

STATE OF UTAH



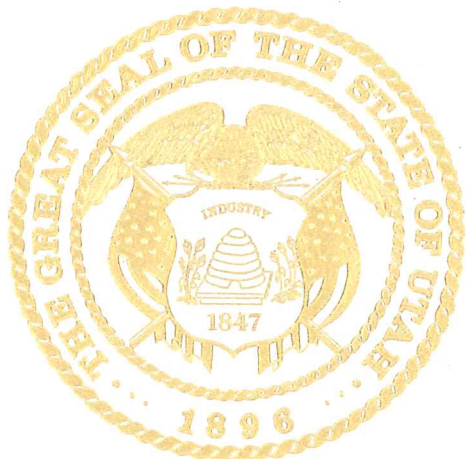
OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

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 25th, 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 3rd day of December, 2008.




GARY R. HERBERT
Lieutenant Governor



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EN 2375457 PG 1 OF 6
ERNEST D ROWLEY, WEBER COUNTY RECORDER
14-NOV-08 923 AM FEE \$.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"A" (the "Withdrawal Area"), recently submitted a petition to the District requesting that the Withdrawal Area be withdrawn from the District;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WHEREAS, the Trustees of the District have concluded that it is equitable and fair for the Withdrawal Area to be withdrawn from the District without any requirement that the property owner make any payment in lieu of taxes, fees or assessments or pay any share of outstanding bonds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

Received

DEC 03 2008

**Gary R. Herbert
Lieutenant Governor**

STATE OF UTAH)
COUNTY OF WEBER)

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF THE DOCUMENT THAT APPEARS ON
RECORD IN MY OFFICE.

WITNESS MY HAND AND SEAL

THIS 25th DAY OF NOVEMBER 2008
ERNEST D. ROWLEY, WEBER COUNTY RECORDER

BY Karee B. Little DEPUTY

- (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 12th 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

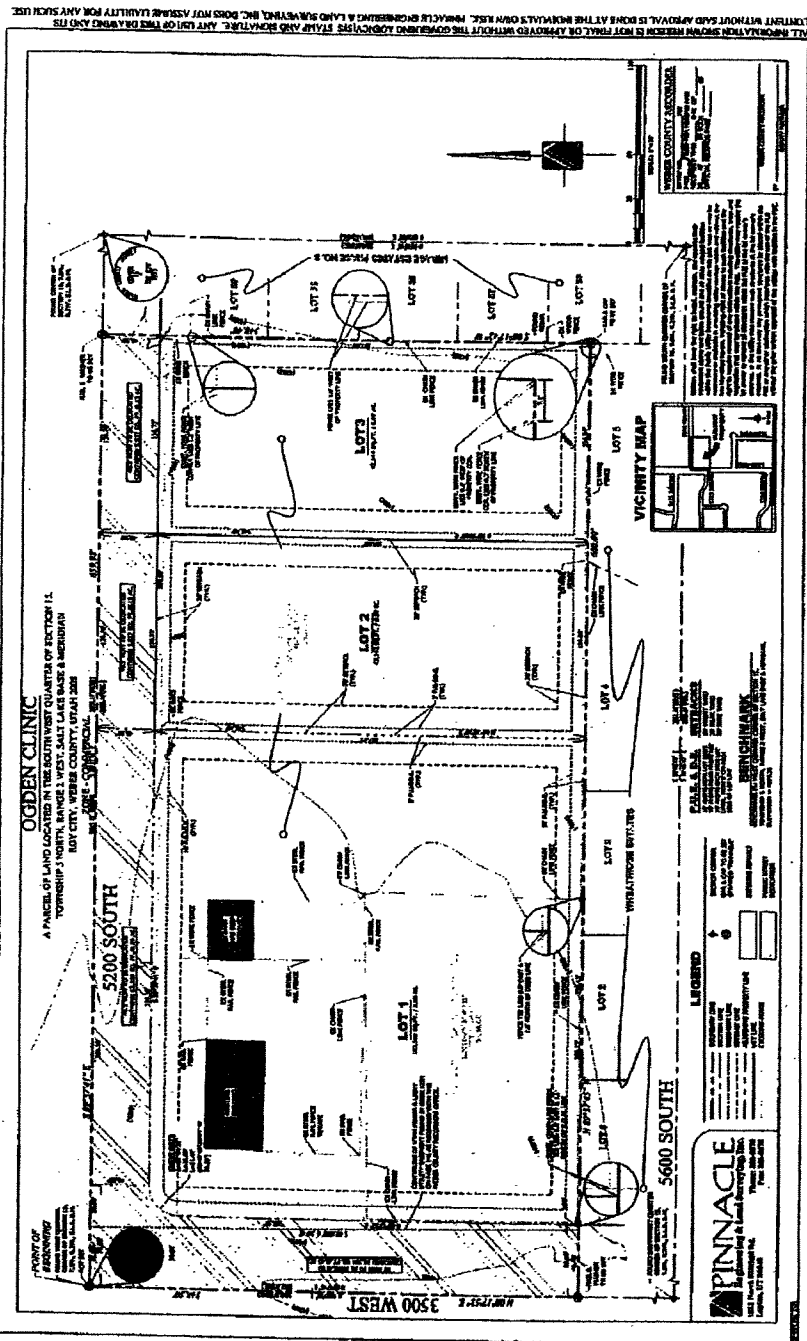
The Withdrawal Area is located in Weber County, Utah and is more particularly described as follows:

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 SIGNATURE OF THE SURVEYOR. THE SURVEYOR'S LIABILITY FOR ANY ERROR OR OMISSION IN THIS SURVEYING OR ENGINEERING WORK IS LIMITED TO THE PROFESSIONAL STANDARD OF CARE AND SHALL NOT BE EXTENDED TO ANY OTHER PURPOSE.

SURVEYOR'S CERTIFICATE
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

BOUNDARY DESCRIPTION
 A portion of the 1/4 section 14, Township 17 North, Range 12 East, Salt Lake Meridian, Salt Lake County, Utah, containing approximately 1.25 acres, more or less, as shown on the attached plat.

OWNER'S IDENTIFICATION
 The owner of the land shown on the foregoing plat is OGDEN CLINIC, a corporation organized under the laws of the State of Utah, with its principal office at 1000 North 2000 West, Salt Lake City, Utah.

ACKNOWLEDGEMENT
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

UTAH POWER & LIGHT CO. BALDWIN
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

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CITY ENGINEER APPROVAL
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

CITY ATTORNEY APPROVAL
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

PLANNING COMMISSION APPROVAL
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

REC'D CITY ACCEPTANCE
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

UTAH POWER & LIGHT CO. BALDWIN
 I, the undersigned, being duly qualified and licensed as a Professional Engineer in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same, and that the same is a true and correct copy of the original survey as shown to me by the owner of the land shown on the same.

OGDEN CLINIC
 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 12 EAST, SALT LAKE MERIDIAN, SALT LAKE COUNTY, UTAH 84202. ZONE - COMMERCIAL.

PINNACLE
 ENGINEERING & SURVEYING
 1000 North 2000 West, Salt Lake City, Utah 84119
 Phone: (801) 466-1111
 Fax: (801) 466-1112
 License No. 12345

***Withdrawal from:
Hooper Water Improvement District***

Date Recorded: 14-Nov-2008

Entry #2375457

***Tax Serial Numbers*
09-064-0018, 0073**

***Old Tax Unit*
439**

***New Tax Unit*
469**
