

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

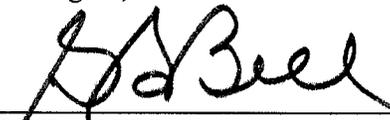
CERTIFICATE OF ANNEXATION

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 UTAH COUNTY SERVICE AREA NO. 9, dated August 24th, 2010, 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 the 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 30th day of August, 2010.



GREG BELL
Lieutenant Governor



Utah County Attorney

Civil Division

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

E. Kent Sundberg
David H. Shawcroft
Kent O. Willis

M. Cort Griffin
Robert J. Moore
Diannie R. Orcutt

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

August 24, 2010

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. 9

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. 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\LI Gov #9 Annex Certification Ltr.wpd

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. 9, adopted a resolution on August 24, 2010 that annexed additional area to Utah County Service Area No. 9.

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

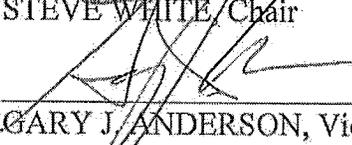
The undersigned hereby certify that all requirements applicable to the above-described boundary action have been met.

DATED this 24th of August, 2010.

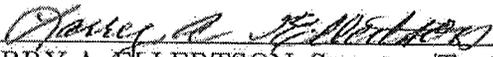
UTAH COUNTY SERVICE AREA NO. 9



STEVE WHITE, Chair



GARY J. ANDERSON, Vice-Chair



LARRY A. ELLERTSON, 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. 2010 - 13

Provo, Utah
August 24, 2010

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 August 24, 2010.

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

Steve White	Chair
Gary J. Anderson	Vice-Chair
Larry A. Ellertson	Secretary/Treasurer

There were also present:

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

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 August 24, 2010 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, (2) posting written notice on the Utah public notice website, and (3) 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)

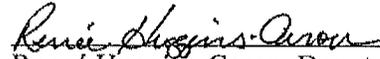
I, the undersigned, the duly qualified and acting Deputy County Clerk/Auditor of Utah County, Utah, and Clerk of the Board, do hereby certify, according to the records of the Board in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, 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 August 24, 2010 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 August 20, 2010, 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 August 20, 2010 at least twenty-four (24) hours before the convening of the meeting, to The Daily Herald, 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 24th day of August, 2010.


Renee Huggins-Caron, Deputy Utah County
Clerk/Auditor, Utah County, Utah and Clerk of
the Board

[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, Utah
August 24, 2010 - 9:00 A.M.

AGENDA

1. ADOPT A RESOLUTION ANNEXING ADDITIONAL AREA TO UTAH COUNTY SERVICE AREA NO. 9 AND PROVIDING FOR OTHER RELATED MATTERS
2. APPROVE THE MINUTES OF THE JULY 13, 2010 SERVICE AREA NO. 9 MEETING

PUBLIC COMMENTS

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Renée Huggins-Caron at (801)851-8111 at least three days prior to the meeting.

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

Aye:	Steve White	Chair
	Gary J. Anderson	Vice-Chair
	Larry A. Ellertson	Secretary/Treasurer

Nay:

The resolution is as follows:

A RESOLUTION annexing additional area to Utah County Service Area No. 9, and providing for other related matters.

•••

•••

•••

WHEREAS, pursuant to a resolution (the "Resolution") adopted on June 8, 2010, 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. 9 (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 July 13, 2010 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. 9, 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 July 13, 2010 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 no written protests were filed against the annexation of additional area to the Service Area. That there were not sufficient protests 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 north fork of Provo Canyon, and within or near the boundaries of the North Fork Special Service District. 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 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 24th day of August, 2010.

BOARD OF TRUSTEES OF UTAH COUNTY
SERVICE AREA NO. 9



STEVE WHITE, Chair

ATTEST:
BRYAN E. THOMPSON
Utah County Clerk/Auditor

By: Renee Huggins-Caron
Deputy County Clerk/Auditor
Utah County, Utah



[SEAL]

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

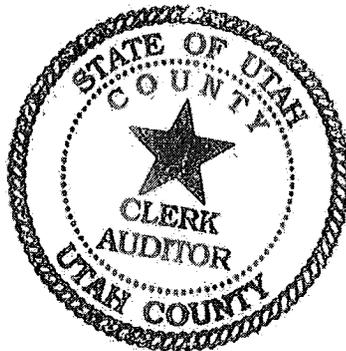
Pursuant to motion duly made and carried, the meeting was adjourned.

BOARD OF TRUSTEES OF UTAH COUNTY
SERVICE AREA NO. 9

Steve White
STEVE WHITE, Chair

ATTEST:
BRYAN E. THOMPSON
Utah County Clerk/Auditor

By: Renee Huggins-Caron
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 Deputy County Clerk/Auditor of Utah County, Utah and Clerk of the Board.

I further certify that the foregoing constitutes a true and correct copy of the minutes of a special meeting of the Board of Trustees of Utah County Service Area No. 9, held at the regular meeting place of the Board in the Utah County Administration Building in Provo, Utah, at 9:00 a.m. on August 24, 2010, as recorded in the regular official book of minutes of the proceedings of the Board of Trustees of Utah County Service Area No. 9, 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 24th day of August, 2010.

Renée Huggins-Caron

RENEE HUGGINS-CARON, Deputy County Clerk/Auditor, Utah County, Utah and Clerk of the Board

[SEAL]



EXHIBIT B

Annexation to Service Area 9

North Fork SSD

-  Annex to SA9
-  North Fork Special Service District
-  Utah County Boundary
-  Sections
-  State Roads
-  I-15
-  US HWY/State Route
-  Other FAE Route



1:25,114

1 inch equals 2,926.188 feet
 Utah County Public Works - Mapping Division
 2855 South State Street, Provo, UT 84606
 (801) 851-8626
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 May 14, 2010

