

STATE OF UTAH



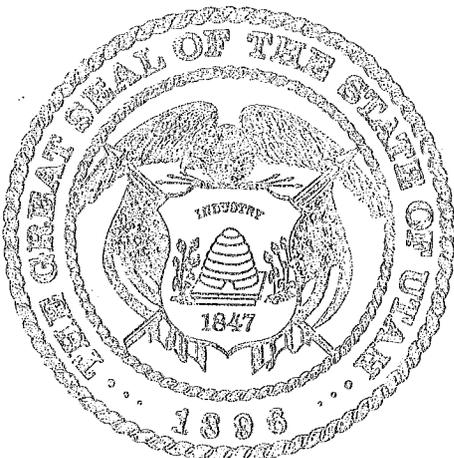
OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from the MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT, dated May 11th, 2014, complying with Section 17D-1-101, 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 MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT, located in Summit County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 19th day of May, 2014 at Salt Lake City, Utah.



A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor

RECEIVED
MAY 13 2014
BY: _____

Notice of Impending Boundary Action

Pursuant to Utah Code Annotated §67-1a-6.5, the County Council of Summit County hereby provides the Lieutenant Governor's Office with written notice of an impending boundary action that effects Summit County and the Mountain Regional Water Special Service District.

The Summit County Council seeks a certificate of annexation as it relates to the Mountain Regional Water Special Service District. The Summit County Council received a petition from FCOI Preserve LLC, the sole owner of Summit County Parcel Nos. SS-13-B, SS-13-B-1, SS-14, and SS-14-C requesting that the property be annexed into the boundaries of the Mountain Regional Water Special Service District in order to receive water service from that District. Thereafter, on March 12, 2014, the Summit County Council adopted Resolution 2014-07MRW, to annex that property into the boundaries of the District.

The Summit County Council hereby certifies that the attached constitutes a true and correct copy of the Resolution annexing territory into the boundaries of the Mountain Regional Water Special Service District as well as the final local entity plat. The Summit County Council further certifies that all the requirements for the annexation of territory into the boundaries of the Mountain Regional Water Special Service District have been complied with pursuant to Utah Code Annotated §17D-1-101 et. seq.

Christopher F. Robinson

CHAIRPERSON OF THE SUMMIT COUNTY COUNCIL

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County this 11 day of May, 2014



Kerdy [Signature]

COUNTY CLERK

**Mountain Regional Water
Resolution No. 2014-07 MRW**

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE MOUNTAIN
REGIONAL WATER SPECIAL SERVICE DISTRICT
(Tax Parcel Numbers: SS-13-B, SS-13-B-1, SS-14, and SS-14-C)**

WHEREAS, the Board of Commissioners of Summit County, Utah, established a local district designated as the Mountain Regional Water Special Service District (the "District"), to provide water services within its boundaries; and,

WHEREAS, Utah Code Ann. ("UCA") §17D-1-401 provides that additional land from that specified in the resolution establishing a local district may be annexed to the district in conformance with the applicable procedures; and,

WHEREAS, UCA §17D-1-203 and UCA §17D-1-401(2) provide that the County Council of Summit County, Utah (the "Council"), may be petitioned to annex an area into the District; and,

WHEREAS, there have been numerous annexations into the District since its establishment in 1987; and,

WHEREAS, FCOI Preserve LLC, ("Preserve") has petitioned the Council to annex its land (Tax Parcel Numbers: SS-13-B, SS-13-B-1, SS-14, and SS-14-C, together, the "Preserve Parcels") into the District (the "Petition"). In the Petition, Preserve represented that it is the sole owner of the Preserve Parcels; and,

WHEREAS, the Summit County Clerk has duly certified the Petition; and,

WHEREAS, UCA §17D-1-402 provides that the notice, hearing, and protest period do not apply if a petition for annexation of additional area is filed with the signatures of all of the owners of taxable real property; and,

WHEREAS, Preserve has signed the Petition for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Summit County Council as follows:

Section 1. **Findings.** The Council finds and determines that public health, convenience, and necessity requires that certain land situated in Summit County, State of Utah, being generally described as Tax Parcel Numbers SS-13-B, SS-13-B-1, SS-14, and SS-14-C, located in Summit County, Utah, and more particularly described in Exhibit A hereto (the "Property"), be annexed into the District.

Section 2. **Annexation.** The Property is hereby annexed into the boundaries of the Mountain Regional Water Special Service District. The Property annexed shall be governed by and become an integral part of the District. Pursuant to this annexation, the owners of the Property shall be entitled to receive the benefit of water services and facilities provided by the District, and shall be subject to the rights, powers and authority of the District, including, without limitation, the right, power and authority to promulgate rules and regulations for the operation of the District, to levy ad valorem taxes on the Property, and to impose such fees and charges as shall be necessary to pay for all or part of the commodities, facilities and services to be provided by the District and for the payment of the District's bonds and other obligations.

Section 3. **Direction.** All officers and employees of the District are hereby directed to take such action as shall be necessary and appropriate to effectuate the provisions of this Resolution and the intent expressed herein.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon its approval and adoption by the Summit County Council.

APPROVED AND ADOPTED this 12 day of March, 2014.



SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

Christopher F. Robinson

Christopher F. Robinson
Chair

ATTEST:

Kent Jones

Kent Jones
County Clerk

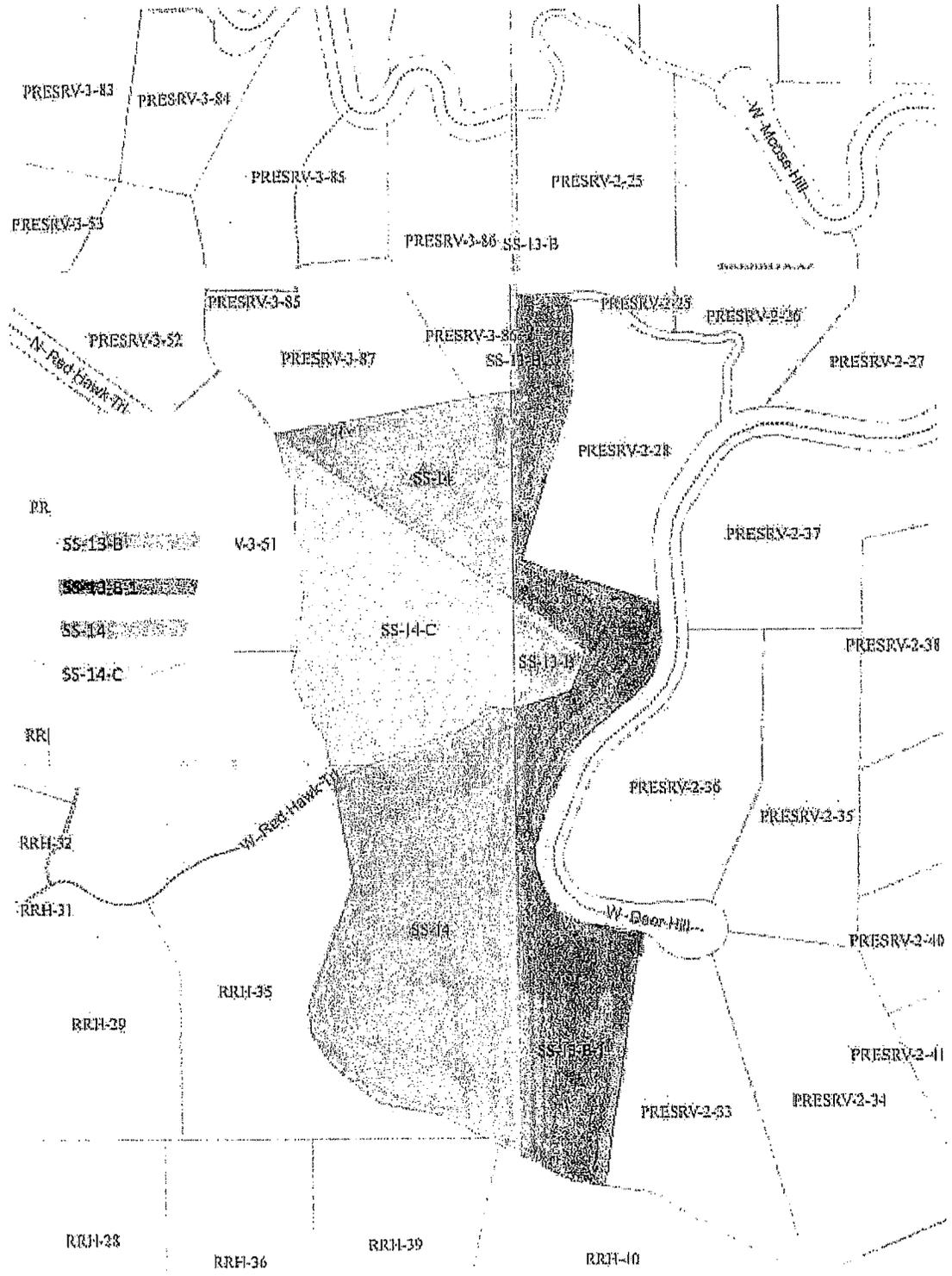
EXHIBIT A

PRESERVE PLAT 2-A
OVERALL BOUNDARY
DECEMBER 17, 2013

That portion of Sections 5, 6 and 8, Township 1 South, Range 4 East, Salt Lake Base and Meridian, in Summit County, Utah, being more particularly described as follows:

Beginning at a point on the Northerly Boundary Line of The Ridge at Red Hawk, as recorded as Entry # 479638 in the Summit County Recorder's Office, said point being also N89°48'12"E 213.26 feet, along the Section Line, and South 64.71 feet from the Southwest Corner of said Section 5; and running thence, along said Northerly Boundary Line, the following nine (9) courses: (1) N63°43'01"W 557.35 feet, (2) N78°22'57"W 222.60 feet, (3) N50°43'36"W 217.91 feet, (4) N31°32'57"W 131.88 feet, (5) N03°43'49"W 98.74 feet, (6) N20°18'32"E 469.70 feet, (7) N10°47'06"W 514.69 feet, (8) N29°07'52"W 256.14 feet, (9) N17°24'47"E 98.00 feet to the Southeast Corner of that certain Affidavit as recorded as Entry # 560498, in Book 1309 at Page 1331, correcting that certain Special Warranty Deed as recorded as Entry # 560315 in Book 1309 at Page 808, both in the Summit County Recorder's Office; thence, along the Easterly Boundary Line of said Affidavit and Special Warranty Deed, the following eight (8) courses: (1) N89°59'46"W 22.24 feet, (2) N19°01'08"E 113.72 feet, (3) N05°53'04"E 105.99 feet, (4) N07°22'06"W 230.43 feet, (5) N01°04'44"E 145.48 feet, (6) N30°27'58"W 84.24 feet, (7) N11°08'05"W 111.45 feet, (8) N55°03'10"W 16.62 feet to the Southerly Boundary Line of The Preserve Phase 3 as recorded as Entry # 821676 in the Summit County Recorder's Office; thence along the Southerly and Easterly Boundary Lines of said The Preserve Phase 3, the following two (2) courses: (1) N80°39'26"E 869.01 feet to the West Line of the Northwest Quarter of said Section 5, (2) continuing along said Easterly Boundary Line of The Preserve Phase 3 and the said West Line of the Northwest Quarter, N00°15'10"E 333.83 feet; thence N89°52'30"E 223.13 feet; thence S16°46'43"E 30.00 feet; thence S00°07'30"E 316.24 feet; thence S17°46'28"W 626.20 feet; thence S72°13'34"E 515.65 feet; thence S04°32'18"E 102.63 feet; thence Southwesterly 243.04 feet along the arc of a 250.00 foot radius curve to the right, chord bears S23°18'45"W 233.59 feet; thence S51°09'48"W 202.37 feet; thence Southwesterly 174.42 feet along the arc of a 350.00 foot radius curve to the left, chord bears S36°53'14"W 172.62 feet; thence S22°38'40"W 240.08 feet; thence Southeasterly 449.67 feet along the arc of a 250.00 foot radius curve to the left, chord bears S28°55'02"E 391.46 feet; thence S80°26'44"E 171.64 feet; thence S08°49'08"W 908.85 feet (R=909.00') to said Northerly Boundary Line of The Ridge at Red Hawk; thence, along said Northerly Boundary Line, N82°25'23"W 104.04 feet to the Point of Beginning.

Contains 2,665,575 SF or 61.19 acres



January __, 2014

The Board of County Council
Summit County, Utah
60 N. Main Street
Coalville, UT 84017

**PETITION FOR ANNEXATION TO THE MOUNTAIN REGIONAL WATER SPECIAL
SERVICE DISTRICT**

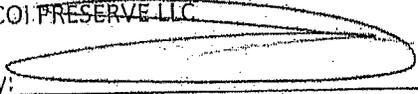
1. Pursuant to the provisions of Utah Code Annotated (UCA), Section 17D-1-401, as amended, the undersigned petitioner requests that the Board of County Council of Summit County, Utah, annex the property (the "Property") described in Exhibit A, which is attached hereto and incorporated by reference, into the boundaries of Mountain Regional Water Special Service District (the "District").

2. The undersigned petitioner(s) own one hundred percent of the Property to be annexed. Therefore, the notice, hearing, and protest requirements of Sections UCA 17D-1-1205, 17D-1-206, and 17D-1-207 do not apply.

3. The undersigned petitioner is desirous of receiving water service from the District for the Property and is willing to abide by all lawful adopted rules and regulations of the District as a condition of receiving water service from the District.

The undersigned petitioner has read and knows the contents of the foregoing Petition, and the fact set forth are true, accurate, and complete in all material respects to the undersigned petitioner's actual knowledge.

FCOI PRESERVE LLC

By: 
Name: Andrew Osborn
Title: Authorized Signatory
Date: Jan 15, 2014

Address: c/o Fortress VRF Advisors I LLC
5221 North O'Conner Blvd., Suite 700
Irving, TX 75039
Attention: Jeff Burk

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