

STATE OF UTAH



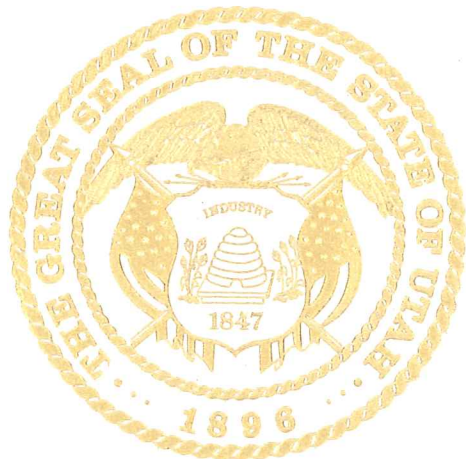
OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF BOUNDARY ADJUSTMENT

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT there has been filed in my office a certified copy of a boundary adjustment pertaining to the HOOPER WATER IMPROVEMENT DISTRICT, dated November 12<sup>th</sup>, 2008, 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 notices of boundary adjustment, referred to above, on file with the Office of the Lieutenant Governor pertaining to the HOOPER WATER 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 24<sup>th</sup> day of November, 2008.



  
GARY R. HERBERT  
Lieutenant Governor

**HOOPER WATER IMPROVEMENT DISTRICT  
NOTICE OF BOUNDARY CHANGE (WITHDRAWAL)  
AND BOARD CERTIFICATION**

TO: LIEUTENANT GOVERNOR OF THE STATE OF UTAH

NOTICE is hereby given that, on November 12, 2008, the Board of Trustees of the Hooper Water Improvement District (the "District") adopted a Resolution Approving Withdrawal (the "Withdrawal Resolution") The withdrawal will be effective upon your issuance of a certificate of boundary change, which is to be accomplished with ten days after receiving this notice as provided in UTAH CODE ANN. § 67-1a-6.5(7). The withdrawal is pursuant to applicable requirements of UTAH CODE ANN. §§ 17B-1-501 *et seq.*, all of which have been satisfied. From and after the effective date of the withdrawal, the affected area will no longer be part of the District.

**The Board of Trustees of the Hooper Water Improvement District hereby certifies that all requirements for the withdrawal have been complied with.** This certification is issued pursuant to the requirements of UTAH CODE ANN. § 17B-1-512(1)(b)(ii).

This notice is accompanied by: (a) a copy of the Withdrawal Resolution and (b) an accurate map depicting the boundaries of the withdrawn area and/or a legal description of the withdrawn area, adequate for purposes of the Weber County Assessor and the Weber County Recorder.

Please issue the certificate of boundary change and send a copy of the certificate to the District at the address provided in this notice, as well as to the government offices identified in UTAH CODE ANN. § 67-1a-6.5(7)(b).

The address of the District is as follows:

Hooper Water Improvement District  
5555 West 5500 South *PO Box 217*  
Hooper, Utah 84315

DATED this 12<sup>th</sup> day of November, 2008.

**HOOPER WATER IMPROVEMENT DISTRICT  
BOARD OF TRUSTEES**

By: *Brian Beus*  
Brian Beus, Chairman

ATTEST:

*Dale Henderson*  
Clerk

**Received**

NOV 17 2008

Gary R. Herbert  
Lieutenant Governor

**EXHIBIT "A"**

(Description and/or map of affected area to be withdrawn from the District)

A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION AND RUNNING THENCE: SOUTH 89°37'41" EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION 659.98 FEET TO THE WEST LINE OF MIRAGE ESTATES PHASE NO. 3, AS RECORDED WITH THE OFFICE OF THE WEBER COUNTY RECORDER; THENCE SOUTH 00°17'42" WEST ALONG SAID WEST LINE 348.48 FEET TO THE NORTH LINE OF WHEATRIDGE ESTATES; THENCE NORTH 89°37'45" WEST ALONG SAID NORTH LINE 660 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°17'52" EAST ALONG SAID WEST LINE 348.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 230,002 SQ FT/5.28 ACRES, MORE OR LESS.



\*W2375457\*

EH 2375457 PG 1 OF 6  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
14-NOV-08 9:23 AM FEE \$1.00 DEP SPY  
REC FOR: HOOPER WATER IMPROVEMENT DIST

## HOOPER WATER IMPROVEMENT DISTRICT

### RESOLUTION APPROVING WITHDRAWAL

WHEREAS, the Hooper Water Improvement District (the "District") owns and operates a water distribution system;

WHEREAS, real property identified as the "Ogden Clinic" is located within Roy City and also within the District;

WHEREAS, the owner of the Ogden Clinic property desires to receive culinary water service from Roy City and Roy City is willing to provide culinary water service to the Ogden Clinic property;

WHEREAS, the owner of the Ogden Clinic property, which is described in attached Exhibit "A" (the "Withdrawal Area"), recently submitted a petition to the District requesting that the Withdrawal Area be withdrawn from the District;

WHEREAS, pursuant to UTAH CODE ANN. § 17B-1-507(1), the petition has been certified by the District Board as satisfying the withdrawal petition requirements of UTAH CODE ANN. §§ 17B-1-504 and -506;

WHEREAS, since the petition was signed by the sole owner of the Withdrawal Area, a public hearing on the proposed withdrawal is not required;

WHEREAS, the Trustees of the District have concluded that it is equitable and fair for the Withdrawal Area to be withdrawn from the District without any requirement that the property owner make any payment in lieu of taxes, fees or assessments or pay any share of outstanding bonds or other obligations of the District but the owner has been required to reimburse to the District an itemized list of expenses, other than attorney fees, which expenses have been paid; and

WHEREAS, the District Board of Trustees deems it to be in the best interests of the District and its residents and customers, and of the Withdrawal Area, to withdraw from the District all of the Withdrawal Area in accordance with this Resolution.

NOW, THEREFORE, BE IT RESOLVED and enacted by the Board of Trustees of the Hooper Water Improvement District as follows:

1. That this Resolution is adopted for the purpose of fulfilling and complying with the requirements of UTAH CODE ANN. § 17B-1-501, *et seq.*, relating to property being withdrawn from the District.

2. That the Board of Trustees of the District has and hereby does determine that:

- (a) A water service commitment has been obtained from Roy City to serve the Withdrawal Area.
- (b) All required legal formalities, preparatory to the adoption of this Resolution, have been satisfied.
- (c) The proposed withdrawal appears to be equitable and necessary under the circumstances.

3. That the withdrawal of the real property described in attached Exhibit "A," which is incorporated by reference as part of this Resolution, is hereby approved pursuant to UTAH CODE ANN. § 17B-1-510.

4. That the withdrawal shall be effective upon the date that the Lieutenant Governor of the State of Utah issues a certificate of boundary change finalizing the withdrawal.

5. That, from and after the effective date of the withdrawal, the Withdrawal Area shall no longer be a part of the Hooper Water Improvement District or be taxable by the District.

6. That the General Manager of the District be and is authorized and instructed, within ten days after the adoption of this Resolution by the Board of Trustees, to file a written notice of withdrawal with the Lieutenant Governor and to file such other documents and take such other steps as may be necessary or appropriate to complete the withdrawal. The notice shall be accompanied by a copy of this Resolution and an accurate map depicting the boundaries of the Withdrawal Area and/or a legal description of the Withdrawal Area adequate for the purposes of the Weber County Assessor and the Weber County Recorder.

7. That there are no special conditions to this withdrawal.


8. That, within 60 days after adoption of this Resolution, any person in interest may seek judicial review of the Board of Trustees' decision to withdraw the area described and/or depicted in attached Exhibit "A" or the terms and conditions of the withdrawal, in accordance with the requirements of UTAH CODE ANN. § 17B-1-512(6). As provided in UTAH CODE ANN. § 17B-1-512(7), after the applicable contest period under the statute, no person may contest the Board of Trustees' approval of the withdrawal for any cause.

9. That this Resolution has been placed on the agenda of a meeting of the Board of Trustees of the District, which meeting was not later than the next meeting of the Board following the meeting during which the Withdrawal Petition was certified, and this action is taken in compliance with the Utah Open and Public Meetings Act.


10. That this Resolution shall take effect upon its approval and adoption by the Board of Trustees, but the withdrawal shall not be complete until the date on which the Lieutenant Governor issues a certificate of boundary change as provided in paragraph 4 above.

Approved and passed by the Board of Trustees of the Hooper Water Improvement District on the 12<sup>th</sup> day of November, 2008.

**HOOPER WATER IMPROVEMENT  
DISTRICT**

By:   
Brian Beus, Chairman

ATTEST:

  
Title: Clerk

**EXHIBIT "A" TO RESOLUTION APPROVING WITHDRAWAL****IDENTIFICATION OF WITHDRAWAL AREA**

The Withdrawal Area is located in Weber County, Utah and is more particularly described as follows:

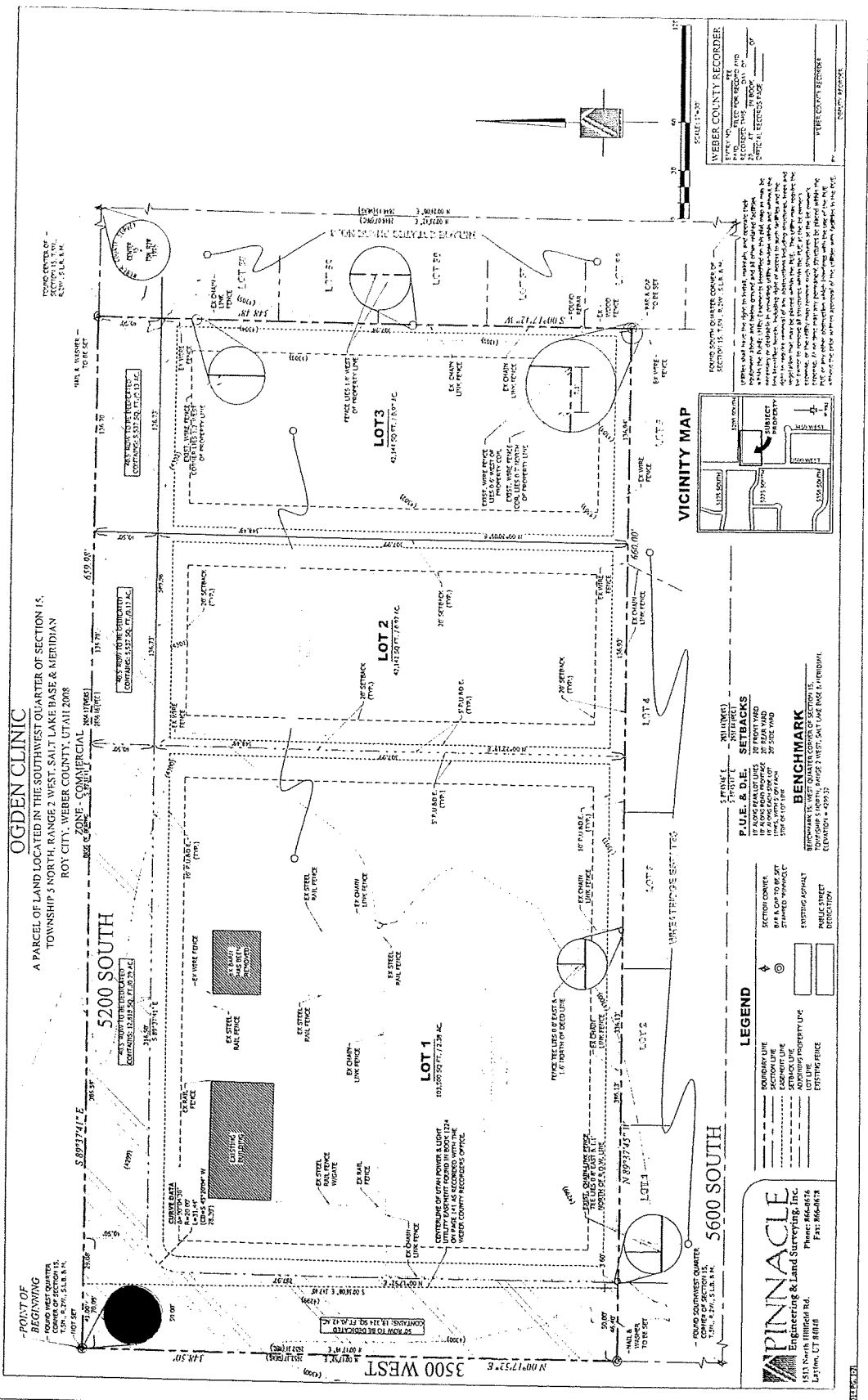
A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION AND RUNNING THENCE: SOUTH 89°37'41" EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION 659.98 FEET TO THE WEST LINE OF MIRAGE ESTATES PHASE NO. 3, AS RECORDED WITH THE OFFICE OF THE WEBER COUNTY RECORDER; THENCE SOUTH 00°17'42" WEST ALONG SAID WEST LINE 348.48 FEET TO THE NORTH LINE OF WHEATRIDGE ESTATES; THENCE NORTH 89°37'45" WEST ALONG SAID NORTH LINE 660 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°17'52" EAST ALONG SAID WEST LINE 348.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 230,002 SQ FT/5.28 ACRES, MORE OR LESS.

A map generally depicting the boundaries of the Withdrawal Area is also attached as part of this Exhibit "A".

ALL INFORMATION SHOWN HEREON IS NOT FINAL OR APPROVED WITHOUT THE GOVERNING AGENCIES STAMP AND SIGNATURE. ANY USE OF THIS DRAWING AND ITS CONTENT WITHOUT SAID APPROVAL IS DONE AT THE INDIVIDUAL'S OWN RISK. PINNACLE ENGINEERING & LAND SURVEYING, INC. DOES NOT ASSUME LIABILITY FOR ANY SUCH USE.



**OGDEN CLINIC**  
 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15,  
 TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN  
 ROY CITY, WEBER COUNTY, UTAH 2008  
**ZONE - COMMERCIAL (EXEMPT)**

**POINT OF BEGINNING**  
 CORNER OF SECTION 15,  
 27° 52' 20" S, 53.83 S.A.M.  
 (1070)

**POINT CENTER OF -**  
 SECTION 15, T.O.L.  
 27° 52' 20" S, 53.83 S.A.M.  
 (1070)

**5200 SOUTH**  
 S 89° 27' 41" E  
 DISTANCE 332.54 FT. (101.17 AC)  
 (1070)

**5600 SOUTH**  
 N 89° 27' 33" W  
 DISTANCE 332.54 FT. (101.17 AC)  
 (1070)

**LOT 1**  
 10,125 SQ. FT. (73.34 AC)  
 CENTERLINE OF UTAH POWER & LIGHT  
 UTILITY EASEMENT FORMERLY BOOK 124  
 PAGE 11, WEBER COUNTY RECORDS OFFICE.

**LOT 2**  
 40,142 SQ. FT. (733.40 AC)

**LOT 3**  
 42,144 SQ. FT. (733.74 AC)  
 FENCE LIES IN WEST  
 OF PROPERTY LINE

**LOT 4**  
 18,148 SQ. FT. (733.74 AC)  
 FENCE LIES IN WEST  
 OF PROPERTY LINE

**LEGEND**  
 BOUNDARY LINE  
 SECTION LINE  
 PROPERTY LINE  
 ADJOINING PROPERTY LINE  
 EXISTING FENCE  
 SETBACKS  
 EXISTING ASPHALT DRIVEWAY  
 PUBLIC STREET  
 SECTION CORNER  
 B.M. A.C.P. TO BE SET  
 STATED MINIMUM  
 500' OR THEREAFTER  
 EXISTING ASPHALT DRIVEWAY  
 PUBLIC STREET REDUCED WIDTH

**PINNACLE ENGINEERING & LAND SURVEYING, INC.**  
 ENGINEERING & LAND SURVEYING, INC.  
 1553 South Highland Rd.  
 Layton, UT 84041  
 PH: 866-818

**LEGEND**  
 P.N.C. & D.I.E. SETBACKS  
 IF A CONCERN TO THE DISTRICT  
 OFFICE, THESE SETBACKS  
 SHALL BE 500' OR THEREAFTER  
 500' OR THEREAFTER  
 ELEVATION: 5993.2'

**WEBER COUNTY RECORDER**  
 I HEREBY DO HEREBY RECORD AND  
 FILE THIS INSTRUMENT IN BOOK 124  
 PAGE 11, WEBER COUNTY RECORDS OFFICE

**VICINITY MAP**  
 SECTION 15  
 SECTION 14  
 SECTION 16  
 SECTION 17

**SCALE 1" = 200'**  
 0 100 200  
 WEBER COUNTY RECORDER  
 I HEREBY DO HEREBY RECORD AND  
 FILE THIS INSTRUMENT IN BOOK 124  
 PAGE 11, WEBER COUNTY RECORDS OFFICE

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