

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 from the UTAH COUNTY SERVICE AREA NO. 7, dated October 29th, 2009, 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 UTAH COUNTY SERVICE AREA NO. 7, located in Utah 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 23rd day of November, 2009.

A handwritten signature in black ink, appearing to read "Greg Bell".

GREG BELL
Lieutenant Governor



Utah County Attorney

Civil Division

Jeffrey R. Buhman, County Attorney
E. Kent Sundberg, Civil Division Chief

E. Kent Sundberg
David H. Shawcroft
Kent O. Willis
M. Cort Griffin

Chris Yannelli
Paul D. Wake
Robert J. Moore
Dianne R. Orcutt

100 East Center Street,
Suite 2400
Provo, UT 84606
Phone (801)851-8001
Facsimile (801)851-8009

October 29, 2009

Utah State Lt. Governor
Utah State Capitol Complex
P.O. Box 142325
Salt Lake City, UT 84114-2325

Re: *Annexation of additional area to Utah County Service Area No. 7*

To Whom It May Concern:

Pursuant to Section 17B-1-414(2), Utah Code Annotated, 1953 as amended, please find enclosed copies of a Notice of An Impending Boundary Action and an approved final local entity map regarding the annexation of additional area to Utah County Service Area No. 7.

If you have any questions regarding the enclosed, please contact our office.

Sincerely,

E. Kent Sundberg
Deputy Utah County Attorney

Encl.

L:\KENTS\Service Areas\Lt Gov #7 Annex Certification Ltr.wpd

Received

NOV 19 2009

Map Sent 11-19

Greg Bell
Lieutenant Governor

NOTICE OF AN IMPENDING BOUNDARY ACTION

PLEASE TAKE NOTICE that in accordance with Section 17B-1-414, Utah Code Annotated, 1953 as amended, the Board of Trustees of Utah County Service Area No. 7, adopted a resolution on October 29, 2009 that annexed additional area to Utah County Service Area No. 7.

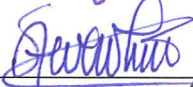
The boundary action to which this notice pertains is the annexation of additional area to Utah County Service Area #7, and the undersigned hereby request the issuance of a certificate of annexation by the Lieutenant Governor.

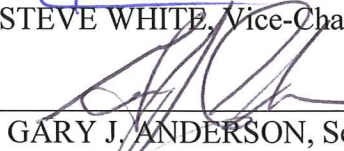
The undersigned hereby certify that all requirements applicable to the above-described boundary action have been met.

DATED this 29th of October, 2009.

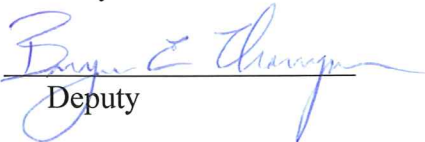
UTAH COUNTY SERVICE AREA NO. 7


LARRY A. ELLERTSON, Chair

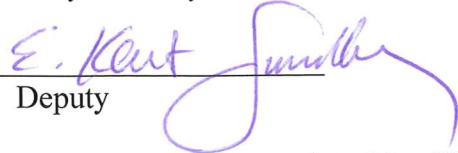

STEVE WHITE, Vice-Chair


GARY J. ANDERSON, Secretary/Treasurer

ATTEST:
Bryan E. Thompson
Utah County Clerk/Auditor

By: 
Deputy

APPROVED AS TO FORM:
Jeffrey R. Buhman
Utah County Attorney

By: 
Deputy

**Service Area No. 7
Resolution No. 2009 - 11**

Provo, Utah
October 29, 2009

The Board of Trustees of Utah County Service Area No. 7 (the "Board") met in a special public session at the regular meeting place of the Board in the Utah County Administration Building in Provo, Utah, at 9:00 a.m. on October 29, 2009.

On roll call, the following members of the Board were determined present:

Larry A. Ellertson	Chair
Steve White	Vice-Chair

There were also present:

E. Kent Sundberg	Deputy Utah County Attorney
Bryan E. Thompson	Utah County Clerk/Auditor
Reneé Huggins-Caron	Deputy Utah County Clerk/Auditor

Absent:

Gary J. Anderson	Secretary/Treasurer
------------------	---------------------

After the meeting had been duly called to order, the Deputy Utah County Clerk/Auditor presented to the Board an affidavit evidencing the giving of not less than twenty-four (24) hours public notice of the agenda, date, time and place of the October 29, 2009 regular meeting in compliance with the requirements of Section 52-4-202, Utah Code Annotated, 1953 as amended, by (1) posting written notice of the meeting at the principal office of the Board, and (2) providing notice to at least one newspaper of general circulation within the geographic jurisdiction of Utah County, Utah, or to a local media correspondent. The affidavit was ordered recorded in the minutes of the meeting and is as follows:

STATE OF UTAH)
)
COUNTY OF UTAH)

I, the undersigned, the duly qualified and acting Deputy County Clerk/Auditor of Utah County, Utah, and Clerk of the Board of Trustees of Utah County Service Area No. 7, do hereby certify, according to the records of the Board in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953 as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the October 29, 2009 special public meeting held by the Board of Trustees of Utah County Service Area No. 7, by:

(a) causing a Notice of Public Meeting to be posted at the principal office of the Board at the Utah County Administration Building, in Provo City, Utah, on October 27, 2009, at least twenty-four (24) hours before the convening of the meeting, in the form attached hereto as "Exhibit A;" said Notice of Public Meeting having continuously remained so posted and available for public inspection during the regular office hours of the Board until the convening of the meeting; and

(b) causing a copy of the Notice of Public Meeting in the form attached hereto as "Exhibit A" to be posted on the Utah Public Notice Website; and

(c) causing a copy of the Notice of Public Meeting in the form attached hereto as "Exhibit A" to be provided on October 27, 2009 at least twenty-four (24) hours before the convening of the meeting, to The Deseret News, a newspaper of general circulation within the geographic jurisdiction of Utah County, Utah, and to any other local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the Board.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Utah County, Utah, this 29th day of October, 2009.

Linda Strickland
Deputy Utah County Clerk/Auditor
Utah County, Utah

[SEAL]

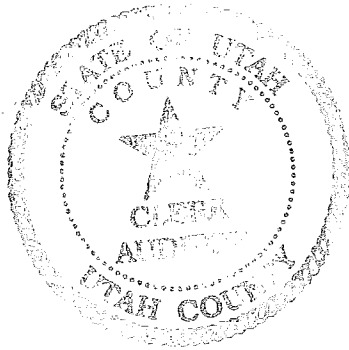


EXHIBIT A

Notice of Public Meeting

PUBLIC NOTICE IS HEREBY GIVEN THAT THE
BOARD OF TRUSTEES OF UTAH COUNTY SERVICE AREA NO. 7

WILL HOLD A SPECIAL MEETING
IN THE COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
100 East Center Street, Provo
October 29, 2009 - 9:00 A.M.

AGENDA

1. ADOPT A RESOLUTION ANNEXING ADDITIONAL AREA TO UTAH COUNTY SERVICE AREA NO. 7 AND PROVIDING FOR OTHER RELATED MATTERS
2. RECEIVE, REVIEW, CONSIDER AND TENTATIVELY ADOPT THE 2010 TENTATIVE BUDGET FOR UTAH COUNTY SERVICE AREA NO. 7
3. SET A PUBLIC HEARING ON THE TENTATIVE 2010 BUDGET FOR UTAH COUNTY SERVICE AREA NO. 7 - **Suggested date and time: November 17, 2009 at 9:00 A.M. in Room 1400 of the County Administration Building**

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Linda Strickland at 851-8111 at least one day prior to the meeting.

After the conduct of other business, the following resolution was introduced in written form by Chair Ellertson, was read and discussed, and pursuant to motion made by Steve White, and seconded by Larry A. Ellertson, was adopted by the following vote:

Aye:	Larry A. Ellertson	Chair
	Steve White	Vice-Chair

Nay:

Absent:	Gary J. Anderson	Secretary/Treasurer
---------	------------------	---------------------

The resolution is as follows:

A RESOLUTION annexing additional area to Utah County Service Area No. 7, and providing for other related matters.



WHEREAS, pursuant to a resolution (the "Resolution") adopted on August 18, 2009, the Board of County Commissioners of Utah County, Utah (the "Commission") gave notice of its intention to initiate proceedings relating to the annexation of additional area to Utah County Service Area No. 7(the "Service Area"), the boundaries of the additional area to be annexed and added to the Service Area shall include all of the real property set out in Section 3 hereof, with any or all of the services now authorized to be provided to the residents and property of the Service Area; and

WHEREAS, pursuant to Section 17B-1-403(4), Utah Code Annotated, 1953 as amended, the Commission delivered a copy of the Resolution to the Board within five days of the adoption of the Resolution; and

WHEREAS, pursuant to Section 17B-1-409, Utah Code Annotated, 1953 as amended, the Board ordered that a public hearing be held on September 22, 2009 at 6:00 p.m. at the Utah County Administration Building, 100 East Center Street, Room 1400, Provo, Utah, concerning the annexation of additional area to the Service Area; and

WHEREAS, pursuant to Section 17B-1-410, Utah Code Annotated, 1953 as amended, notice of the time and place of said hearing and of the proposed annexation was given by mailing said notice to each owner of private real property located within the area proposed to be annexed, and by posting said notice in four conspicuous places within the area proposed to be annexed; and

WHEREAS, said public hearing was held pursuant to said notice at the aforesaid time and place, the Board has considered all protests filed and heard and has considered all interested persons desiring to be heard, and the time for filing protests as provided in Sections 17B-1-412, Utah Code Annotated, 1953 as amended, having expired;

NOW, THEREFORE, be it resolved by the Board of Trustees of Utah County Service Area No. 7, as follows:

Section 1. That the Board does hereby find and determine:

- (a) That notice of the public hearing concerning the annexation of additional area to the Service Area was properly given.
- (b) That a public hearing on the annexation of additional area to the Service Area was held and conducted by the Board as required by law on September 22, 2009 at 6:00 p.m. at the Utah County Administration Building, 100 East Center Street, Room 1400, in Provo, Utah, at which public hearing the Board gave full opportunity to the public to ask questions and obtain further information about the proposed annexation, and issues raised by it, and gave full opportunity to any interested person to address the Board regarding the proposed annexation.
- (c) That one written protest was filed against the annexation of additional area to the Service Area. Said protest is not sufficient to require an election for the proposed annexation, pursuant to the provisions of Section 17B-1-412, Utah Code Annotated, 1953 as amended.
- (d) That after careful consideration of all factors involved, it is hereby found, determined and declared that all property within the boundaries of the additional area annexed to the Service Area, as such boundaries are identified in this Resolution, will be benefitted by the services now authorized to be furnished to the residents and the property of the Service Area, and that the public health, convenience and necessity requires the annexation of additional area to the Service Area, and that all proceedings taken in annexing additional area to the Service Area have been in compliance with the law.

Section 2. That the Board hereby finds and determines that neither the owners of more than ten percent (10%) of the total private land area within the area proposed to be annexed, nor more than ten percent (10%) of the assessed value of all private property within the area proposed to be annexed have filed written protests against the annexation of additional area to the Service Area.

Section 3. That additional area is hereby annexed to the Service Area. The boundaries of the additional area annexed to the Service Area are generally described as area within the unincorporated area of Utah County, Utah, located in the left fork of Hobble Creek Canyon. An accurate map depicting the boundaries of the area annexed to the Service Area is attached hereto as "Exhibit B," and is incorporated herein by reference.

Section 4. That the additional area annexed to the Service Area is annexed for the purpose of providing thereto any or all of the services now authorized to be provided to the residents and property of the Service Area.

Section 5. That the Board will file copies of a notice of impending boundary action and an approved final local entity plat with the Utah State Lieutenant Governor within thirty (30) days of the adoption of this Resolution.

Section 6. That all acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

Section 7. That this Resolution shall take immediate effect upon its adoption and approval.

ADOPTED AND APPROVED this 29th day of October, 2009.

BOARD OF TRUSTEES OF UTAH COUNTY
SERVICE AREA NO. 7

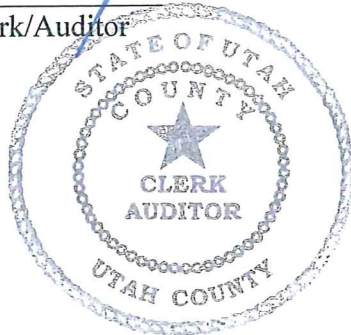


LARRY A. ELLERTSON, Chair

ATTEST:
BRYAN E. THOMPSON
Utah County Clerk/Auditor

By: *Bryan E Thompson*
Deputy County Clerk/Auditor
Utah County, Utah

[SEAL]



(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion duly made and carried, the meeting was adjourned.

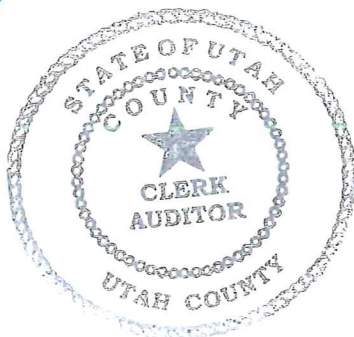
BOARD OF TRUSTEES OF UTAH COUNTY
SERVICE AREA NO. 7

Larry A. Ellertson
LARRY A. ELLERTSON, Chair

ATTEST:
BRYAN E. THOMPSON
Utah County Clerk/Auditor

By: *Bryan E Thompson*
Deputy County Clerk/Auditor

[SEAL]



STATE OF UTAH)
)
COUNTY OF UTAH)

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk/Auditor of Utah County, Utah.

I further certify that the foregoing constitutes a true and correct copy of the minutes of a regular meeting of the Board of Trustees of Utah County Service Area No. 7, held at the regular meeting place of the Board in the Utah County Administration Building in Provo, Utah, at 9:00 a.m. on October 29, 2009, as recorded in the regular official book of minutes of the proceedings of the Board of Trustees of Utah County Service Area No. 7, kept in my office, that said proceedings were duly had and taken as therein shown, that all members were given due, legal and timely notice of said meeting, that the meeting therein shown was in all respects called, held and conducted in accordance with law, and that the persons therein named were present at said meeting, as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Utah County, Utah, this 29th day of October, 2009.



[SEAL]

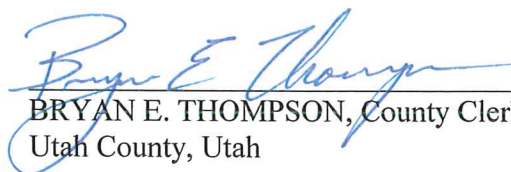

BRYAN E. THOMPSON, County Clerk/Auditor
Utah County, Utah

EXHIBIT B

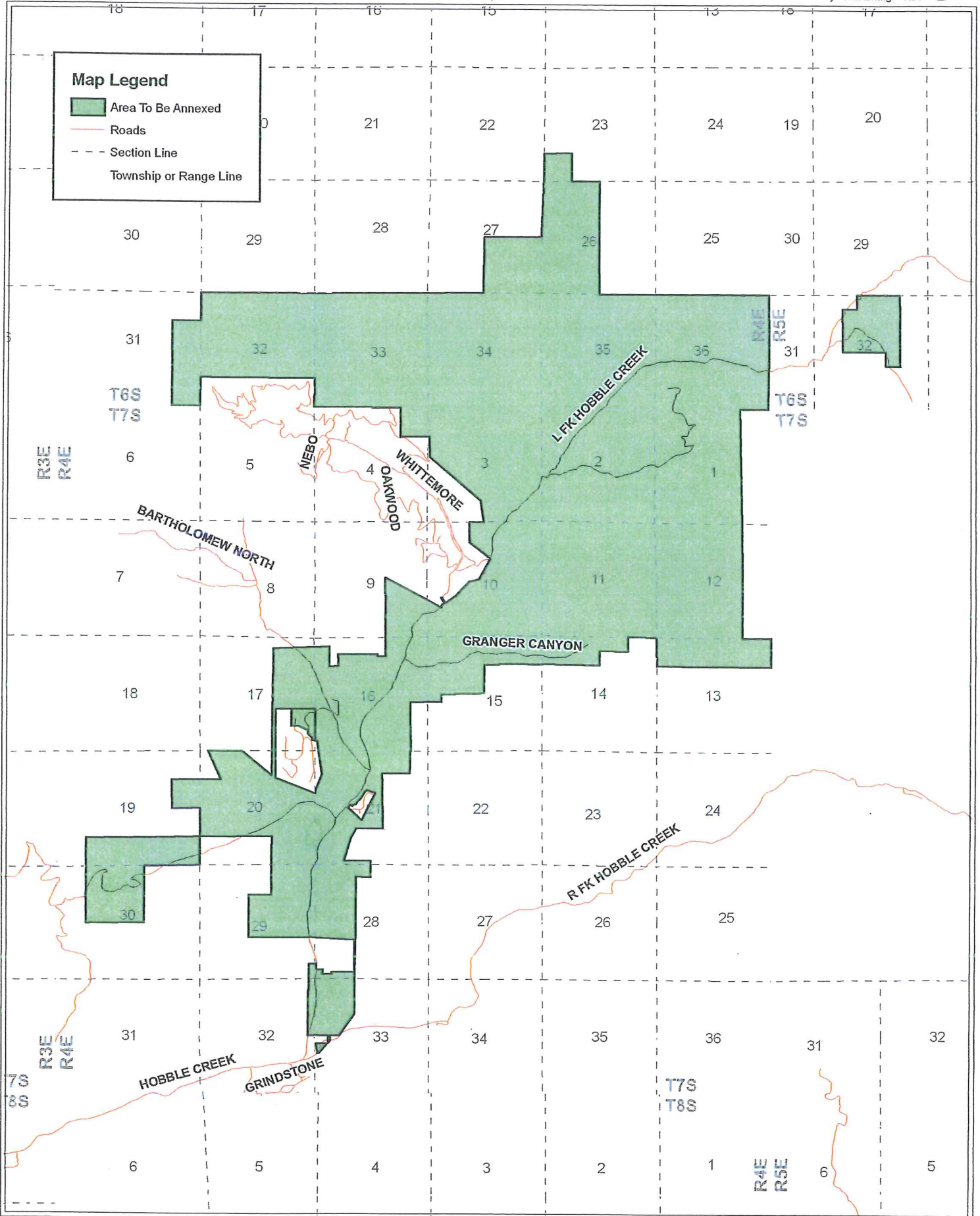


AREA TO BE ANNEXED INTO UTAH COUNTY SERVICE AREA NO. 7



1:70,000

Created 10/29/09 by John Ewing - C.D.



Annexation into Utah County Service Area 7

1:24,000 1 inch = 2,400 feet

Legend

- Present Service Area
- 1978 Proposed New Service Area
- 1978 Proposed New Territory
- 1978 Proposed New Territory
- 1978 Proposed New Territory
- 1978 Proposed New Territory
- 1978 Proposed New Territory
- 1978 Proposed New Territory
- 1978 Proposed New Territory

The procedures for this plan have been authorized by the Board of Supervisors of Utah County on May 17, 1978. A copy of this resolution is attached.

Robert L. Patten
County Administrator

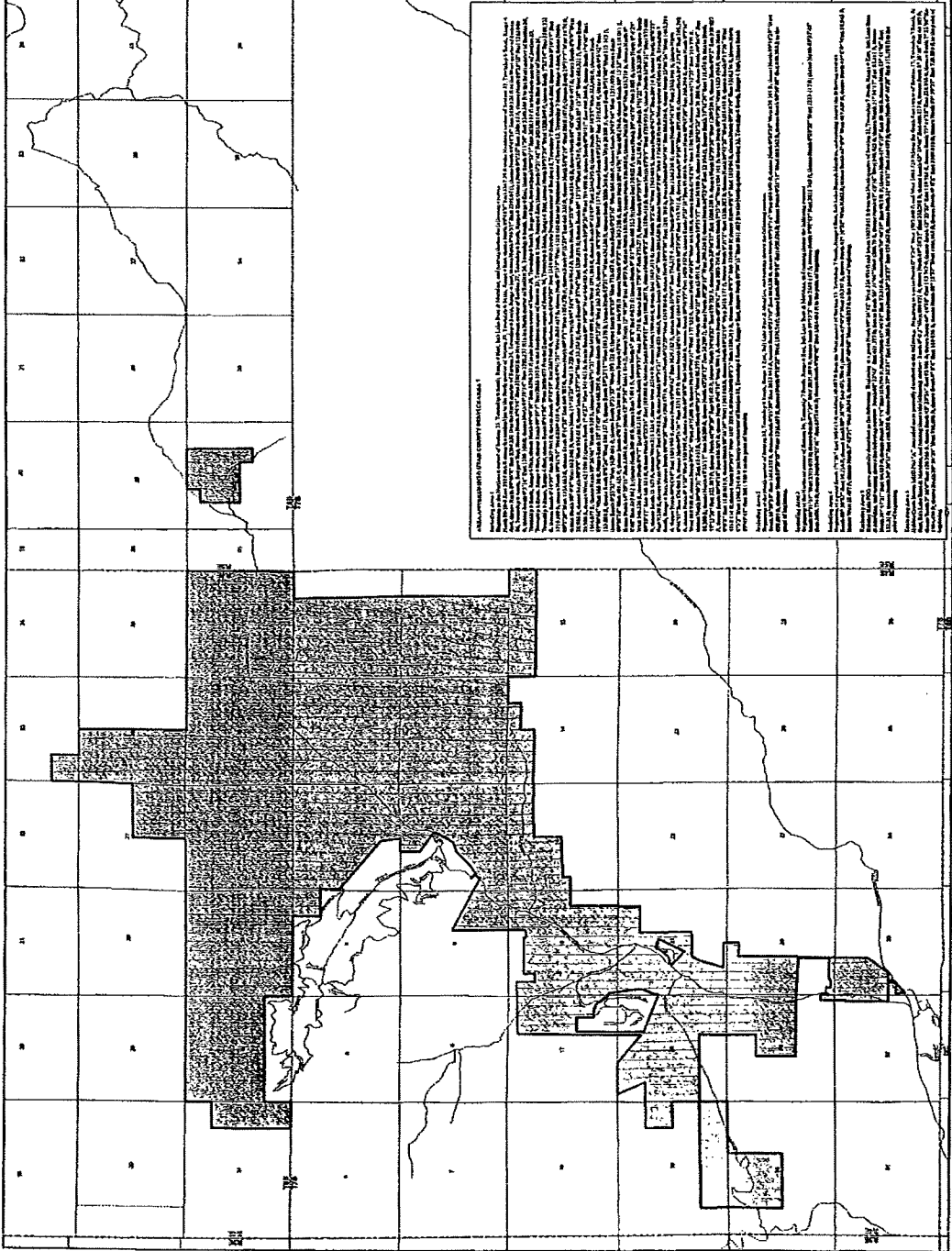


Authorization for Legislative Body
Adopted by the Board of County Commissioners on May 17, 1978. The Board of Commissioners is authorized to prepare and submit to the Legislature a bill to amend the Utah Constitution to provide for the creation of a new county.

Robert L. Patten
County Administrator

Public Hearing
Held at the County Administration Center, P.O. Box 2000, Henrieville, Utah, on May 17, 1978.

Robert L. Patten
County Administrator



ANNEXATION OF THE SERVICE AREA TO SERVICE AREA 7

The Board of Supervisors of Utah County, Utah, on May 17, 1978, authorized the County Administrator to prepare and submit to the Legislature a bill to amend the Utah Constitution to provide for the creation of a new county. The Board of Supervisors also authorized the County Administrator to prepare a report on the proposed new territory and to submit it to the Legislature.

The proposed new territory consists of the following land parcels:

- Parcel No. 1, located in the northeast corner of the county.
- Parcel No. 2, located in the northeast corner of the county.
- Parcel No. 3, located in the northeast corner of the county.
- Parcel No. 4, located in the northeast corner of the county.
- Parcel No. 5, located in the northeast corner of the county.
- Parcel No. 6, located in the northeast corner of the county.
- Parcel No. 7, located in the northeast corner of the county.
- Parcel No. 8, located in the northeast corner of the county.
- Parcel No. 9, located in the northeast corner of the county.
- Parcel No. 10, located in the northeast corner of the county.
- Parcel No. 11, located in the northeast corner of the county.
- Parcel No. 12, located in the northeast corner of the county.
- Parcel No. 13, located in the northeast corner of the county.
- Parcel No. 14, located in the northeast corner of the county.
- Parcel No. 15, located in the northeast corner of the county.
- Parcel No. 16, located in the northeast corner of the county.
- Parcel No. 17, located in the northeast corner of the county.
- Parcel No. 18, located in the northeast corner of the county.
- Parcel No. 19, located in the northeast corner of the county.
- Parcel No. 20, located in the northeast corner of the county.
- Parcel No. 21, located in the northeast corner of the county.
- Parcel No. 22, located in the northeast corner of the county.
- Parcel No. 23, located in the northeast corner of the county.
- Parcel No. 24, located in the northeast corner of the county.
- Parcel No. 25, located in the northeast corner of the county.
- Parcel No. 26, located in the northeast corner of the county.
- Parcel No. 27, located in the northeast corner of the county.
- Parcel No. 28, located in the northeast corner of the county.
- Parcel No. 29, located in the northeast corner of the county.
- Parcel No. 30, located in the northeast corner of the county.

The proposed new territory is shown on the attached map.