

STATE OF UTAH



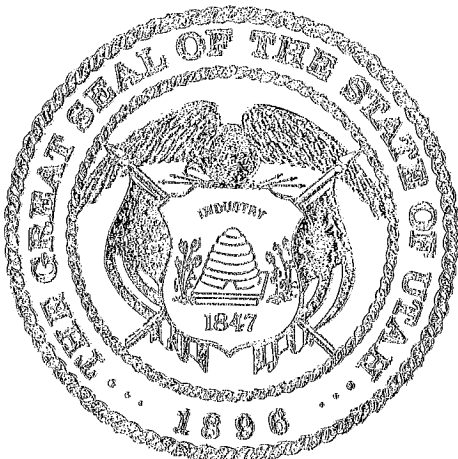
OFFICE OF THE LIEUTENANT GOVERNOR

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 of the NORTH TOOELE CITY SPECIAL SERVICE DISTRICT, dated January 7th, 2015, complying with Section 17D-1-403, 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 NORTH TOOELE CITY SPECIAL SERVICE DISTRICT, located in Toole County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 13th day of January, 2015 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 Change

January 13, 2015

Lieutenant Governor Spencer J. Cox
State Capitol Complex
P.O. Box 142325
Salt Lake City, UT 84114-2325
Via email: annexations@utah.gov


Dear Lieutenant Governor Cox:

This letter is to inform you of the annexation of area into the North Tooele City Special Service District. Such annexations are governed by U.C.A. Chapter 17D-1 Parts 2 and 4. Section 17D-1-403 regards the notice to the Lieutenant Governor. This letter is also intended to serve as a Notice of Impending Boundary Change. This action is intended to follow a prior recent action in which a different area was withdrawn from the same District. I certify that all actions applicable to this boundary change have been met. Enclosed you will find copies of the following documents:

- municipal body resolution approving the annexation
- approved final local entity plat

We look forward to receiving a Certificate of Annexation from your office.

Sincerely,



Michelle Y. Pitt
Tooele City Recorder

TOOELE CITY CORPORATION

RESOLUTION 2015-06

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING THE ANNEXATION OF ADDITIONAL SUNSET ESTATES SUBDIVISION PROPERTY INTO THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT.

WHEREAS, the creation of special service districts is governed by U.C.A. Chapter 17D-1 Part 2, and the procedure for annexing additional property into an existing special service district is the same as for the existing special service district's original creation; and,

WHEREAS, on June 16, 1999, the City Council approved Resolution 1999-29 for the creation of the North Tooele City Special Service District ("District") for the purpose of maintaining the unique features of the Overlake subdivisions; and,

WHEREAS, on December 17, 2003, the City Council approved Resolution 2003-62 for the annexation into the District of 30.69 acres, which comprised portions of the Sunset Estates subdivisions; and,

WHEREAS, Tooele City has received a Petition from Hallmark Homes and Development, Inc., ("Petitioner") to annex additional portions of the Sunset Estates subdivisions ("Additional Property") into the District (see the Petition, plat map, and legal description attached hereto as Exhibit A); and,

WHEREAS, because the Additional Property is held in common ownership by Petitioner, Tooele City and the Petitioner are relieved of complying with the Notice, Protest, and Public Hearing requirements of U.C.A. Sections 17D-1-205, 206, and 207, and the annexation may be approved simply by approving this Resolution, obtaining a Certificate of Incorporation from the Utah Lt. Governor, and recording the required documents with the Office of the Tooele County Recorder; and,

WHEREAS, the annexation into the District proposed by this Resolution has been requested not only by the Petitioner, but also by current and former members of the City Council, City Planning Commission, and District Administrative Control Board; and,

WHEREAS, the purpose of the District in annexing the Additional Property will be to maintain within the Additional Property special features related to unique design of street lighting and other signage, drainage and flood control, recreation properties, street design and traffic calming features, and associated and integral landscaping; and,

WHEREAS, in addition to the above purposes, annexation into the District will also allow Tooele City to impose upon and enforce with the Additional Property the construction and maintenance of design standards common to the District, including the

privately-owned and Privately-maintained privacy fence along 2000 North Street, rather than defaulting to Tooele City's regular design standards for such features; and,

WHEREAS, the District will maintain only those features and areas formally accepted by and dedicated to Tooele City; and,

WHEREAS, the City Council finds that it is in the best interest of the City in general and of District residents in particular, including the future residents of the Additional Property, to annex the Additional Property into the District; and,

WHEREAS, all requirements of the law precedent to the approval of this Resolution have been fully met:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that the annexation of the Additional Property into the District is hereby approved, and that the City Recorder is hereby instructed to record the necessary documents with the Utah Lt. Governor and the Tooele County Recorder.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this 1st day of January, 2015.

TOOELE CITY COUNCIL

(For)

(Against)

[Signature]

Debra E. White

[Signature]

[Signature]

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

[Signature]

ATTEST:

Michelle Pitt
Michelle Pitt, City Recorder

SEAL



Approved as to Form:

[Signature]
Roger Baker, City Attorney

Exhibit A

Petition, Map, and Legal Description of Additional Property

PETITION
FOR ANNEXATION OF ADDITIONAL AREA TO
THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT,
TOOELE CITY, TOOELE COUNTY, STATE OF UTAH

The undersigned persons (hereinafter referred to as the "Petitioners") hereby represent that they are the persons holding title to certain real property in Tooele City, Tooele County, State of Utah, more particularly described below, and referred to hereinafter as the "Additional Area":

(INSERT LEGAL DESCRIPTION)

The Petitioners hereby represent that there are no other persons holding title to the Additional Area.

The Petitioners desire to receive and accept the rights and responsibilities attendant to annexation of the Additional Area into the North Tooele City Special Service District.

Therefore, the Petitioners hereby petition and request that the Additional Area be annexed to the North Tooele City Special Service District.

Dated this 17 day of December 2014. Signed:

Hallmark Homes



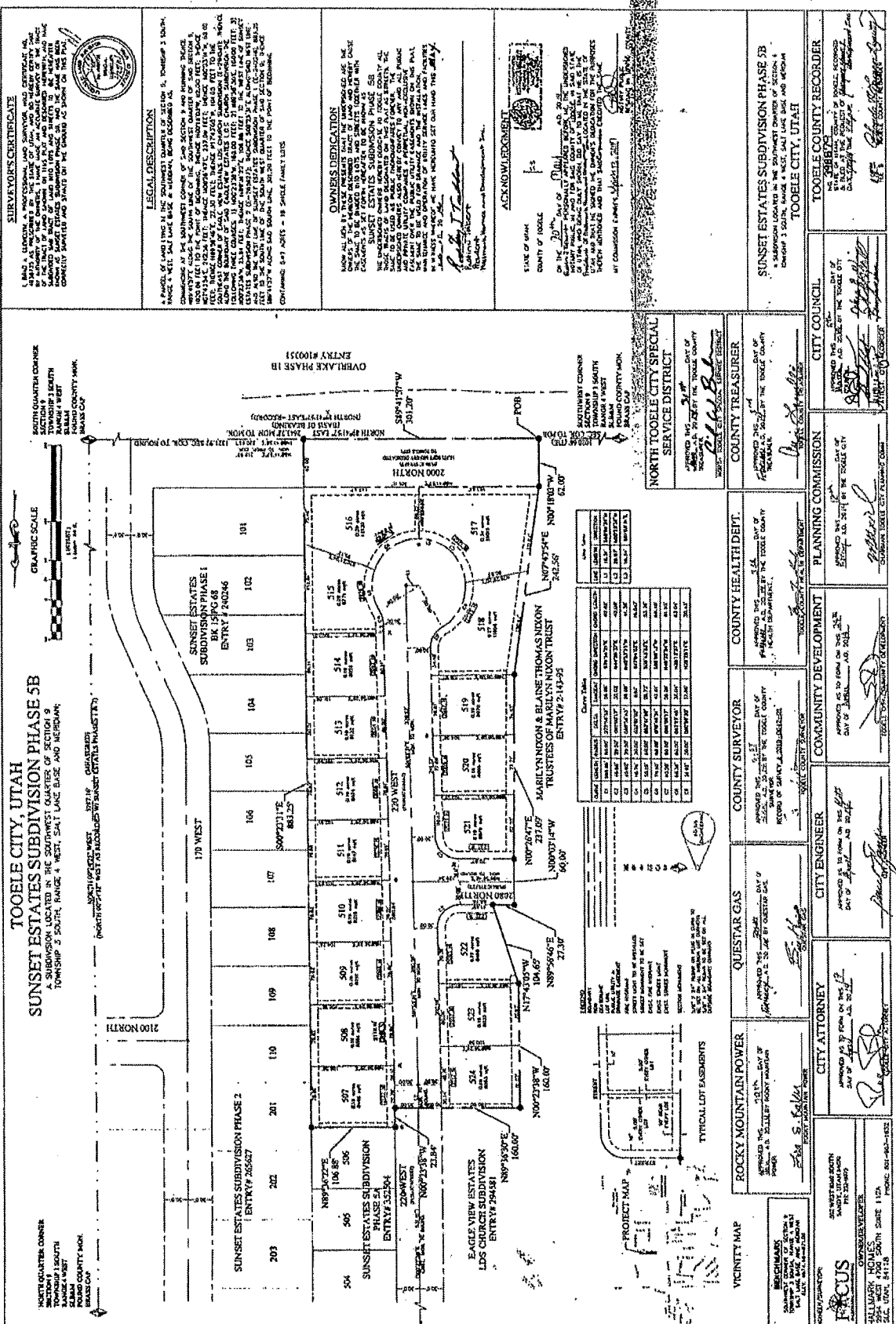
Rustin J Tolbert

SUNSET ESTATES PHASE 5B

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, BEING
DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9 AND RUNNING
THENCE N89°41'57"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF
SAID SECTION 9, 1020.66 FEET TO THE POINT OF BEGINNING; THENCE N00°18'03"W,
62.00 FEET; THENCE N07°43'54"E, 242.56 FEET; THENCE N00°26'47"E, 237.09 FEET;
THENCE N00°03'14"W, 60.00 FEET; THENCE N89°56'46"E, 27.30 FEET; THENCE
N17°43'05"W, 104.65 FEET TO THE SOUTHEAST CORNER OF EAGLE VIEW ESTATES
LDS CHURCH SUBDIVISION (E-294581); THENCE ALONG THE BOUNDARY OF SAID
EAGLEVIEW ESTATES L.D.S. CHURCH SUBDIVISION THE FOLLOWING THREE
COURSES: 1) N00°23'38"W, 160.00 FEET; 2) N89°36'30"E, 160.00 FEET; 3) N00°23'38"W,
23.84 FEET; THENCE N89°36'22"E, 106.88 FEET TO THE WEST LINE OF SUNSET
ESTATES SUBDIVISION PHASE 2 (E-265627); THENCE S00°23'31"E ALONG SAID
WEST LINE AND ALSO THE WEST LINE OF SUNSET ESTATES SUBDIVISION PHASE
1 (E-240246), 883.25 FEET TO THE SOUTH LINE OF THE SOUTH WEST QUARTER OF
SAID SECTION 9; THENCE S89°41'57"W ALONG SAID SOUTH LINE, 301.20 FEET TO
THE POINT OF BEGINNING.

CONTAINING: 5.42 ACRES - 18 SINGLE FAMILY LOTS



TOOELE CITY, UTAH
SUNSET ESTATES SUBDIVISION PHASE 5B
 SUBDIVISION LOCATED IN THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 7 WEST, BRASS COUNTY, MONTANA.

SUNSET ESTATES SUBDIVISION PHASE 1
 BK. 1996G 08
 ENTRY # 240246

SUNSET ESTATES SUBDIVISION PHASE 2
 ENTRY # 205827

SUNSET ESTATES SUBDIVISION PHASE 4
 ENTRY # 352484

EAGLE VIEW ESTATES LDS CHURCH SUBDIVISION
 ENTRY # 294181

MARILYN NIXON & BLAINE THOMAS NIXON TRUST
 ENTRY # 144292

OVERLAKE PHASE 1B
 ENTRY # 100351

TOOELE COUNTY RECORDER
 TOOELE CITY, UTAH

PLANNING COMMISSION
 APPROVED AS TO THE DAY OF

CITY ENGINEER
 APPROVED AS TO THE DAY OF

CITY ATTORNEY
 APPROVED AS TO THE DAY OF

QUESTAR GAS
 APPROVED AS TO THE DAY OF

ROCKY MOUNTAIN POWER
 APPROVED AS TO THE DAY OF

COUNTY SURVEYOR
 APPROVED AS TO THE DAY OF

COUNTY HEALTH DEPT.
 APPROVED AS TO THE DAY OF

COUNTY TREASURER
 APPROVED AS TO THE DAY OF

NORTH TOOELE CITY SPECIAL SERVICE DISTRICT

ACKNOWLEDGMENT
 STATE OF UTAH

OWNER'S DECLARATION
 I, the undersigned, being the owner of the premises hereinafter described, do hereby declare that the facts stated in the foregoing plat are true and correct.

LEGAL DESCRIPTION
 Section 20, Township 5 South, Range 7 West, Brass County, Montana.

SURVEYOR'S CERTIFICATE
 I, the undersigned, being duly sworn, do hereby certify that the foregoing plat is a true and correct copy of the original filed in my office.

TOOELE CITY COUNCIL
 APPROVED AS TO THE DAY OF

TOOELE COUNTY RECORDER
 APPROVED AS TO THE DAY OF

CITY ENGINEER
 APPROVED AS TO THE DAY OF

CITY ATTORNEY
 APPROVED AS TO THE DAY OF

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