

# STATE OF UTAH

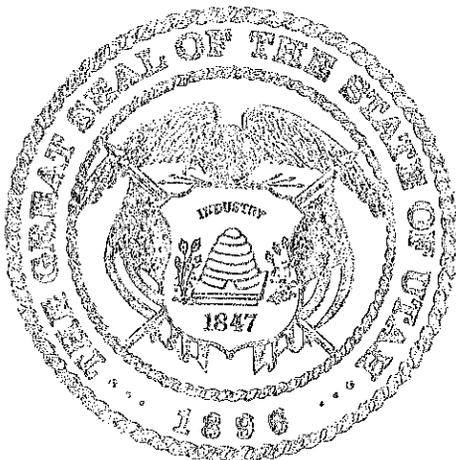


OFFICE OF THE LIEUTENANT GOVERNOR

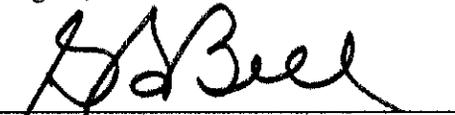
## CERTIFICATE OF ANNEXATION

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 August 1<sup>st</sup>, 2013, 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 7<sup>th</sup> day of August, 2013.

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



## Central Weber Sewer Improvement District

August 6, 2013

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  
Millcreek Plaza Property

Dear Lieutenant Governor Bell:

We are submitting to you a Notice of Annexation for a portion of The Plaza at Farr West located in Farr West City, 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
- A copy of Annexation Approval Resolution 2013-04; 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  
NOTICE OF IMPENDING BOUNDARY ACTION  
(Annexation)**

TO: LIEUTENANT GOVERNOR OF THE STATE OF UTAH

Notice is hereby given that on July 15, 2013, the Board of Trustees of the Central Weber Sewer Improvement District (the "District") adopted Resolution 2013-04, which Resolution accompanies this Notice. The real property to be annexed into the District is described and depicted in the final local entity plat which accompanies this Notice. It is requested that the Lieutenant Governor issue his certificate of annexation in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

**In satisfaction of the requirements of Utah Code Ann. § 67-1a-6.5(3)(e)(i), the Board of Trustees of the Central Weber Sewer Improvement District hereby certifies that all requirements applicable to the annexation have been met.**

This notice is accompanied by: (a) a copy of Resolution 2013-04 and (b) 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.

The address of the District is as follows:

Central Weber Sewer Improvement District  
2618 West Pioneer Road  
Marriott-Slaterville, Utah 84404

DATED this 1<sup>st</sup> day of August, 2013.

**CENTRAL WEBER SEWER  
IMPROVEMENT DISTRICT  
BOARD OF TRUSTEES**

By: Mark C. Allen  
Mark C. Allen, Chairman

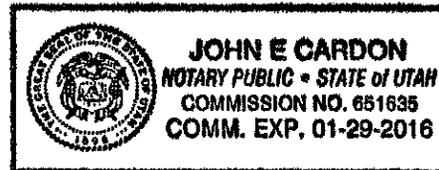
ATTEST:

John E. Cardon  
John E. Cardon, Clerk

STATE OF UTAH                    )  
  : ss.  
COUNTY OF WEBER            )

On this 1st day of August, 2013, personally appeared before me Mark C. Allen, the signer of the foregoing instrument, who duly acknowledged to me that he is the Chairman of the Board of Trustees of the Central Weber Sewer Improvement District, duly authorized to execute the same, and who verified under oath the accuracy of the said instrument.

John E. Cardon.  
Notary Public



# CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

## RESOLUTION 2013-04

### Annexation Approval Resolution

WHEREAS, the Central Weber Sewer Improvement District (the "District") is a duly organized improvement district and local district located in Weber and Davis Counties, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the UTAH CODE and relevant portions of Title 17B, Chapter 1 of the UTAH CODE;

WHEREAS, the District owns and operates sanitary sewage treatment and transportation facilities which serve significant portions of Weber County and a small portion of Davis County, Utah, primarily on a wholesale basis;

WHEREAS, Farr West City (the "City") is a wholesale customer of the District, with the City providing retail sanitary sewer service to residences and businesses within a portion of the District's service area;

WHEREAS, the easterly approximately 60% of the Plaza at Farr West Phase I Subdivision is located within the boundaries of the District while the westerly approximately 40% of the Subdivision is located outside the boundaries of the District;

WHEREAS, some time ago the City annexed the entire Subdivision into the City;

WHEREAS, the City provides retail sewage collection service to the entire Subdivision and the District provides wholesale sewage treatment service to the entire Subdivision;

WHEREAS, UTAH CODE ANN. § 17B-1-415(1)(a) authorizes and empowers a local district that provides a wholesale service to adopt a resolution approving the annexation of an area outside of the District's boundaries if: "(i) the area is annexed by or otherwise added to, or is added to the retail service area of, a municipality... that: (A) acquires the wholesale service from the local district and provides it as a retail service; (B) is, before the annexation or other addition, located at least partly within the local district; and (C) after the annexation or other addition will provide to the annexed or added area the same retail service that the local district provides as a wholesale service to the municipality...; and (ii) ... no part of the area is within the boundaries of another local district that provides the same wholesale service as the proposed annexing local district";

WHEREAS, the portion of the Subdivision that is not currently located within the boundaries of the District satisfies all of the requirements of UTAH CODE ANN. § 17B-1-415(1)(a);

WHEREAS, the Subdivision is depicted in attached Exhibit "A" which is incorporated by reference as part of this Resolution, with the portion of the Subdivision that is not currently part of the District, and is the subject of this Resolution, being located to the west (left) of the heavy dark line that runs north/south through the depiction of the Subdivision;

WHEREAS, the portion of the Subdivision that is to be annexed into the District as provided in this Resolution is described in Exhibit "B" attached hereto (the "Annexation Area");

WHEREAS, pursuant to UTAH CODE ANN. § 17B-1-415, the Board of Trustees of the District is authorized to adopt this Resolution approving the annexation of the Annexation Area;

WHEREAS, no part of the Annexation Area is located within the boundaries of another local district that provides wholesale sewage treatment services nor is it located within the boundaries of any municipality or any county that provides the same wholesale service that the District provides; and

WHEREAS, the District 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 Annexation Area for the 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-1-415, the Annexation Area described in attached Exhibit "B", 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, 17B-1-414(2) and 17B-1-415(4), once the original Notice of Impending Boundary Action, the original Certificate of Annexation issued by the Lieutenant 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. §§ 17B-1-414(2)(c)(i) and 59-2-305.2(2), the taxable property located within the Annexation Area 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 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 Annexation Area) with the Lieutenant 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 Lieutenant Governor issues the Certificate of Annexation 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 15<sup>th</sup> day of July, 2013.



Mark C. Allen, Chairman

ATTEST:

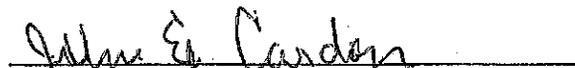
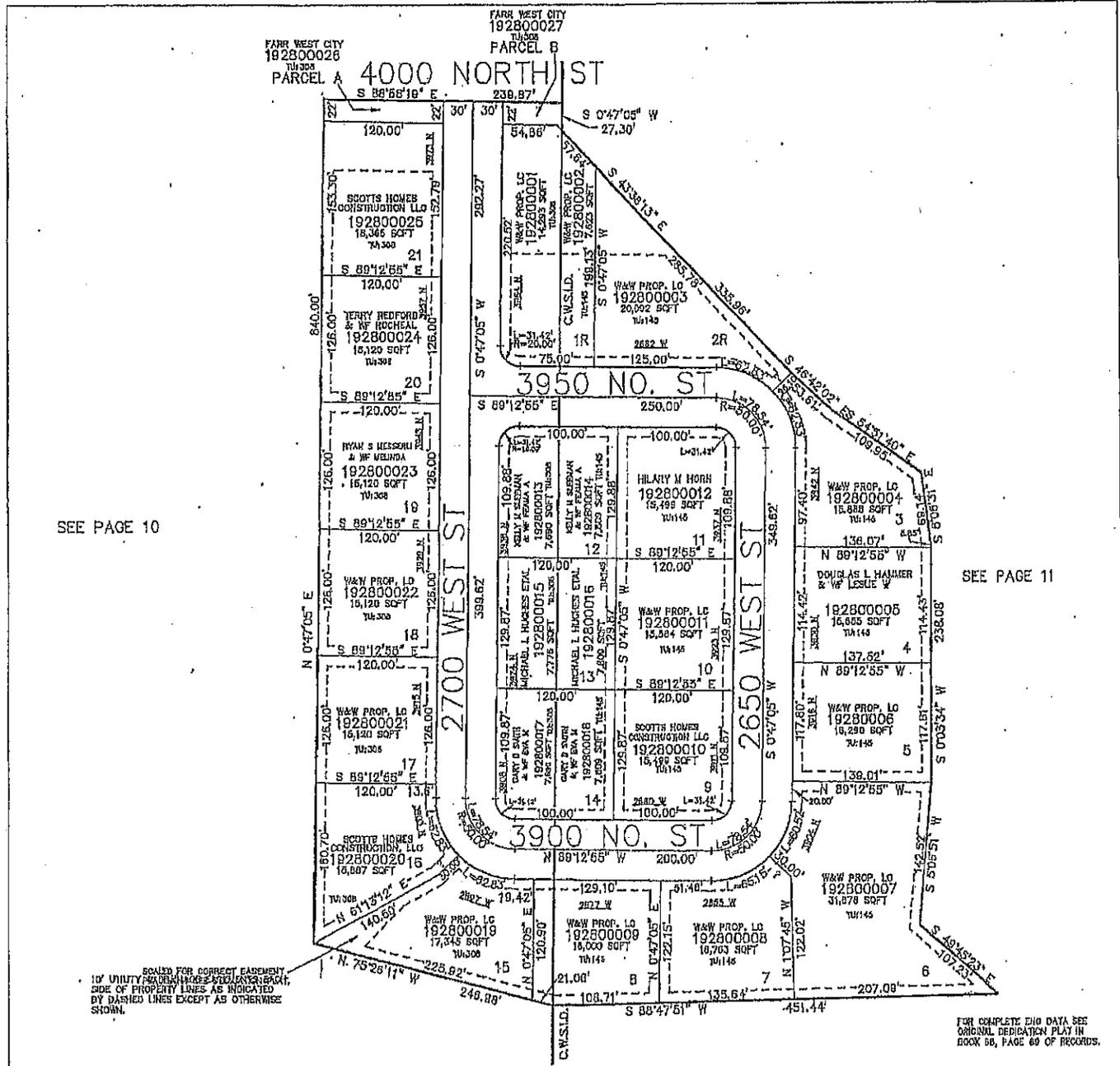
  
John E. Cardon, Clerk

EXHIBIT A  
Annexation Area

PART OF THE NW.1/4, OF SECTION 23 AND PART OF THE NE.1/4, OF SECTION 22, T.7N., R.2W., S.L.B. & M. 280  
 THE PLAZA AT FARR WEST PHASE 1

TAXING UNIT: 145, 308

IN FARR WEST CITY  
 SCALE 1" = 80'



SEE PAGE 10

SEE PAGE 11

**EXHIBIT B**



SEWER DISTRICT ANNEXATION FOR  
PLAZA AT FARR WEST  
BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT NORTH 89° 40' 08" WEST 241.81 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER AND SOUTH 140.77 FEET FROM THE NORTH EAST CORNER OF SAID SECTION 22, TOWNSHIP 7 NORTH, RANGE 2 EAST, S.L.B.&M. SAID POINT ALSO BEING THE NORTH WEST CORNER OF THE PLAZA AT FARR WEST PHASE 1; RUNNING THENCE SOUTH 88° 58' 19" EAST 239.87 FEET TO THE CURRENT CENTRAL WEBER SEWER IMPROVEMENT DISTRICT BOUNDARY; THENCE, SOUTH 0° 47' 05" WEST 897.80 FEET ALONG SAID BOUNDARY; THENCE, NORTH 75° 26' 11" WEST 246.98 FEET; THENCE, NORTH 0° 47' 05" EAST 840 FEET TO THE POINT OF BEGINNING.

