

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 JORDAN VALLEY WATER CONSERVANCY DISTRICT, dated November 12th, 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 JORDAN VALLEY WATER CONSERVANCY DISTRICT, 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 20th day of February, 2015 at Salt Lake City, Utah.

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

SPENCER J. COX
Lieutenant Governor



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Received

FEB 23 2015

Spencer J. Cox
Lieutenant Governor

Delivering Quality Every Day

8215 South 1300 West • West Jordan, UT 84088 • Ph: 801.565.4300 • www.jvwcd.org

Richard P. Bay, General Manager/CEO

Barton A. Forsyth, Assistant General Manager, Water Supply/Water Quality

Alan E. Packard, Assistant General Manager, Chief Engineer

Board of Trustees

Gary C. Swensen, Chair

J. Lynn Crane, Vice-chair

Greg R. Christensen

Chad G. Nichols

Scott L. Osborne

Stephen W. Owens

Corey L. Rushton

Ronald E. Sperry

Kent L. Winder

December 12, 2014

Mr. Spencer J. Cox, Lieutenant Governor
Utah State Capitol Complex, Suite 220
Salt Lake City, UT 84114

Subject: Notice of Impending Boundary Action

Dear Lieutenant Governor Cox:

Jordan Valley Water Conservancy District (Jordan Valley) was established in 1951 in accordance with the Utah Water Conservancy District Act to develop and deliver water supplies to the public residing within its service area. Consistent with the provisions of the Act, Jordan Valley was granted limited taxing authority on property within its corporate boundaries.

Periodically, Jordan Valley reviews the Salt Lake County and Utah County Assessors' records to verify that property which has been annexed into any of Jordan Valley's member agency municipal boundaries is appropriately annexed into Jordan Valley. A number of properties within Herriman City have been identified which need to be annexed into Jordan Valley. In order to update its service area boundaries to include those identified properties, the Jordan Valley board adopted a resolution (copy attached) which approves the annexation of those properties into the Jordan Valley corporate boundaries.

Jordan Valley herewith submits with this Notice a copy of an approved local entity plat as required by Utah Code Ann. §17B-1-414 and §67-1a-6.5. I hereby verify, on behalf of Jordan Valley, that all requirements applicable to the annexation and to the boundary action have been met. Thank you for your assistance with this matter. Please call me at 801-565-4300 if you have any questions.

Best Regards,

Richard P. Bay, P. E.
General Manager/CEO



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Delivering Quality Every Day

Resolution of the Board of Trustees

RESOLUTION NO. 14-23

APPROVING ANNEXATION OF LANDS WITHIN HERRIMAN CITY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT

WHEREAS, Herriman City is a wholesale customer of the Jordan Valley Water Conservancy District; and,

WHEREAS, Herriman City has annexed additional real property into its geographical municipal boundaries, and some of that property is currently outside the boundaries and service area of the Jordan Valley Water Conservancy District; and,

WHEREAS, the Jordan Valley Water Conservancy District has the statutory authority to annex that same real property, and intends to do so by this Resolution,

NOW, THEREFORE, BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

1. The Board of Trustees of the Jordan Valley Water Conservancy District ("District") finds that the District is a water conservancy district organized in 1951 and existing under the Utah Water Conservancy District Act, Utah Code Ann. §§ 17B-2a-1001 et seq.;

2. The Board finds that the District provides both wholesale and retail culinary water service within its geographical service area situated in parts of Salt Lake and Utah Counties;

3. The Board finds that Herriman City ("City") is a municipality organized and existing under Utah law and that it operates a system for the retail distribution of water within its geographical municipal boundaries;

4. The Board finds that the District provides wholesale culinary water service to the City pursuant to a written agreement between the parties, and that the City acquires the wholesale water service from the District and, in turn, provides it as a retail service;

5. The Board finds that the City is now located at least partly within the District;

6. The Board finds that in past years, the real property shown on attached Exhibit 1 ("the Lands") was duly annexed by the City, pursuant to Utah law, into the City's geographical municipal boundaries;

7. The Board finds that the City intends, after the annexation of the Lands into the District, to provide to the Lands the same retail water service that the District provides to the City as a wholesale service;

8. The Board finds that some of the Lands are now outside the District's boundaries;

9. The Board finds that no part of the Lands is within the boundaries of another local district that provides the same wholesale service as the District;

10. The Board finds that the Lands may be benefited by annexation into the District in that over time they may have access to the District's water supply, facilities, and services;

11. The Board finds that annexation of the Lands into the District will not impair or adversely affect: (a) the District's organization; (b) the District's rights in or to property; (c) any of the District's other rights or privileges; or, (d) any contract, obligation, lien, or charge for or upon which the District might be liable or chargeable had the change of boundaries not been made;

12. The Board finds that the proposed annexation does not jeopardize the prompt payment of principal and interest on the bonds of the District now outstanding or of the payment by the District of installments of indebtedness or obligations under any contract;

13. The Lands are being automatically annexed to the District under the provisions of the Limited Purpose Local Government Entities -- Local Districts (the "Act"; Utah Code Ann. §§ 17B-1-101 et seq.) because of the City's annexations under Title 10, Chapter 2, Part 4, Annexation, of the Utah Code.

14. The Board hereby approves annexation of the Lands into the District, subject to the satisfaction of the following specific, reasonable, and appropriate conditions precedent:

(a) The District has entered into an agreement with the United States that requires the consent of the United States for annexation of territory into the District. Accordingly, within two (2) business days following the execution of this Resolution, the District shall take such action(s) as it deems appropriate to obtain the formal, written approval of the Bureau of Reclamation to the annexation of the Lands into the District on the terms set forth in this Resolution. The annexation of the Lands into the District

shall not be effective unless and until written consent of the United States is obtained and filed with the Board. The Clerk of the District is authorized and directed to note the date of the receipt in the space indicated below and to give written notice of the receipt to the City; and,

(b) As soon as practicable after the timely satisfaction of the terms of subparagraph 14(a), if ever, the Board shall file a notice with the Lieutenant Governor of the State of Utah, accompanied by a copy of this Resolution and either an accurate map depicting the boundaries of the Lands or a legal description of the Lands, adequate for purposes of the Assessors, Recorders, and Surveyors of both Utah and Salt Lake Counties, and a certification by the Board that all requirements for annexation of the Lands have been complied with.

15. The Board determines that the proposed annexation shall be complete and effective upon the Lieutenant Governor's issuance to the Board of the certificate of annexation pursuant to the Act, specifically including §§ 17B-1-414 and -415, and § 67-1a-6.5, with copies sent as required by law, at which time:

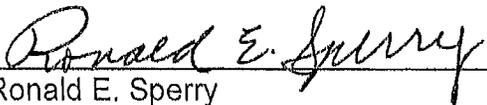
(a) The Lands, as shown in Exhibit 1, shall be annexed into the District;

(b) The Lands shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as adopted and/or amended from time to time; and,

(c) The Lands shall be assigned to the Eighth Division of the District.

16. This Resolution shall take effect immediately upon execution by an authorized member of the Board.

PASSED, ADOPTED, and APPROVED this 12th day of November, 2014.



Ronald E. Sperry
Acting Chair of the Board of Trustees

ATTEST:



Richard P. Bay
District Clerk

The written consent of the United States to the annexation contemplated by this Resolution, as set forth above in paragraph 14(a), was received and filed with the Board of Trustees on February 12, 2015.

Dated: February 13, 2015.

By:


Richard P. Bay
District Clerk



United States Department of the Interior

BUREAU OF RECLAMATION
Upper Colorado Region
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

IN REPLY REFER TO:

PRO-750
LND-6.00

FEB 09 2015

Mr. Richard Bay
General Manager, Jordan Valley
Water Conservancy District
Attention: Ms. Lorrie Cowles
8215 South 1300 West
West Jordan, UT 84088

Subject: Annexation of Property Into the Jordan Valley Water Conservancy District -- Central Utah Project

Dear Mr. Bay:

The subject request, dated November 6, 2014, to annex Herriman City into the Jordan Valley Water Conservancy has been reviewed and approved. A copy of the environmental clearance document is enclosed for your records.

Should you have questions regarding this matter, please contact Mr. Jonathan Jones at 801-379-1195 or Mr. Jeff Hearty at 801-379-1221.

Sincerely,



Wayne G. Pullan
Area Manager

Enclosure

EXHIBIT 1

LANDS TO BE INCLUDED AND ANNEXED INTO THE JORDAN VALLEY
WATER CONSERVANCY DISTRICT

