

STATE OF UTAH

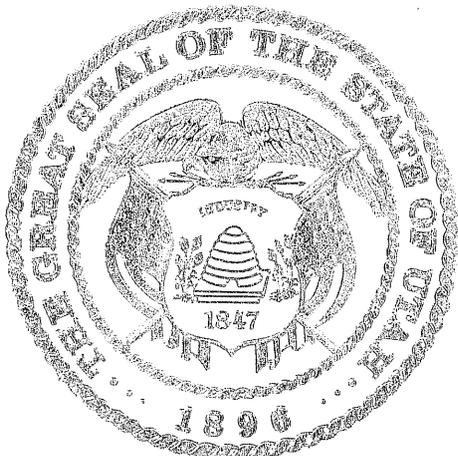


OFFICE OF THE LIEUTENANT GOVERNOR

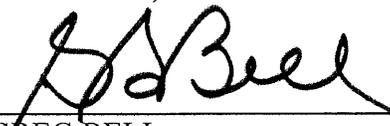
CERTIFICATE OF BOUNDARY ACTION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of boundary action of the CANYONS SCHOOL DISTRICT, dated June 27th, 2011, complying with Section 53A-2-101.5, Utah Code Annotated, 1953, as amended.

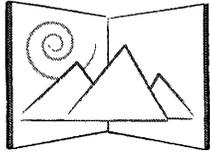
NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of boundary action, referred to above, on file with the Office of the Lieutenant Governor pertaining to the CANYONS SCHOOL DISTRICT, located in Salt Lake County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 19th day of December, 2011.



GREG BELL
Lieutenant Governor



CANYONS
School District
"Celebrating the Highest
Standards of Educational Excellence"

CFO/General Counsel

Keith L. Bradford, J.D., CPA

Phone: 801-826.5041

Fax: 801-826.5053

keith.bradford@canyonsdistrict.org

November 28, 2011

Utah Lt. Governor's Office
Utah State Capital Building
Suite 220
P.O. Box 142325
Salt Lake City, UT 84114-2325

Subject: Canyons School District Boundary Action

Dear Lt. Governor Bell:

Per the final judgment and order in Case No. 100921594 from the Third Judicial District Court, Canyons School District hereby files this boundary action in accordance with Utah Code Ann. §67-1a-6.5. This boundary action is to identify the boundary of Canyons School District that is not subject to the Old Jordan School District bonded indebtedness. It also identifies the boundary that is subject to the Old Jordan School District bonded indebtedness. Please provide the certification of these boundaries as soon as possible.

If you have any questions, please feel free to contact me.

Sincerely,

Keith L. Bradford

Attachments

Cc: Lee Gardner
Lamar Sayers
David Doty
Kelvyn Cullimore, Jr.
Kim Horiuchi

SIM GILL, #06389
Salt Lake County District Attorney
By: KELLY W. WRIGHT, #5899
By: ZACHARY D. SHAW, #8999
Deputy Salt Lake County District Attorneys
2001 South State Street, S-3600
Salt Lake City, Utah 84190-1200
Telephone: (801) 468-3270
Fax: (801) 468-2646

FILED DISTRICT COURT
Third Judicial District

JUN 27 2011

SALT LAKE COUNTY

By


Deputy Clerk

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

SALT LAKE COUNTY BOARD OF
EQUALIZATION,

Petitioner,

vs.

UTAH STATE TAX COMMISSION;
JORDAN SCHOOL DISTRICT; CANYONS
SCHOOL DISTRICT; and KELVYN H.
CULLIMORE, JR., DESIGNATED AGENT/
REPRESENTATIVE OF APPROXIMATELY
311 TAXPAYERS OWNING PROPERTIES
IN THE CITY OF COTTONWOOD
HEIGHTS, WHICH WERE WITHIN THE
BOUNDARIES OF THE CANYONS
SCHOOL DISTRICT, BUT WHICH WERE
WITHIN THE BOUNDARIES OF GRANITE
SCHOOL DISTRICT PRIOR TO THE
CREATION OF THE CANYONS SCHOOL
DISTRICT; and DOES 1-100,

Respondents.

**FINAL JUDGMENT AND ORDER ON
KELVYN H. CULLIMORE'S
COUNTERCLAIM**

Case No. 100921594

Judge Kennedy

The Court, having reviewed the Joint Motion to Approve Order filed by Salt Lake
County Board of Equalization ("Board") and Kelvyn H. Cullimore ("Cullimore"), representative

of 311 taxpayers owning property in the City of Cottonwood Heights, who are within the newly created Canyons School District, but who previously were within the boundaries of Granite School District prior to the creation of the Canyons School District; all parties in this action having been served; no objection having been filed and good cause appearing,

IT IS HEREBY ORDERED as follows:

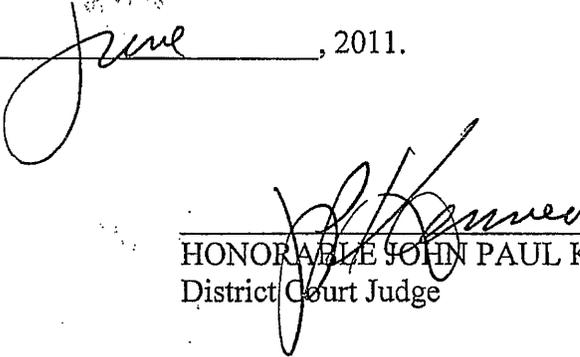
1. As a matter of law, the levy imposed against the 311 taxpayers¹ for the bonded indebtedness of the prior Jordan School District (“Old JSD bonded indebtedness”) for tax years 2009-2011 is unlawful;
2. Beginning in 2012, neither Jordan School District (“JSD”) nor Canyons School District (“CSD”) may impose a tax levy against the 311 taxpayers for the Old JSD bonded indebtedness;
3. CSD shall promptly file a boundary action with the Utah Lieutenant Governor’s Office in accordance with the requirements of Utah Code Ann. § 67-1a-6.5, outlining the boundary of CSD that is subject to the Old JSD bonded indebtedness, and the boundary of CSD that is not, after consultation with and compliance of any directives from the Salt Lake County Auditor’s Office and the Utah State Tax Commission, to ensure that the 311 taxpayers herein are not taxed on the Old JSD bonded indebtedness; and

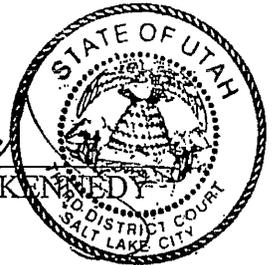
¹ This Order only applies to the taxpayers owning property in the City of Cottonwood Heights, who are within the newly created Canyons School District, but who previously were within the boundaries of Granite School District prior to the creation of the Canyons School District, whether there are in fact greater or fewer than 311 property owners. 311 was the parties’ best calculation of the affected taxpayers.

4. CSD shall refund any taxes duly paid under protest consistent with Utah Code Ann. § 59-2-1327 for unlawful property taxes paid by the 311 taxpayers for tax years 2009-2011.
5. Each party shall bear its own fees and costs.

IT IS SO ORDERED:

DATED this 27 day of June, 2011.


HONORABLE JOHN PAUL KENNEDY
District Court Judge



CERTIFICATE OF MAILING

I hereby certify that I caused to be mailed a true and correct copy of the foregoing [PROPOSED] FINAL JUDGMENT AND ORDER ON KELVYN H. CULLIMORE'S COUNTERCLAIM via first class mail, postage pre-paid, to the following, on this 21st day of June, 2011.

Blake Ostler
Mackey Price Thompson Ostler
57 W. 200 S., Suite 350
Salt Lake City, Utah 84101

Keith Bradford
9361 S. 300 E.
Sandy, Utah 84047

Tim Bodily
160 E. 300 S. Ste. 500
Salt Lake City, Utah 84114

Mike Walch
10 E. South Temple, Ste. 900
Salt Lake City, Utah 84133

City of Cottonwood Heights
Kelvyn Cullimore
1265 E. Fort Union Blvd. #250
Cottonwood Heights, Utah 84047

Roger Tew
868 N. Poplar Cir.
Centerville, Utah 84014

/s/Carmen Weirick

CLERK'S CERTIFICATE OF MAILING

I hereby certify that I caused to be mailed a true and correct copy of the foregoing
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Centerville, Utah 84014

Zachary D. Shaw
Deputy District Attorney
2001 South State Street, S-3600
Salt Lake City, Utah 84190-1210



Court Clerk

