

STATE OF UTAH

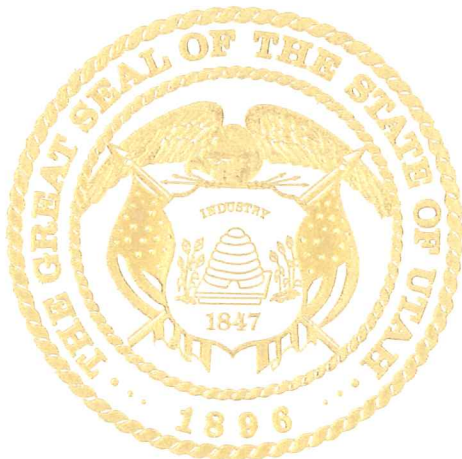


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of withdrawal pertaining to the UTAH COUNTY SERVICE AREA NO. 9, dated October 29th, 2009, 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 UTAH COUNTY SERVICE AREA NO. 9, 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 "G 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: *Withdrawal of area from Utah County Service Area No. 9*

To Whom It May Concern:

Pursuant to Section 17B-1-512, Utah Code Annotated, 1953 as amended, please find enclosed copies of a Notice of An Impending Boundary Action and an approved final local entity plat regarding the withdrawal of area from Utah County Service Area No. 9.

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 #9 Withdrawal Ltr.wpd

Received

NOV 19 2009

May Sent 11-19

Greg Bell
Lieutenant Governor

NOTICE OF AN IMPENDING BOUNDARY ACTION

PLEASE TAKE NOTICE that in accordance with Section 17B-1-510, Utah Code Annotated, 1953 as amended, the Board of Trustees of Utah County Service Area No. 9, adopted a resolution on October 29, 2009 that withdraws area from Utah County Service Area No. 9.


The boundary action to which this notice pertains is the withdrawal of area from Utah County Service Area #9, and the undersigned hereby request the issuance of a certificate of withdrawal by the Lieutenant Governor.

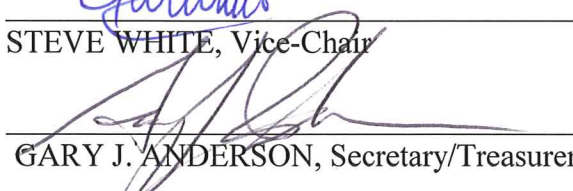
The undersigned hereby certify that all requirements applicable to the above-described boundary action have been met.

DATED this 29th of October, 2009.

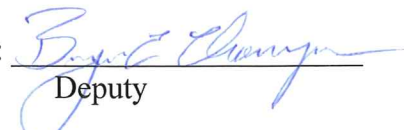
UTAH COUNTY SERVICE AREA NO. 9


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. 9
Resolution No. 2009 - 10**

Provo, Utah
October 29, 2009

The Board of Trustees of Utah County Service Area No. 9 (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
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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. 9, 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. 9, 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.

Lynnda 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. 9

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 WITHDRAWING AREA FROM UTAH COUNTY SERVICE AREA NO. 9 AND PROVIDING FOR OTHER RELATED MATTERS
2. RECEIVE, REVIEW, CONSIDER, AND TENTATIVELY ADOPT THE 2010 TENTATIVE BUDGET FOR UTAH COUNTY SERVICE AREA NO. 9
3. SET A PUBLIC HEARING ON THE TENTATIVE 2010 BUDGET FOR UTAH COUNTY SERVICE AREA NO. 9 - **Suggested date: Tuesday, November 17, 2009 at 9:00 A.M. in Room 1400 of the County Administration Building, 100 E Center Street, Provo, Utah**

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
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The resolution is as follows:

A RESOLUTION withdrawing area from Utah County Service Area No. 9, and providing for other related matters.

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•••

•••

WHEREAS, pursuant to a resolution (the "Resolution") adopted on August 25, 2009, the Board gave notice of its intention to initiate proceedings relating to the withdrawal of area from Utah County Service Area No. 9(the "Service Area"), the boundaries of the area to be withdrawn from the Service Area shall include all of the real property set out in Section 3 hereof; and

WHEREAS, pursuant to Section 17B-1-509, 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 withdrawal of area from the Service Area; and

WHEREAS, pursuant to Section 17B-1-508, Utah Code Annotated, 1953 as amended, notice of the time and place of said hearing and of the proposed withdrawal was given by mailing said notice to each owner of private real property located within the area proposed to be withdrawn, and by posting said notice in four conspicuous places within the area proposed to be withdrawn; and

WHEREAS, said public hearing was held pursuant to said notice at the aforesaid time and place, and the Board considered all interested persons desiring to be heard;

NOW, THEREFORE, be it resolved by the Board of Trustees of Utah County Service Area No. 9, as follows:

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

- (a) That notice of the public hearing concerning the withdrawal of area from the Service Area was properly given.
- (b) That a public hearing on the withdrawal of area from 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 withdrawal, and issues raised by it, and gave full opportunity to any interested person to address the Board regarding the proposed withdrawal.

- (c) That after careful consideration of all factors involved, it is hereby found, determined and declared that the property described in Section 2 hereof should be withdrawn from the Service Area, and that the public health, convenience and necessity requires the withdrawal of the area described in Section 2 hereof from the Service Area, and that all proceedings taken in withdrawing said area from the Service Area have been in compliance with the law.

Section 2. That the area proposed for withdrawal from the Service Area is hereby withdrawn. The boundaries of the area withdrawn from the Service Area is 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 withdrawn from the Service Area is attached hereto as "Exhibit B," and is incorporated herein by reference.

Section 3. That the Board hereby approves the discontinuation of the services provided to property within the boundaries of the Service Area to the area withdrawn from the Service Area.

Section 4. 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 5. That all acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

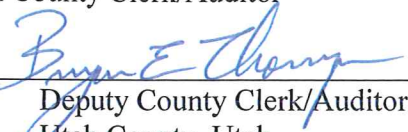
Section 6. That this Resolution shall take immediate effect upon its adoption and approval.

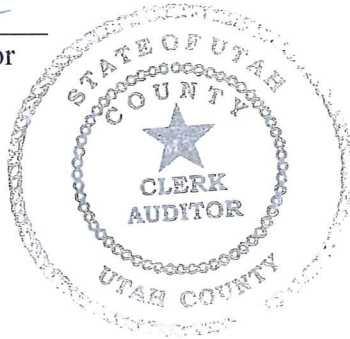
ADOPTED AND APPROVED this 29th day of October, 2009.

BOARD OF TRUSTEES OF UTAH COUNTY
SERVICE AREA NO. 9


LARRY A. ELLERTSON, Chair

ATTEST:
BRYAN E. THOMPSON
Utah County Clerk/Auditor

By: 
Deputy County Clerk/Auditor
Utah County, Utah



[SEAL]

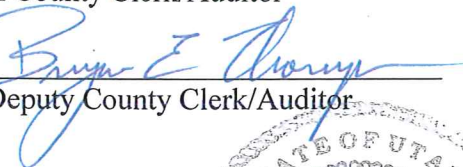
(Other business not pertinent to the above appears in the minutes of the meeting.)

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

BOARD OF TRUSTEES OF UTAH COUNTY
SERVICE AREA NO. 9


LARRY A. ELLERTSON, Chair

ATTEST:
BRYAN E. THOMPSON
Utah County Clerk/Auditor

By: 
Deputy County Clerk/Auditor



[SEAL]

EXHIBIT B

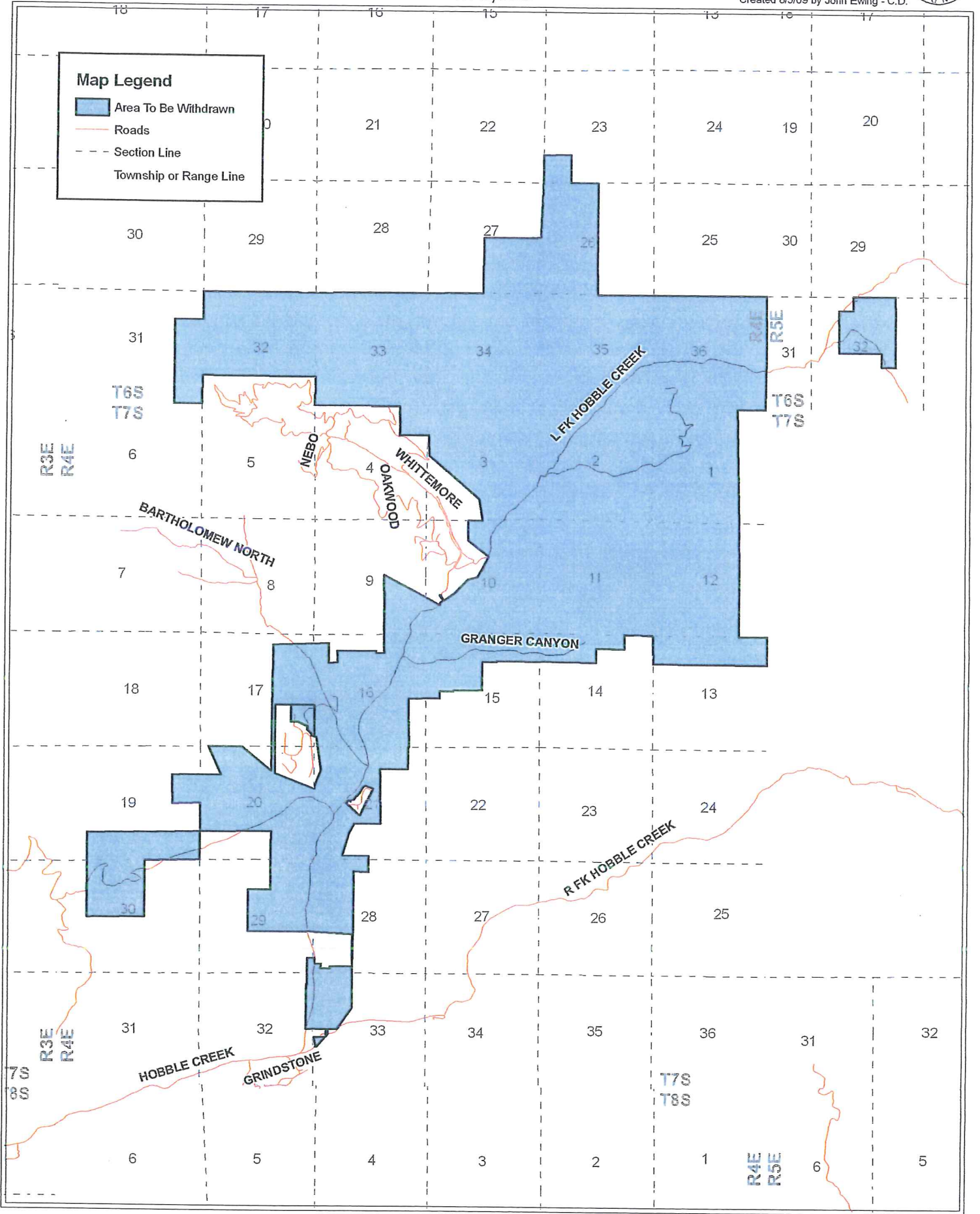


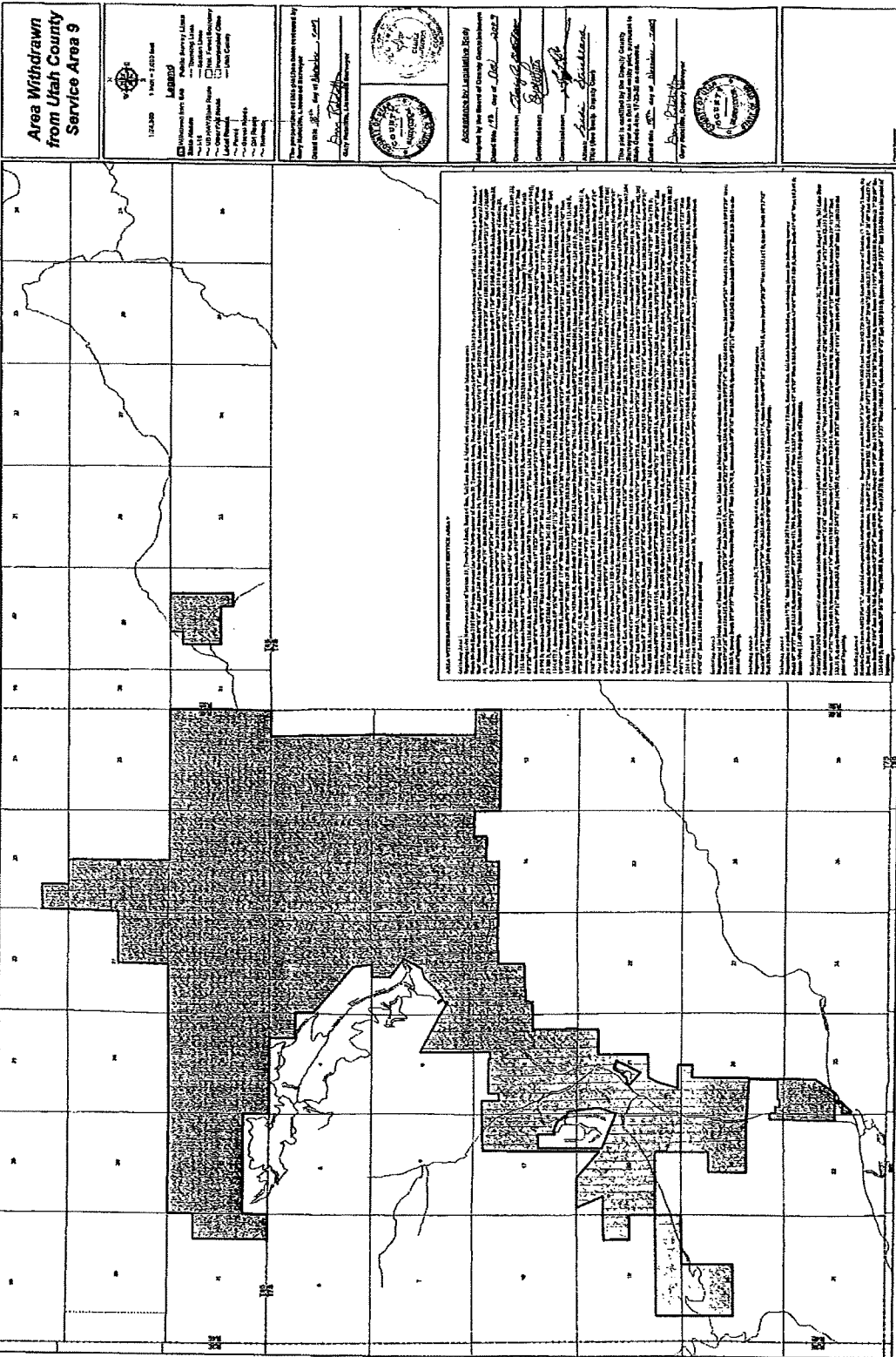
AREA TO BE WITHDRAWN FROM UTAH COUNTY SERVICE AREA NO. 9



1:70,000

Created 8/5/09 by John Ewing - C.D.





Area Withdrawn from Utah County Service Area 9

Scale 1 inch = 1000 feet
Legend
 Public Survey Lines
 Township Lines
 Range Lines
 Section Lines
 Section Corners
 Section Boundaries
 Section Numbers
 Section Area
 Section Shape
 Section Orientation

This map was prepared by the Utah State Office of Surveying and Mapping, Salt Lake City, Utah. It is based on the original survey records of the Utah State Office of Surveying and Mapping, Salt Lake City, Utah.

APPROVED FOR PUBLICATION BY
 Director of Surveying and Mapping, Utah State Office of Surveying and Mapping, Salt Lake City, Utah
 Date of Approval: 12/15/1983
 Prepared by: [Signature]
 Checked by: [Signature]
 Approved by: [Signature]
 Date of Approval: 12/15/1983
 Prepared by: [Signature]
 Checked by: [Signature]
 Approved by: [Signature]
 Date of Approval: 12/15/1983

UTAH COUNTY SERVICE AREA 9
 The boundaries of this area have been determined by the Utah State Office of Surveying and Mapping, Salt Lake City, Utah. The boundaries are shown on this map as a cross-hatch pattern. The area is located in the southeastern part of Utah County, Utah. The area is bounded by the following sections: [List of sections]

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