREAS, because the District has provided sanitary sewer treatment service to the Annexation Area for at least the past twelve consecutive months, Utah Code Ann. § 17B-1-403(1)(c) allows the annexation proceedings to be initiated by a resolution adopted by the Board of Trustees of the District in lieu of requiring a petition signed by either landowners or registered voters within the Annexation Area;

WHEREAS, the District office is reasonably accessible to the Annexation Area and, therefore, may be the site of the public hearing that will be held on the proposed annexation as provided in this Resolution; and

WHEREAS, the Board of Trustees of the District desires, through the passage of this Resolution and in accordance with the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, to initiate annexation proceedings for the Annexation Area.

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

1. That, for the reasons stated in the foregoing recitals, it is proposed that the real property described and otherwise identified in attached Exhibit "A", which is incorporated herein by this reference, be annexed into and become part of the District.

2. That a public hearing shall be held in the District's office at 2618 West Pioneer Road, Marriott-Slaterville, Utah on a weekday evening which is not a holiday commencing no earlier than 6:00 p.m., not later than 45 days after the adoption of this Resolution, for the purpose of allowing the public to ask questions and obtain further information about the proposed annexation and related issues and to allow any interested person to address the Board concerning the proposed annexation.


3. That a notice of the public hearing and of the proposed annexation shall be issued in accordance with the requirements of Utah Code Ann. § 17B-1-410.

4. That, provided sufficient protests to require an election are not timely filed as required by Utah Code Ann. § 17B-1-412, within 30 days after expiration of the protest period the Board shall adopt a resolution approving the annexation of some or all of the proposed Annexation Area into the District or rejecting the annexation in accordance with the requirements of Utah Code Ann. § 17B-1-414 and shall follow all other procedural requirements of Title 17B, Chapter 1, Part 4 of the Utah Code in processing the proposed annexation that is initiated by this Resolution.

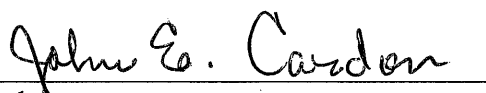
5. That all resolutions, policies, procedures, rules and regulations of the District, or parts thereof, in conflict with this Resolution are, to the extent of such conflict, hereby repealed.

6. That this Resolution shall take effect immediately upon its passage.

Passed by the Board of Trustees of the Central Weber Improvement District this 28th day of February, 2011.

  
Chairman

ATTEST:

  
Clerk

**EXHIBIT "A"**

**ANNEXATION BOUNDARY DESCRIPTION**

The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:

Beginning at the East Quarter Corner of said Section 34; thence North  $88^{\circ}36'18''$  West 148.04 feet along the southerly line of said Northeast Quarter; thence North  $00^{\circ}04'28''$  East 1247.17 feet; thence South  $89^{\circ}55'32''$  East 148.00 feet to the easterly line of said Section 34; thence South  $00^{\circ}04'28''$  East 1250.59 feet along said easterly line to the point of beginning.

Contains: 184,833 sq. ft. or 4.243 Acres, more or less.

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT  
NOTICE OF PUBLIC HEARING ON PROPOSED ANNEXATION**

**To: All registered voters residing within the proposed annexation area and all other interested parties:**

Notice is hereby given that the area located in Weber County, Utah which is described and/or identified in attached Exhibit "A" (the "Annexation Area") is proposed to be annexed into the Central Weber Sewer Improvement District (the "District"). The District provides sanitary sewage treatment service, and has been serving the Annexation Area for more than the past twelve consecutive months.

**A public hearing on the proposed annexation at which members of the public may ask questions and obtain more information about the proposed annexation and any interested person will be allowed to speak will be held at the District's office located at 2618 West Pioneer Road, Mariott-Slaterville, Utah on March 21, 2011 at 6:00 p.m.**

You are welcome to attend the public hearing and express your feelings. You may also submit comments in writing to the District Office at the above address during normal business hours at any time prior to the public hearing.

**Property owners and registered voters within the Annexation Area may protest the annexation by filing a written protest with the Central Weber Sewer Improvement District Board of Trustees within 30 days after the public hearing.**

Once the annexation is completed, the Annexation Area will be subject to user fees or charges imposed by and property taxes levied by or for the benefit of the District. Since the Annexation Area is already receiving sewage treatment service from the District, there will be no new or additional impact on fees as a result of this annexation. However, once annexed into the District, the Annexation Area will be subject to the payment of property taxes to the District. A typical owner occupied home located within the District with an assessed valuation of \$200,000 (taxable value of \$110,000) will, based upon the District's current tax rate of 0.000833, pay property taxes in the amount of \$91.63 annually. If the Annexation Area is not annexed, the District may consider increasing fees for extra-territorial service to compensate for lost property tax revenues.

This notice is being mailed to each registered voter residing within the proposed annexation area as provided by Utah Code. Ann. §17B-1-410(1)(a)(ii) and is being posted in at least four conspicuous places within the proposed annexation area no less than 10 and no more than 30 days before the public hearing.

**Additional information concerning the proposed annexation may be obtained at the District office or by calling (801) 731-3011.**

DATED this 2nd day of March, 2011.

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

By   
Lance L. Wood, General Manager

**EXHIBIT "A"**

**ANNEXATION BOUNDARY DESCRIPTION**

The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:

Beginning at the East Quarter Corner of said Section 34; thence North  $88^{\circ}36'18''$  West 148.04 feet along the southerly line of said Northeast Quarter; thence North  $00^{\circ}04'28''$  East 1247.17 feet; thence South  $89^{\circ}55'32''$  East 148.00 feet to the easterly line of said Section 34; thence South  $00^{\circ}04'28''$  East 1250.59 feet along said easterly line to the point of beginning.

Contains: 184,833 sq. ft. or 4.243 Acres, more or less.

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

**RESOLUTION 2011-03**

**Annexation Approval Resolution**

WHEREAS, the Central Weber Sewer Improvement District (the "District") is a duly organized improvement district located in Weber and Davis Counties, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the **UTAH CODE** and relevant portions of Title 17B, Chapter 1 of the **UTAH CODE**;

WHEREAS, the District owns and operates sanitary sewage treatment and transportation facilities which serve significant portions of Weber County and a small portion of Davis County, Utah;

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, due to the fact that the District had provided sanitary sewage treatment service to areas lying outside of the District's boundaries, which areas are described or otherwise identified in attached Exhibit "A" (the Annexation Area), for a period in excess of twelve consecutive months, the Board adopted a resolution initiating annexation proceedings for the Annexation Area as authorized by **UTAH CODE ANN. § 17B-1-403(1)(c)**;

WHEREAS, even though the Annexation Area is receiving sewer treatment services from the District, the property within the Annexation Area is not subject to the payment of property taxes to the District while properties served by the District that are located within the District do pay property taxes;

WHEREAS, the Board, with a quorum present, held a public hearing on the proposed annexation of the Annexation Area into the District in accordance with the requirements of **UTAH CODE ANN. § 17B-1-409**;

WHEREAS, prior to holding the public hearing, notice of the hearing was issued as required by **UTAH CODE ANN. § 17B-1-410**;

WHEREAS, more than 30 days has elapsed since the date of the public hearing and protests have not been filed by the owners of private real property located within the Annexation Area that covers at least 10% of the total private land area within the Annexation Area and is equal in assessed value to at least 10% of the assessed value of all private real property within the Annexation Area or by registered voters residing within the Annexation Area equal in number to at least 10% of the number of votes cast within the Annexation Area for the office of Governor at the last general election, and fewer than 30 days have expired since the expiration of the protest period;



WHEREAS, pursuant to **UTAH CODE ANN. § 17B-1-414**, the District is authorized to adopt a resolution approving the annexation of the Annexation Area; and

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any special 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 District 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 Annexation Area 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(2)** and **17B-1-414(2)(c)**, once the original Notice of Impending Boundary Action, the original Certificate of Annexation issued by the Lt. Governor, the original approved Final Local Entity Plat, and a certified copy of this Resolution have been recorded in the office of the Weber County Recorder as provided in **UTAH CODE ANN. §§ 17B-1-414(2)(c)(i)** and **59-2-305.5(2)**, the taxable property located within the Annexation Area 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 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

Impending Boundary Action and a copy of the approved Final Local Entity Plat for the annexed area (the Annexation Area) with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution.

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 Annexation and the documents referenced in paragraph 3 above have been recorded with the Weber County Recorder.

Approved and adopted by the Board of Trustees of the Central Weber Sewer Improvement District this 16th day of May, 2011

  
Mark C. Allen, Chairman

ATTEST:

  
Lance L Wood, General Manager

**EXHIBIT A**  
**Annexation Area**

**ANNEXATION BOUNDARY DESCRIPTION**

The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:

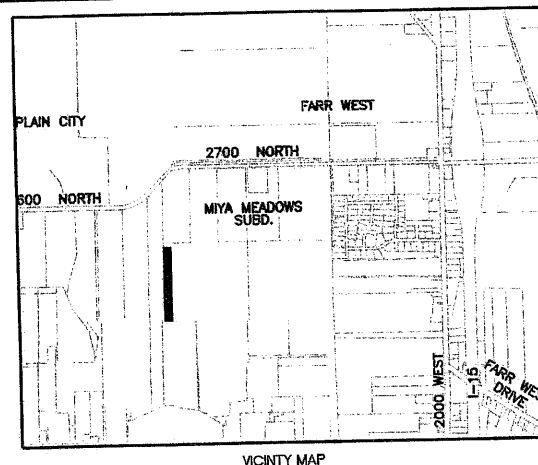
Beginning at the East Quarter Corner of said Section 34; thence North  $88^{\circ}36'18''$  West 148.04 feet along the southerly line of said Northeast Quarter; thence North  $00^{\circ}04'28''$  East 1247.17 feet; thence South  $89^{\circ}55'32''$  East 148.00 feet to the easterly line of said Section 34; thence South  $00^{\circ}04'28''$  East 1250.59 feet along said easterly line to the point of beginning.

Contains: 184,833 sq. ft. or 4.243 Acres, more or less.

# ANNEXATION PLAT TO THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT RESOLUTION 2011-03

A PART OF THE NORTHEAST 1/4 OF SECTION 34,  
TOWNSHIP 7 NORTH, RANGE 2 WEST, SLB&M, U.S. SURVEY  
PLAIN CITY, WEBER COUNTY, UTAH  
JANUARY 2011

SITE



### ANNEXATION BOUNDARY DESCRIPTION

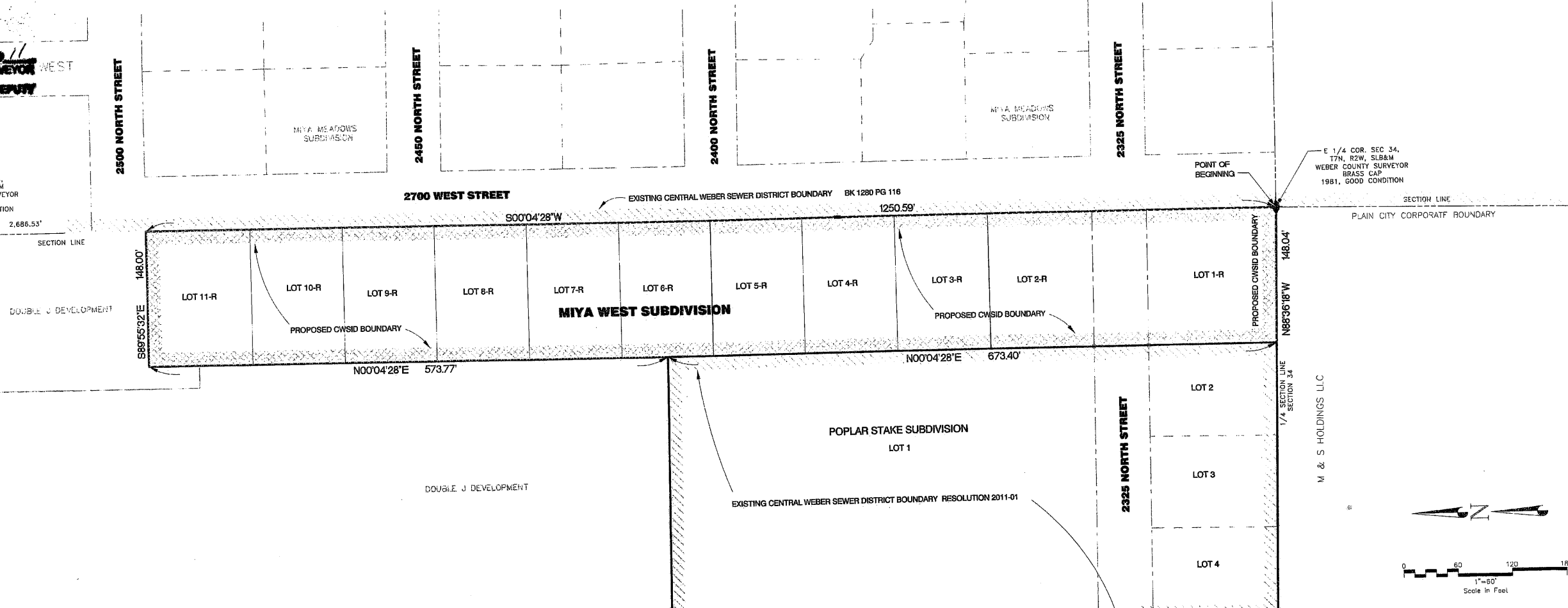
The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:  
Beginning at the East Quarter Corner of said Section 34; thence North 88°36'18" West 148.04 feet along the southerly line of the Northeast Quarter of said Section 34 to the existing Central Weber Sewer District Boundary; thence North 00°04'28" East 673.40 feet along the existing Central Weber Sewer District Boundary; thence leaving said Boundary North 00°04'28" East 573.77 feet; thence South 89°55'32" East 148.00 feet to the easterly line of the Northeast Quarter of said Section 34, and to the existing Central Weber Sewer District Boundary; thence South 00°04'28" East 1250.59 feet along the existing Central Weber Sewer District Boundary also being along said easterly line to the point of beginning.

Contains: 184,839 sq. ft. or 4.248 Acres, more or less.

STATE OF UTAH  
COUNTY OF WEBER  
I HEREBY CERTIFY THAT THIS IS A TRUE COPY  
OF THE DOCUMENT THAT APPEARS ON  
FILE IN MY OFFICE.

WITNESSED MY HAND AND SEAL  
THIS 12<sup>TH</sup> DAY OF APRIL 2011  
ERNEST B. ROMLEY, WEBER COUNTY SURVEYOR  
BY *Travis J. Daley* DEPUTY

NE COR. SEC. 34,  
T7N, R2W, SLB&M  
WEBER COUNTY SURVEYOR  
BRASS CAP  
1963, GOOD CONDITION  
N 00°04'28" E 2,686.53'  
(BASIS OF BEARING) SECTION LINE



### SURVEYOR'S CERTIFICATE

I, TRAVIS J. DALEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 6387184 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS ANNEXATION PLAT IN ACCORDANCE WITH SECTION 17-29-20 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR RE-ESTABLISH THE BOUNDARIES OF THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND THAT THIS

ANNEXATION PLAT TO THE-CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

IN PLAIN CITY, WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID ANNEXATION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDERS OFFICE.

SIGNED THIS 12<sup>TH</sup> DAY OF APRIL, 2011



TRAVIS J. DALEY, FLS #6387184

NOTE: THIS PLAT DOES NOT INTEND TO SUBDIVIDE THE PROPERTY SHOWN

WEBER COUNTY SURVEYOR

THIS PLAT IS HEREBY APPROVED AS A FINAL LOCAL ENTITY PLAT AS REQUIRED  
BY UTAH CODE 17-29-20.

APPROVED THIS 12<sup>TH</sup> DAY OF APRIL, 2011

WEBER COUNTY SURVEYOR

CENTRAL WEBER SEWER  
IMPROVEMENT DISTRICT

THIS PLAT IS APPROVED AS TO FORM, APPROVED  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

CHAIRMAN

Prepared By:



5875 South Adams Ave. Parkway, Suite 200 • Ogden, UT  
84405 • Phone (801) 478-0202 • Fax (801) 476-0086

www.gardnerengineering.net

COUNTY RECORDER

ENTRY NO. \_\_\_\_\_  
FEE PAID \_\_\_\_\_ FILED FOR \_\_\_\_\_  
RECORD & RECORDED \_\_\_\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_  
OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR \_\_\_\_\_

COUNTY RECORDER

BY: \_\_\_\_\_ DEPUTY.