

# STATE OF UTAH

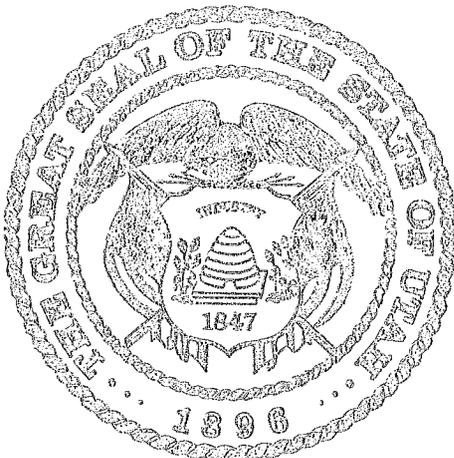


OFFICE OF THE LIEUTENANT GOVERNOR

## 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 ROY WATER CONSERVANCY DISTRICT, dated May 1<sup>st</sup>, 2014, 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 ROY WATER CONSERVANCY 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 this 12<sup>th</sup> 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

**NOTICE OF IMPENDING BOUNDARY ACTION**

**TO: The Lieutenant Governor, State of Utah**

Dear Sir:

**NOTICE IS HEREBY GIVEN** that the Board of Trustees (the "Board"), of the ROY WATER CONSERVANCY DISTRICT (the "District"), has, at a regular meeting of the Board, duly convened, pursuant to notice, on Wednesday, February 12, 2014, approved a *Resolution Annexing Certain Real Property into the Boundaries of the Roy Water Conservancy District (Central Latin American Assemblies of God and Valdez Living Trust Property.)*, a true and correct copy of which is attached as Exhibit "A" hereto and incorporated by this reference herein (the "Annexation Resolution"). A copy of the final District plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17B-1-414(2)(a)(i)(B) and §67-1a-6.5(1)(b), approved as a final local entity plat by the Surveyor of Weber County, Utah, is submitted herewith. The Board hereby certifies that all requirements applicable to the annexation of the property more particularly described in the Annexation Resolution into the boundaries of the District have been met.

**WHEREFORE**, the Board hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-414.

DATED this 1<sup>st</sup> day of May, 2014.

**ROY WATER CONSERVANCY DISTRICT**

By: Gary L Newman  
Gary Newman, Board Chair

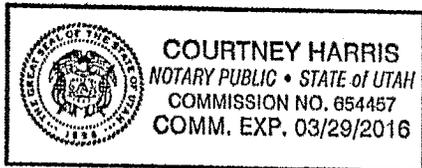
**VERIFICATION**

STATE OF UTAH     )  
                                  :SS.  
County of Weber    )

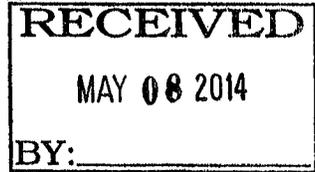
The undersigned, being duly sworn upon oath, says that the facts set forth in the foregoing *Notice of Impending Boundary Action* are true, accurate, and complete to the best of the undersigned's knowledge and belief.

Gary L Newman  
Gary Newman, Board Chair

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of May, 2014.

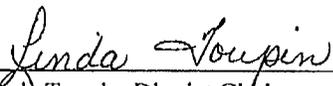


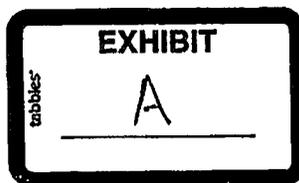
Courtney Harris  
NOTARY PUBLIC



**CERTIFICATION**

I, THE UNDERSIGNED CLERK of the Roy Water Conservancy District (the "District"), do hereby certify that the attached *Resolution Annexing Certain Real Property into the Boundaries of the Roy Water Conservancy District (Central Latin American Assemblies of God and Valdez Living Trust Property)*, is a true and correct copy of said resolution as duly adopted by the Board of Trustees (the "Board"), of the District, at a regular meeting of the Board, duly convened, pursuant to notice, on Wednesday, February 12, 2014.

  
\_\_\_\_\_  
Linda Toupin, District Clerk



**RESOLUTION NO. 2014 - 03**

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY  
INTO THE BOUNDARIES OF THE  
ROY WATER CONSERVANCY DISTRICT**  
(Central Latin American Assemblies of God and Valdez Living Trust Property)

**WHEREAS**, Utah Code Ann. §17B-1-402 provides that an area outside the boundaries of a local district may be annexed into the local district as provided in Part 4, Chapter 1, Utah Code Ann. §17B (the "*Annexation Statute*"), in order to provide to the area the service that the local district provides; and

**WHEREAS**, Roy Water Conservancy District (the "*District*"), is a local district as defined in Utah Code Ann. §17B-1-102(11)(b)(J), and a water conservancy district as defined in Utah Code Ann. §17B-2a-1003(1), and is subject to the provisions of the Annexation Statute; and

**WHEREAS**, the Board of Trustees of the District (the "*Board*"), received a Joint Petition for the Annexation of Property into Roy Water Conservancy District (the "*Petition*"), dated January 14, 2014, executed by the Central Latin American District Counsel of the Assemblies of God, Utah Corporation, dba "My Friend's House" Amigo Assembly of God, as to an undivided one-half interest, and Gerald V. Valdez and Yvonne Valdez, Trustees, or their Successors in Trust under the Gerald V. Valdez Living Trust, as to an undivided one-half interest, as tenants in common ("*Petitioners*"), pursuant to which the Petitioners petitioned the Board to annex the real property described in the Petition (the "*Annexation Property*"), into the boundaries of the District in order to receive secondary irrigation water service from the District for the benefit of the property; and

**WHEREAS**, the Petitioners are the owners of 100% of the private real property located within Annexation Property representing an assessed value equal to 100% of the assessed value of all private real property within the entire Annexation Property proposed to be annexed pursuant to the Petition; and

**WHEREAS**, with the assistance of the Weber County Recorder, the District has verified that the Petitioners are the current owners of the respective properties included with the Annexation Property as more particularly described in the Petition; and

**WHEREAS**, pursuant to Board Resolution No. 2014 - 02 (the "*Petition Certification Resolution*"), the Board:

(a) has found and determined that the Petition: (i) has been duly filed in conformance with the provisions of Utah Code Ann. §17B-1-403(1)(a)(ii)(A), (ii) describes the area proposed to be annexed and is accompanied by a map of the boundaries of the area proposed to be annexed in conformance with the provisions of Utah Code Ann. § 17B-1-403(3), and (iii) is otherwise in conformance with all of the specific requirements of Utah Code Ann. §17B -1-404 of the Annexation Statute, and as such, has certified that the Petition is in compliance with all applicable requirements of State law and is a valid petition for the initiation of proceedings to annex the Annexation Property into the boundaries of the District; and

(b) has ratified the written notice previously given by the District's legal counsel to the Petitioners as providing due and adequate notice of the certification of the Petition as required pursuant to Utah Code Ann. §17B -1-404 sufficient to proceed with publication and posting of notice of the proposed annexation as required by the Annexation Statute and further proceedings thereunder; and

**WHEREAS**, notice of the proposed Annexation has been duly given in conformance with the requirements of Utah Code Ann. §17B-1-413(2) by: (i) posting written notice thereof at the District office, and (ii) by providing written notice to the *Ogden Standard Examiner*, a newspaper of local circulation within the District and to the State Notice Website; and

**WHEREAS**, the Board has found and determined that in conformance with the authority of Utah Code Ann. §17B-1-406(2), inasmuch as neither Weber County nor Roy City provide secondary irrigation water service as provided by the District, written notice of the proposed annexation of the Annexation Property into the boundaries of the District is not required to be delivered to them; and

**WHEREAS**, pursuant to the provisions of Utah Code Ann. §17B-1-413(1), the public hearing, notice of hearing and protest provisions of the Annexation Statute do not apply inasmuch as the Petition was signed by the owners of 100% of the private real property located within Annexation Property

representing an assessed value equal to 100% of the assessed value of all private real property within the entire Annexation Property proposed to be annexed pursuant to the Petition; and

**WHEREAS**, the twenty-day period following publication of notice for the filing of written requests for a public hearing on the proposed annexation of the Annexation Property, as provided for in Utah Code Ann. §17B-1-413(2), has expired and no such request has been submitted nor could one legally be submitted inasmuch as 100% of the owners of real property within the Annexation Property signed the Petition; and the Board has found and determined that a public hearing is not otherwise required under the circumstances of this Petition; and

**WHEREAS**, the Board has found and determined that: (i) the District has system capacity and water rights sufficient to provide secondary irrigation water service to the Annexation Property; (ii) the District is willing to provide secondary irrigation water service to the Annexation Property, (iii) the Annexation Property will be benefitted by its inclusion into the District; and (iv) the annexation of the Annexation Property into the boundaries of the District is in the best interest of the public served by the District;

**NOW, THEREFORE**, be it hereby resolved by the Board as follows:

**SECTION 1. INCORPORATION OF RECITALS.** The Recitals hereinabove set forth are incorporated into this Resolution and made a part hereof as though fully set forth herein.

**SECTION 2. ANNEXATION.** The annexation of the real property referred to herein as the Annexation Property, being hereinafter more particularly described, is approved and said property is hereby annexed into the boundaries of Roy Water Conservancy District. The Annexation Property is described as follows:

Weber County Parcel No. for the Property: 08-050-0007

PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH,  
RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:  
BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF  
3500 WEST STREET; SAID POINT BEING 776.57 FEET NORTH 0°42'22"  
EAST ALONG THE SECTION LINE AND 33.00 FEET NORTH 89°38'53"  
WEST FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION;  
RUNNING THENCE NORTH 89°38'53" WEST 448.73 FEET TO THE  
EASTERLY BOUNDARY OF THE LAYTON CANAL; THENCE FIVE (5) COURSES

ALONG SAID BOUNDARY AS FOLLOWS: NORTH 14°45'05" EAST 781.76 FEET; NORTHEASTERLY ALONG THE ARC OF A 249.88 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 69.05 FEET (LONG CHORD BEARS NORTH 22°40'05" EAST 68.83 FEET); NORTH 30°35'05" EAST 365.00 FEET; SOUTH 59°24'55" EAST 5.00 FEET; AND NORTHEASTERLY ALONG THE ARC OF A 204.91 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 53.21 FEET (LONG CHORD BEARS NORTH 23°08'46" EAST 53.06 FEET) TO AN EXISTING FENCE; THENCE TWO (2) COURSES ALONG SAID FENCE AS FOLLOWS: NORTH 30°36'57" EAST 42.11 FEET AND NORTH 73°27'34" EAST 6.11 FEET TO THE WEST RIGHT OF WAY LINE OF SAID 3500 WEST STREET; THENCE SOUTH 0°42'22" WEST 1220.80 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

A map of the above-described Property is attached as EXHIBIT "A" hereto and incorporated by reference herein.

**SECTION 3. EFFECT OF ANNEXATION.** The Annexation Property hereby annexed shall be governed by and become an integral part of the District. Pursuant to this annexation, the owners of the Annexation Property shall be entitled to receive all of the benefits of commodities, facilities and services provided by the District, and shall be subject to all rights, powers and authority vested in the District as set forth in the Utah Local Districts Act, Utah Code Ann. §17B-1-101 *et seq.*, and the Utah Water Conservancy Act, Utah Code Ann. §17B-2a-1001 *et seq.*; including, without limitation, the right, power and authority of the District to promulgate rules and regulations for the operation of the District; to levy ad valorem property taxes on the Annexation Property; to execute water contracts with the respective owners of property within the Annexation Property pursuant to which secondary water service shall be provided by the District, and in connection with said water contracts, to levy contract assessments as payment for secondary irrigation water service; and to impose such other fees and charges as shall be necessary to pay for all or any part of the commodities, facilities and services to be provided to the Annexation Property by the District and for payment of the District's bonds and other obligations.

**SECTION 4. DIRECTION.** All officers and employees of the District are hereby directed to take such action as shall be required pursuant to the Annexation Statute and otherwise, as necessary and appropriate, to effectuate the provisions of this Resolution and the intent expressed herein.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its approval and adoption by the Board.

**APPROVED AND ADOPTED** this 12<sup>th</sup> day of February 2014.

**BOARD OF TRUSTEES  
ROY WATER CONSERVANCY DISTRICT**

  
Board Chair

ATTEST:

  
District Clerk

# ANNEXATION TO THE ROY WATER CONSERVANCY DISTRICT 2014-03

## A PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: ROY CITY, WEBER COUNTY, UTAH APRIL, 2014



SCALE: 1" = 100'

STATE OF UTAH )  
COUNTY OF WEBER )  
I HEREBY CERTIFY THAT THIS IS A TRUE COPY  
OF THE DOCUMENT THAT APPEARS ON  
FILE IN MY OFFICE.

THIS IS DAY OF April 2014  
BRUCE T. HANSEN, COUNTY CLERK  
BY [Signature] DEPUTY

**SUBDIVISION CONTRACT**  
I, THE UNDERSIGNED, HAVE HEREBY AGREED TO CONVEY TO THE COUNTY OF WEBER, UTAH, ALL RIGHTS AND INTERESTS IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, FOR THE PURPOSES OF ANNEXATION TO THE ROY WATER CONSERVANCY DISTRICT, AS SHOWN ON THE ATTACHED MAP AND DOCUMENTS.

APPROVED THIS 30th DAY OF April, 2014.  
MATTIE W. HANSEN, COUNTY CLERK

APPROVED THIS 30th DAY OF April, 2014.  
WEBER COUNTY SHERIFF

APPROVED THIS 30th DAY OF April, 2014.  
WEBER COUNTY SHERIFF

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WEBER COUNTY SHERIFF

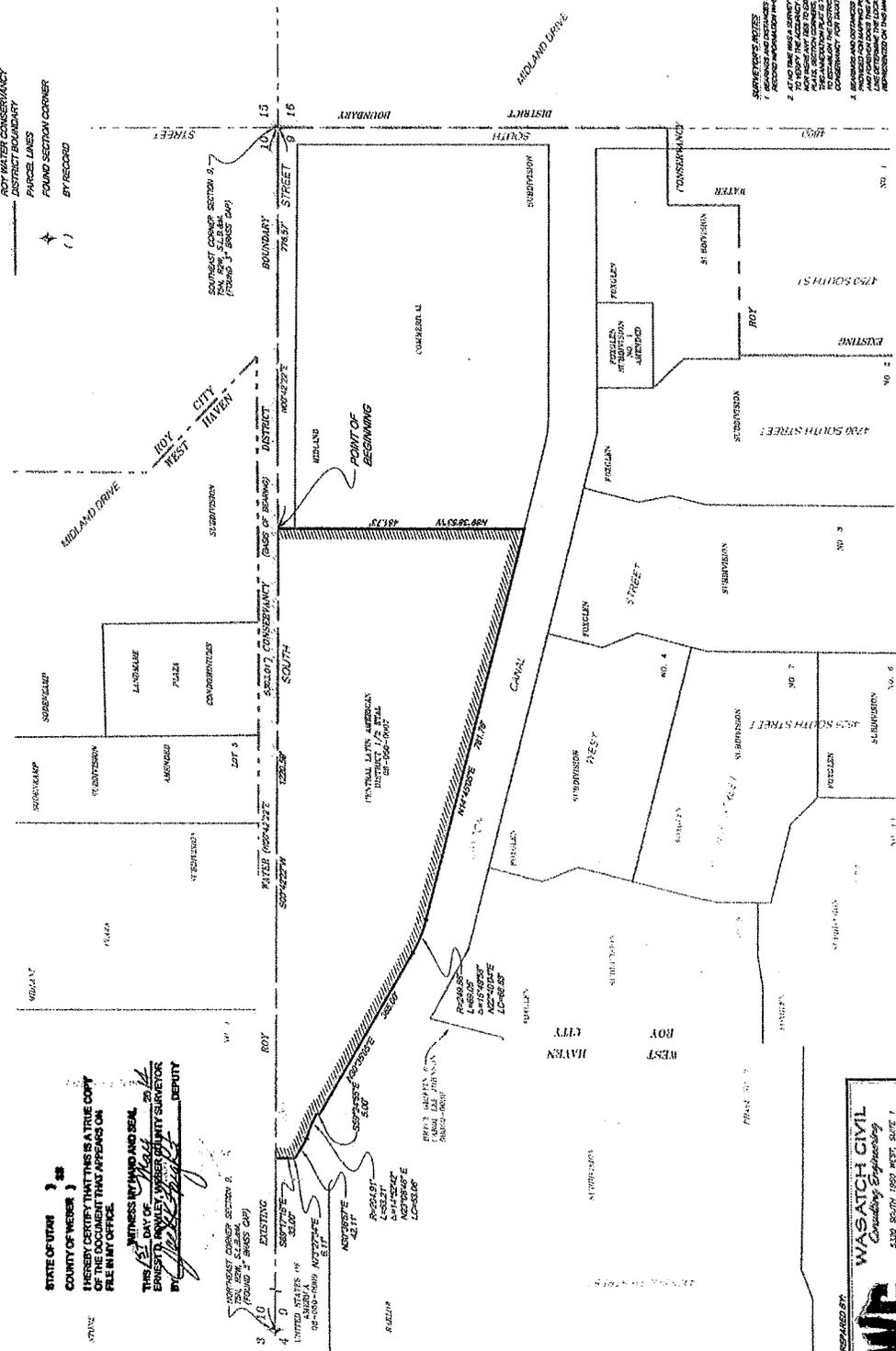
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WEBER COUNTY SHERIFF

**ANNEXATION TO THE ROY WATER CONSERVANCY DISTRICT**  
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- LEGEND**
- ANNEXATION PARCEL
  - SECTION LINE
  - ROY WATER CONSERVANCY DISTRICT BOUNDARY
  - PARCEL LINES
  - FOUND SECTION CORNER BY RECORD



**WASATCH CIVIL**  
Consulting Engineering  
2330 SOUTH 1850 WEST, SUITE 1  
ROY, UT, UTAH 84067 (801) 776-9181

