

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR
CERTIFICATE OF DISCONNECTION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH,
HEREBY CERTIFY THAT there has been filed in my office a notice of disconnection
from COTTONWOOD HEIGHTS, dated October 9th, 2012, complying with Section 10-
2-507, 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 disconnection, referred to above, on
file with the Office of the Lieutenant Governor pertaining to COTTONWOOD
HEIGHTS, 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 this 25th day of
October, 2012 at Salt Lake City, Utah.

A handwritten signature in black ink that reads "Greg Bell".

GREG BELL
Lieutenant Governor

COTTONWOOD HEIGHTS

NOTICE TO THE UTAH LIEUTENANT GOVERNOR OF IMPENDING BOUNDARY ACTION

PLEASE TAKE NOTICE that:

A. Effective 28 March 2012, the Third Judicial District Court of Salt Lake County, Utah (the "*Court*") entered a "Decree of Disconnection" (the "*Decree*") in the matter styled "Cottonwood Estates Development, LLC v. Cottonwood Heights" (Case No. 110918819); and

B. Pursuant to the Decree, the Court ordered the real property described therein (the "*Disconnected Property*") to be disconnected and separated from the municipal boundaries of the city of Cottonwood Heights (the "*City*") and to become a part of the unincorporated area of Salt Lake County, Utah (the "*County*"); and

C. The approved final local entity plat showing the Disconnected Property heretofore has been filed with the office of the Utah Lieutenant Governor (the "*Lt. Governor*") by the office of the County's surveyor, and all other requirements applicable to such disconnection have been met; and

D. Pursuant to its Resolution No. 2012-56, the City's governing body has authorized and directed the City's mayor and recorder to execute and deliver this notice to the Lt. Governor, which execution and delivery constitutes the City's certification that all requirements applicable to such boundary action have been met.

DATED 9 October 2012.

COTTONWOOD HEIGHTS



Linda W. Dunlavy
Linda W. Dunlavy, Recorder

By

Kelvyn H. Cullimore, Jr.
Kelvyn H. Cullimore, Jr., Mayor

COTTONWOOD HEIGHTS

RESOLUTION NO. 2012-56

A RESOLUTION APPROVING A NOTICE OF
IMPENDING BOUNDARY ACTION
(TAVACI DISCONNECTION)

WHEREAS, effective 28 March 2012, the Third Judicial District Court of Salt Lake County, Utah (the "*Court*") entered a "Decree of Disconnection" (the "*Decree*") in the matter styled "Cottonwood Estates Development, LLC v. Cottonwood Heights" (Case No. 110918819); and

WHEREAS, pursuant to the Decree, the Court ordered the real property described therein, which is commonly known as the "Tavaci" subdivision (the "*Disconnected Property*"), to be disconnected and separated from the municipal boundaries of the city of Cottonwood Heights (the "*City*") and to become a part of the unincorporated area of Salt Lake County, Utah (the "*County*"); and

WHEREAS, the approved final local entity plat showing the Disconnected Property heretofore has been filed with the office of the Utah Lieutenant Governor (the "*Lt. Governor*") by the office of the County's surveyor, as required by statute; and

WHEREAS, the city council (the "*Council*") of the City met on 9 October 2012 to consider, among other things, approving the "Notice of Impending Boundary Action" (the "*Notice*") required by UTAH CODE ANN. sections 10-2-507 and 67-1a-6.5, and authorizing and directing the City's mayor and recorder to execute, deliver and certify the Notice to the Lt. Governor as required by statute; and

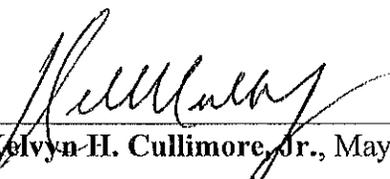
WHEREAS, the Council has reviewed the Notice, a copy of which is annexed as an exhibit to this resolution;

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the Council hereby approves the Notice; authorizes and directs the City's mayor and recorder to promptly execute and deliver the Notice to the Lt. Governor; and acknowledges that such execution and delivery of the Notice shall constitute the City's certification that all requirements applicable to the subject disconnection of Tavaci from the City have been met.

This Resolution, assigned no. 2012-56, shall take effect immediately upon passage.

PASSED AND APPROVED 9 October 2012.

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Kelvin H. Cullimore, Jr., Mayor



Linda W. Dunlavy
Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	<i>Absent</i>	Yea <input type="checkbox"/> Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 9th day of October 2012.

RECORDED this 10 day of October 2012.

585694.1

IT IS HEREBY ORDERED:

1. The Disconnected Property, as described in Exhibit "A" attached, is hereby disconnected and separated from the municipal boundaries of Cottonwood Heights, and now becomes a part of the unincorporated area of Salt Lake County, State of Utah.
2. Pursuant to § 10-2-507(2)(a), U.C.A., and within thirty (30) days after the entry of this Decree, Cottonwood Heights shall file with the Lieutenant Governor (i) a copy of a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and (ii) a copy of an approved final local entity plat, as defined in Section 67-1a-6.5.
3. Pursuant to § 67-1a-6.5(2), U.C.A., and within ten (10) days after receiving the notice of an impending boundary action filed by Cottonwood Heights as referenced in paragraph 2 above, the Lieutenant Governor shall then complete the statutory requirements to certify the disconnection of the Disconnected Property.
4. Pursuant to § 10-2-507(2)(b), U.C.A., and upon the Lieutenant Governor's issuance of a certificate under § 67-1a-6.5, Cottonwood Heights shall then submit to the Salt Lake County recorder (A) the original (i) notice of an impending boundary action; (ii) certificate of disconnection; and (iii) approved final local entity plat; and (B) a certified copy of this Decree.
5. Pursuant to § 10-2-506(1), U.C.A., the Court finds that there are no additional taxes that need to be levied on the Disconnected Property to pay the Disconnected Property's proportionate share of the obligations accrued to Cottonwood Heights while the

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.
I, THE UNDERSIGNED CLERK OF THE DISTRICT
COURT OF SALT LAKE COUNTY UTAH, DO HEREBY
CERTIFY THAT THE ABOVE AND FOREGOING IS A
TRUE AND CORRECT COPY OF AN ORIGINAL DOCUMENT
ON FILE IN MY OFFICE AS SUCH CLERK.
WITNESS MY HAND AND SEAL OF SAID COURT
THIS 28 DAY OF MARCH, 2012
CLERK OF THE DISTRICT COURT
BY: [Signature] DEPUTY

Disconnected Property was part of Cottonwood Heights; provided that the foregoing shall not diminish Cottonwood Heights' right to receive its statutory share of any ad valorem taxes or assessments against the Disconnected Property attributable to the period of time before the effective date of this Decree.

6. Any costs reasonably and actually incurred by Cottonwood Heights in complying with this Decree shall be charged to the Petitioner who shall pay such costs within a reasonable period of time after receiving a detailed invoice from Cottonwood Heights.
7. Other than as provided in Paragraph 6, the parties shall each bear their own costs of this action.

IT IS SO ORDERED.

DATED this 28 day of March, 2012.

BY THE COURT:

[Signature]
Honorable Paul C. Mangham
Third District Court Judge

APPROVED AS TO FORM:

WILLIAMS & HUNT, P.C.

[Signature]
Jody K. Burnett
Attorneys for Respondent

CALLISTER NEBEKER & MCCULLOGH

[Signature]
Mark L. Callister
Attorneys for Respondent

CERTIFICATE OF SERVICE

On the date below written, a true and correct copy of the foregoing was served upon the following parties by the manner indicated:

Jody K. Burnett	<input type="checkbox"/> U.S. Mail
WILLIAMS & HUNT, P.C.	<input type="checkbox"/> Federal Express
257 East 200 South, Suite 500	<input type="checkbox"/> Hand Delivery
Salt Lake City, Utah 84145	<input type="checkbox"/> Telefacsimile
Email: jburnett@williamsandhunt.com	<input type="checkbox"/> E-mail

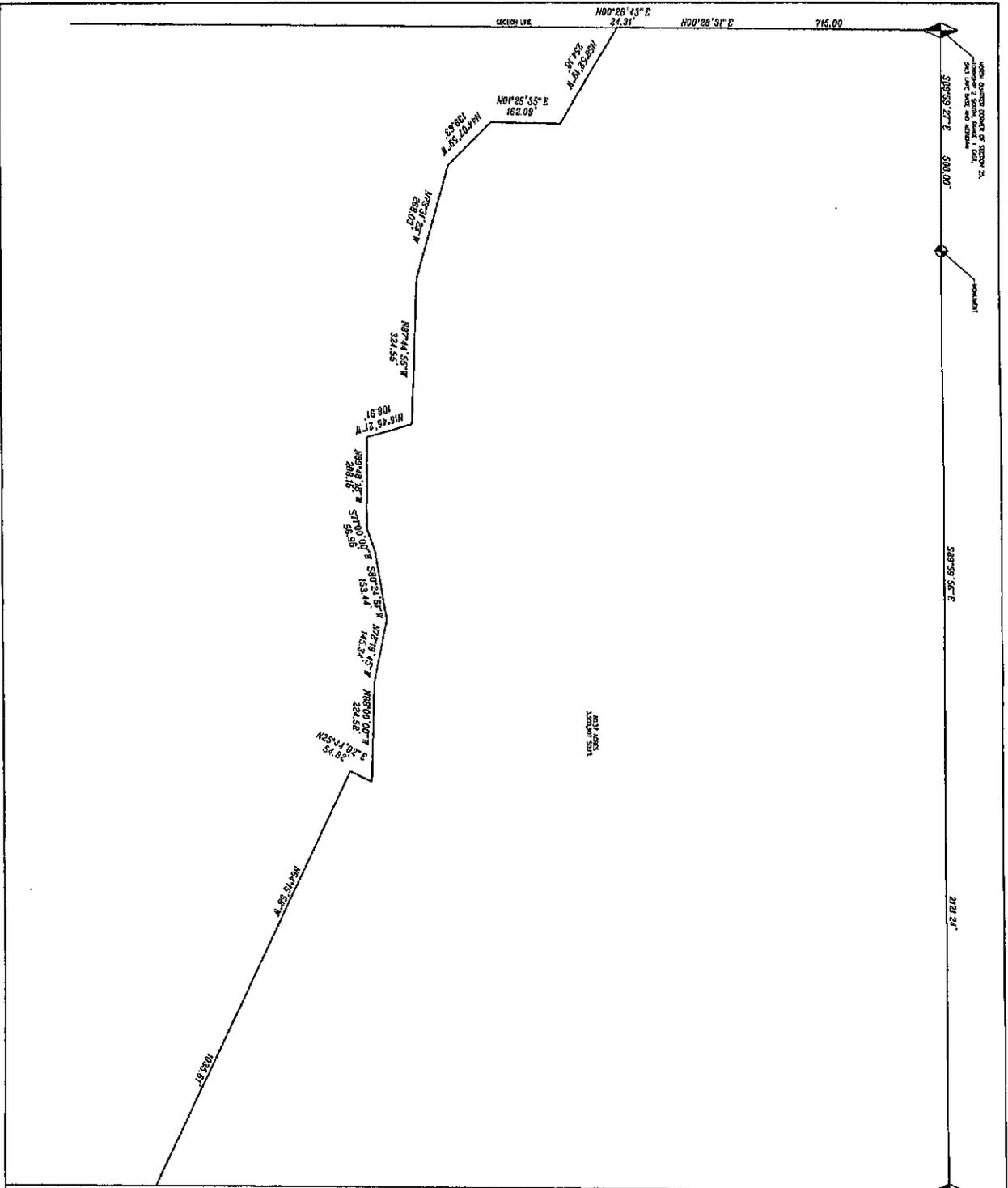
Mark L. Callister	<input type="checkbox"/> U.S. Mail
Martin R. Denney	<input type="checkbox"/> Federal Express
Wm. Spencer Topham	<input type="checkbox"/> Hand Delivery
CALLISTER NEBEKER & MCCULLOUGH	<input type="checkbox"/> Telefacsimile
10 East South Temple, Suite 900	<input type="checkbox"/> E-mail
Salt Lake City, Utah 84133	
E-mail: mcallister@cnmlaw.com	
mrdenney@cnmlaw.com	
stopham@cnmlaw.com	

DATED this ___ day of March, 2012.

EXHIBIT A

BOUNDARY DESCRIPTION

BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°59'27" EAST ALONG THE SECTION LINE 500.00 FEET; THENCE CONTINUING ALONG SAID SECTION LINE SOUTH 89°59'56" EAST 2121.24 FEET TO THE NORTHEAST CORNER OF SAID SECTION 25; THENCE SOUTH 00°31'13" WEST ALONG THE SECTION LINE 1,819.37 FEET; THENCE NORTH 64°15'58" WEST 1035.61 FEET; NORTH 25°44'02" EAST 54.82 FEET; THENCE NORTH 88°00'00" WEST 224.58 FEET; THENCE NORTH 78°19'45" WEST 145.34 FEET; THENCE SOUTH 80°24'61" WEST 153.44 FEET; THENCE SOUTH 71°00'00" WEST 56.96 FEET; THENCE NORTH 89°48'18" WEST 208.15 FEET; THENCE NORTH 15°45'21" WEST 108.91 FEET; THENCE NORTH 87°44'55" WEST 324.56 FEET; THENCE NORTH 73°31'23" WEST 268.03 FEET; THENCE NORTH 44°07'59" WEST 139.63 FEET; THENCE NORTH 01°25'35" EAST 162.09 FEET; THENCE NORTH 58°52'19" WEST 254.18 FEET TO THE SECTION LINE; THENCE NORTH 00°28'43" EAST ALONG SAID SECTION LINE 24.31 FEET; THENCE CONTINUING ALONG SAID SECTION LINE NORTH 00°28'31" EAST 715.00 FEET TO THE POINT OF BEGINNING. CONTAINS 80.37 ACRES.



SECTION LINE

SECTION LINE

1815.37



1815.37

1815.37

REVISIONS	
NO.	DESCRIPTION

EXHIBIT

COTTONWOOD CANYON ESTATES

BROMAC
Land Surveying and Engineering

2151 South 900 East, Suite 200
Salt Lake City, Utah 84117
Phone: (801) 526-2410 www.bromac-engineering.com

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