

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

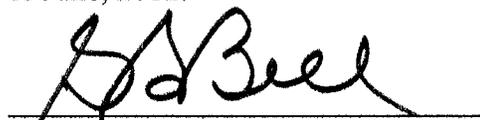
CERTIFICATE OF ANNEXATION

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 CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, dated May 21<sup>st</sup>, 2012, 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 CENTRAL WEBER SEWER 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 13<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
GREG BELL  
Lieutenant Governor



## Central Weber Sewer Improvement District

March 22, 2011

The Honorable Greg Bell  
Lieutenant Governor of the State of Utah  
Utah State Capitol Complex  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

SUBJECT: Notice of Annexation

Dear Lieutenant Governor Bell:

We are submitting to you a Notice of Annexation for parcels of property in Weber County to be annexed into the Central Weber Sewer Improvement District. Enclosed please find the following three items:

- A Notice of Impending Boundary Action (Annexation);
- A copy of Resolution 2011-01; and,
- An approved final local entity plat as defined in Utah Code Ann. § 67-1a-6.5 and meeting the requirements of Utah Code Ann. § 17-23-20.

It is requested that a certificate of annexation be issued in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

Lance L. Wood, P.E.  
General Manager

Enclosures

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

**RESOLUTION 2012-04**

**Annexation Approval Resolution**

WHEREAS, the Central Weber Sewer Improvement District (the "District") is a duly organized improvement district primarily located in Weber County, Utah, but also including a relatively small part of Davis County, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the Utah Code and other relevant portions of Title 17B of the Utah Code;

WHEREAS, the District owns and operates sanitary sewer outfall collection and treatment facilities which serve much of Weber County and a small portion of Davis County, Utah;

WHEREAS, one or more Landowner Annexation Petitions (the "Petition") have been filed with the District requesting that the real property identified on Exhibit "A" attached to this Resolution (the "Subject Property") be annexed into the District in order to receive sanitary sewer service treatment and disposal services from the District (the landowners are referred to herein collectively and individually as "Applicant");

WHEREAS, the District requires that Applicant's property be annexed into the District as a condition to receiving, and continuing to receive, sewer service;

WHEREAS, the District Board of Trustees (the "Board") has the statutory authority to annex areas into the District pursuant to the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, which outlines the procedure to be followed to accomplish such annexations;

WHEREAS, Applicant owns 100% of the Subject Property;

WHEREAS, the Petition satisfies the applicable requirements of Utah Code Ann. §§ 17B-1-403 and -404;

WHEREAS, within thirty days after the Petition was filed, at a duly called meeting of the Board of Trustees of the District for which certification of the Petition was listed on the agenda, the Board voted to certify the Petition in accordance with Utah Code Ann. § 17B-1-405;

WHEREAS, the identified contact sponsor(s) were notified, in writing, of the certification of the Petition as required by Utah Code Ann. § 17B-1-405;

WHEREAS, since the Petition has been signed by 100% of the owners of the Subject Property, pursuant to Utah Code Ann. § 17B-1-413(1), the District Board is not required to hold a public hearing pursuant to Utah Code Ann. §§ 17B-1-409 and -410 and the protest provisions of Utah Code Ann. § 17B-1-412 are not applicable to this annexation proceeding;

WHEREAS, a notice of the proposed annexation was given pursuant to the requirements of Utah Code Ann. § 17B-1-413;

WHEREAS, the written Notice referenced in the immediately preceding paragraph contained a brief description of the proposed annexation and included the name of the Central Weber Sewer Improvement District, the services provided by the District, a description and/or map of the area proposed to be annexed, a local district telephone number where additional information about the proposed annexation could be obtained and an explanation of the right of an owner of property located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition to request a public hearing on the proposed annexation in accordance with Utah Code Ann. § 17B-1-413(2)(a)(ii)(B), provided that such request was submitted to the District Board of Trustees within 20 days after the date the Notice was given;

WHEREAS, more than 20 days have passed since the notice was given, no property owner or registered voter having a right to do so has requested a hearing, and the time for submitting a request for a public hearing has passed;

WHEREAS, not more than 30 days has passed since the expiration of the time for submitting a request for a public hearing;

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any local district or special service district which is authorized to perform the same functions or provide the same services as the District nor is it located within the boundaries of any municipality or any county that provides the same service that the District provides;

WHEREAS, it is not necessary to provide a notice of the proposed annexation to any county or municipality pursuant to Utah Code Ann. § 17B-1-406 and the provisions of Utah Code Ann. §§ 17B-1-407 through -408 are not applicable; and

WHEREAS, the Board has determined that all applicable statutory requirements have been satisfied and, having considered the proposed annexation, has determined it to be in the best general interest of the District and of the property owners, residents and taxpayers within both the District as presently constituted and the area proposed to be annexed for the requested annexation to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Central Weber Sewer Improvement District, as follows:

1. That all of the legal requirements stated in Title 17B, Chapter 1, Part 4 of the Utah Code that must be satisfied before the adoption of this Resolution have been satisfied.

2. That, in accordance with Utah Code Ann. § 17B-1-414, the real property described and/or otherwise identified in attached Exhibit "A," which is incorporated by reference as part of this Resolution, shall be and hereby is annexed into and, from the effective date of the annexation, shall be part of the Central Weber Sewer Improvement District.

3. That, from and after the issuance by the Lt. Governor of a Certificate of Annexation pursuant to Utah Code Ann. §§ 67-1a-6.5(2) and 17B-1-414(3)(b)(ii), once the original Notice of Impending Boundary Action, the original Certificate of Annexation issued by the Lt. Governor, the original approved Final Local Entity Plat, and a certified copy of this Resolution have been recorded in the office of the Weber County Recorder as provided in Utah Code Ann. § 59-2-305.5(2), the taxable property located within the Subject Property shall be subject to taxation for the purposes of the District, including the payment of any bonds and other obligations now outstanding or hereafter authorized and issued. All properties within and users of services provided by the District, as enlarged by this annexation, shall be subject to the payment of service and user fees and such other applicable fees and charges as may be assessed from time to time by the District and shall be subject to all rules, regulations, powers and authority of the District and of the Board as provided by law or otherwise.

4. That the Chairman and/or General Manager of the District be and are instructed, within 30 days after adoption of this Annexation Resolution, to file a written Notice of Impending Boundary Action and a copy of the approved Final Local Entity Plat for the annexed area (the Subject Property) with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution.

5. That this Resolution shall take effect immediately upon its approval and adoption but the annexation shall not be complete until the date on which the Lt. Governor issues the certificate of boundary change and the documents referenced in paragraph 3 above have been recorded with the Weber County Recorder.

Approved and adopted by the Board of Trustees of the Central Weber Sewer Improvement District this 21st day of May, 2012.

*Mark C. Allen*

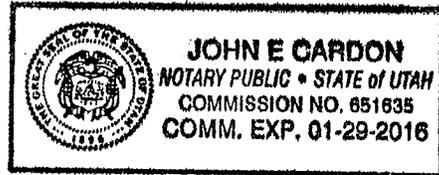
Mark C. Allen, Board Chair

STATE OF UTAH            )  
  :SS.  
COUNTY OF WEBER        )

The foregoing Resolution was subscribed before me, a notary public, this 21 day of May, 2012 by Mark C. Allen, Chairman of the Board of Trustees of the Central Weber Sewer Improvement District.

*John E. Cardon*

Notary Public



**EXHIBIT A**  
**Subject Property**

**FIRST UNITED METHODIST CHURCH OF OGDEN UTAH**  
**PARCEL # 150330043**

PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT NORTH 214.08 FEET AND WEST 693.79 FEET FROM THE WITNESS CORNER FOR SAID SOUTHEAST CORNER LOCATED WEST 689.28 FROM SAID NON-EXISTING CORNER (BASIS OF BEARING: SOUTH 00D45'37" WEST FROM SAID WITNESS CORNER TO THE MONUMENT AT THE INTERSECTION OF 200 SOUTH AND 1200 WEST) COURSES: NORTH 89D15'55" WEST 484.50 FEET ALONG AN EXISTING FENCE TO THE EAST LINE OF WILLARD CANAL; THENCE NORTH 00D51'02" EAST 933.04 ALONG SAID EAST LINE OF CANAL; THENCE SOUTH 89D15'55" EAST 313.83 FEET THENCE NORTH 00D44'05" EAST 398.20 FEET TO THE SOUTH LINE OF 400 NORTH STREET, THENCE SOUTH 88D27'02" EAST 60.00 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 00D44'05" WEST 380.05 FEET, THENCE SOUTH 89D15'55" EAST 113.81 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 01D02'15" WEST 950.36 FEET ALONG SAID FENCE TO THE POINT OF BEGINNING. CONTAINS 11.004 ACRES.

**PEKA PROPERTIES INVESTMENTS, LLC**  
**PARCEL # 191390001**

ALL OF LOT 1, GARY LYELLS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER.

ALSO KNOWN AS PART OF LOT 35, WEBER INDUSTRIAL PARK PLAT B, WEBER COUNTY, UTAH: BEGINNING AT A POINT 60 FEET SOUTH 24D51'29" EAST FROM THE NORTHEAST CORNER OF SAID LOT 35; AND RUNNING THENCE SOUTH 24D51'29" EAST 120 FEET; THENCE SOUTH 65D08'31" WEST 363 FEET; THENCE NORTH 24D51'29" WEST 120 FEET; THENCE NORTH 65D08'31" EAST 363 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS PART OF LOT 35, WEBER INDUSTRIAL PARK PLAT B, WEBER COUNTY, UTAH: BEGINNING AT THE NORTHEAST CORNER OF LOT 35; AND RUNNING THENCE SOUTH 24D51'29" EAST 60 FEET; THENCE SOUTH 65D08'31" WEST 363 FEET; THENCE SOUTH 24D51'29" EAST 240 FEET; THENCE SOUTH 65D08'31" WEST 403.19 FEET; THENCE NORTH 18D45'22" WEST 301.71 FEET; THENCE NORTH 65D08'31" EAST 734.12 FEET TO THE POINT OF BEGINNING.

**EDWARD AND KATHERINE B. CAPELL  
PARCEL # 150340040**

PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 24 CHAINS NORTH AND 660 FEET EAST ALONG THE SOUTH LINE OF ROAD FROM SOUTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE WEST 100 FEET; THENCE SOUTH 120 FEET; THENCE EAST 100 FEET; THENCE NORTH 120 FEET TO THE PLACE OF BEGINNING.

**ROBERT G. AND DESRAY A. GROOTEGOED  
PARCEL # 150340041**

PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 1059.30 FEET SOUTH AND 709.50 FEET EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE EAST 180.00 FEET, THENCE SOUTH 00D30' WEST 130.00 FEET, THENCE SOUTH 89D30' EAST 70.0 FEET, THENCE SOUTH 0D30' WEST 79.85 FEET, THENCE NORTH 89D30' WEST 248.18 FEET, THENCE NORTH 188.35 FEET TO THE POINT OF BEGINNING.

**EDWARD AND KATHERINE B. CAPELL  
PARCEL # 150340062**

PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF 400 NORTH STREET, SAID POINT BEING 2640.00 FEET WEST, 1575.79 FEET NORTH, 960.58 FEET EAST AND SOUTH 89D30' EAST 150.00 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 12, SAID POINT OF BEGINNING GIVEN AS SOUTH 1059.30 FEET, EAST 959.50 FEET AND SOUTH 89D30' EAST 150.00 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 12, AND RUNNING THENCE SOUTH 89D30' EAST 125.87 FEET TO AN EXISTING FENCE, THENCE SOUTH 0D12' EAST 189.95 FEET ALONG AN EXISTING FENCE, THENCE NORTH 89D30' WEST 128.19 FEET, THENCE NORTH 0D30' EAST 189.94 FEET TO THE POINT OF BEGINNING.

**DOUGLAS E. EGGLESTON**  
**PARCEL # 150300082**

PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT NORTH 89D41' EAST ALONG THE SECTION LINE 2073.0 FEET, SOUTH 6D31' WEST 773.0 FEET AND SOUTH 7D18' WEST 976.60 FEET, FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 11, SAID POINT OF BEGINNING BEING ALSO SOUTH 89D41' WEST 562.2 FEET, SOUTH 6D31' WEST 773.0 FEET AND 37D18' WEST 976.60 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 11, AND RUNNING THENCE SOUTH 7D18' WEST 90.55 FEET THENCE SOUTH 12D23' WEST 737.0 FEET TO THE NORTH LINE OF COUNTY ROAD, THENCE SOUTH 73D56' EAST 182.39 FEET ALONG SAID NORTH LINE OF COUNTY ROAD, THENCE NORTH 15D14' EAST 836.13 FEET THENCE NORTH 79D07'15" WEST 231.93 FEET TO THE POINT OF BEGINNING. CONTAINING 3.88 ACRES MORE OR LESS.

**DENNIS MANSFIELD**  
**PARCEL # 150300128**

PART OF THE SOUTH 1/2 OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; BEGINNING AT A POINT ON THE WEST SIDE OF THE STATE HIGHWAY, SAID POINT BEING EAST 1374.78 FEET, FROM THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER TO THE CENTER LINE OF 4 MILE CREEK; EAST TO A POINT 167 FEET WEST OF THE CENTER OF THE STATE HIGHWAY, NORTH 200 FEET; EAST 117 FEET TO WEST LINE OF SAID HIGHWAY AND NORTH 00D15'00" EAST 724.24 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 85D32'51" WEST 236.17 FEET; THENCE NORTH 00D41'26" EAST 232.35 FEET; THENCE SOUTH 89D00'21" EAST 236.23 FEET TO STATE HIGHWAY; THENCE SOUTH 00D15'00" WEST 232.43 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**HWJR LLC**  
**PARCEL # 190650010**

ALL OF LOT 42, WEBER INDUSTRIAL PARK PLAT "B", WEBER COUNTY, UTAH.

**DAVID P. WERNER**  
**PARCEL # 150340066**

ALL OF LOT 1, G.A.G. SUBDIVISION, WEBER COUNTY, UTAH.









