

STATE OF UTAH

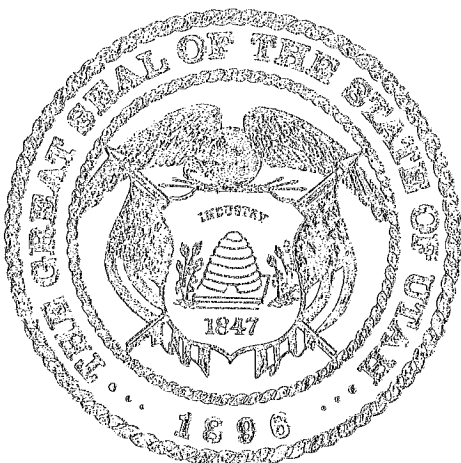


OFFICE OF THE LIEUTENANT GOVERNOR
CERTIFICATE OF ANNEXATION

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 ROY WATER CONSERVANCY DISTRICT, dated July 8th, 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 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 25th day of September, 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 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, July 8, 2015, approved a *Resolution Annexing Certain Real Property into the Boundaries of the Roy Water Conservancy District (Sawmill Ranch LLC 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. §17-23-20, 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 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 16th day of September 2015.

ROY WATER CONSERVANCY DISTRICT

By: *Gary L. Newman*
Gary L. Newman, Board Chair

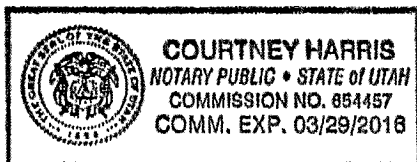
VERIFICATION

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 L. Newman, Board Chair

SUBSCRIBED AND SWORN to before me this 16th day of September 2015.



Courtney Harris
NOTARY PUBLIC

RESOLUTION NO. 2015 - 10

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY
INTO THE BOUNDARIES OF THE
ROY WATER CONSERVANCY DISTRICT
(Sawmill Ranch LLC 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 Petition for the Annexation of Property into Roy Water Conservancy District, dated June 17, 2015 (the "*Petition*"), executed by Sawmill Ranch, LLC (the "*Petitioner*"), pursuant to which the Petitioner 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 Annexation Property; and

WHEREAS, the Petitioner is the owner 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 Petitioner is the current owners of the Annexation Property as more particularly described in the Petition; and

WHEREAS, pursuant to Board Resolution No. 2015-09 (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) notice of the certification of the Petition as required pursuant to Utah Code Ann. §17B-1-405(1)(b) has been given to the Petitioner; 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 Hooper 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) subject to the dedication of necessary water rights as required by the District's rules and regulations, the District has system capacity 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.: 09-082-0004

Approximate Street Address of the Property: 5925 South 4700 West, Hooper, Utah 84315

Legal Description of the Property:

A PART OF THE NORTH HALF OF SECTION 20, TOWNSHIP 5 NORTH RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 20, WHICH POINT IS NORTH 89°43'55" WEST 247.00 FEET ALONG SAID NORTH LINE FROM THE NORTH QUARTER CORNER OF SAID SECTION 20; RUNNING THENCE SOUTH 82°07'04" EAST 249.21 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF A 66 FOOT WIDE FORMER HOOPER BRANCH OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO THE WEST LINE OF FREEDOM ESTATES SUBDIVISION PHASE 1 AS RECORDED IN THE WEBER COUNTY RECORDER'S OFFICE, SAID POINT ALSO BEING ON THE EXISTING ROY WATER CONSERVACY DISTRICT BOUNDARY; THENCE SOUTH 00°15'06" WEST 1280.94 FEET ALONG SAID EXISTING

ROY WATER CONSERVANCY DISTRICT BOUNDARY AND ALONG SAID WEST LINE AND THE WEST LINE OF FREEDOM ESTATES SUBDIVISION PHASE 2 TO THE SOUTHWEST CORNER OF SAID PHASE 2; THENCE SOUTH 89°09'08" EAST 0.29 FEET ALONG SAID EXISTING ROY WATER CONSERVANCY DISTRICT BOUNDARY AND ALONG THE SOUTH LINE OF SAID PHASE 2, TO THE NORTHWEST CORNER OF WILDWOOD ESTATES SUBDIVISION PHASE 2 AS RECORDED IN THE WEBER COUNTY RECORDER'S OFFICE; THENCE SOUTH 00°24'19" WEST 1318.58 FEET ALONG THE EXISTING ROY WATER CONSERVANCY DISTRICT BOUNDARY AND ALONG THE WEST LINE OF SAID WILDWOOD ESTATES SUBDIVISION PHASE 2 AND THE WEST LINE OF WILDWOOD ESTATES SUBDIVISION PHASE 6 & LOT 414 & 416 AMENDED TO THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 20; THENCE NORTH 89°30'09" WEST 1326.05 FEET ALONG SAID SOUTH LINE OF THE NORTH HALF OF SAID SECTION 20 TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE NORTH 00°25'05" EAST 2627.24 FEET ALONG THE WEST LINE OF THE SOUTHEAST AND NORTHEAST QUARTERS OF SAID NORTHWEST QUARTER OF SECTION 20; SAID LINE ALSO RUNS THROUGH AND ALONG THE EAST LINE OF COTTONWOOD MEADOWS NO. 2 AS RECORDED IN THE WEBER COUNTY RECORDER'S OFFICE TO THE NORTHWEST CORNER OF THE SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20; THENCE SOUTH 89°43'55" EAST 1074.65 FEET ALONG THE NORTH LINE OF SAID SECTION 20 TO THE POINT OF BEGINNING.

CONTAINS TAX PARCELS; 09-082-0004 AND 79.886 ACRES MORE OR LESS.

An Annexation Plat for 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

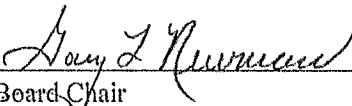
owners of property within the Annexation Property pursuant to which secondary water service shall be provided by the District, and in connection with said water contracts, to levy contract assessments as payment for secondary irrigation water service; and to impose such other fees and charges as shall 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.

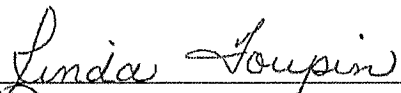
APPROVED AND ADOPTED this 8th day of July, 2015.

BOARD OF TRUSTEES
ROY WATER CONSERVANCY DISTRICT



Board Chair

ATTEST:



District Clerk
(seal)

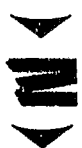


EXHIBIT "A"
Annexation Plat

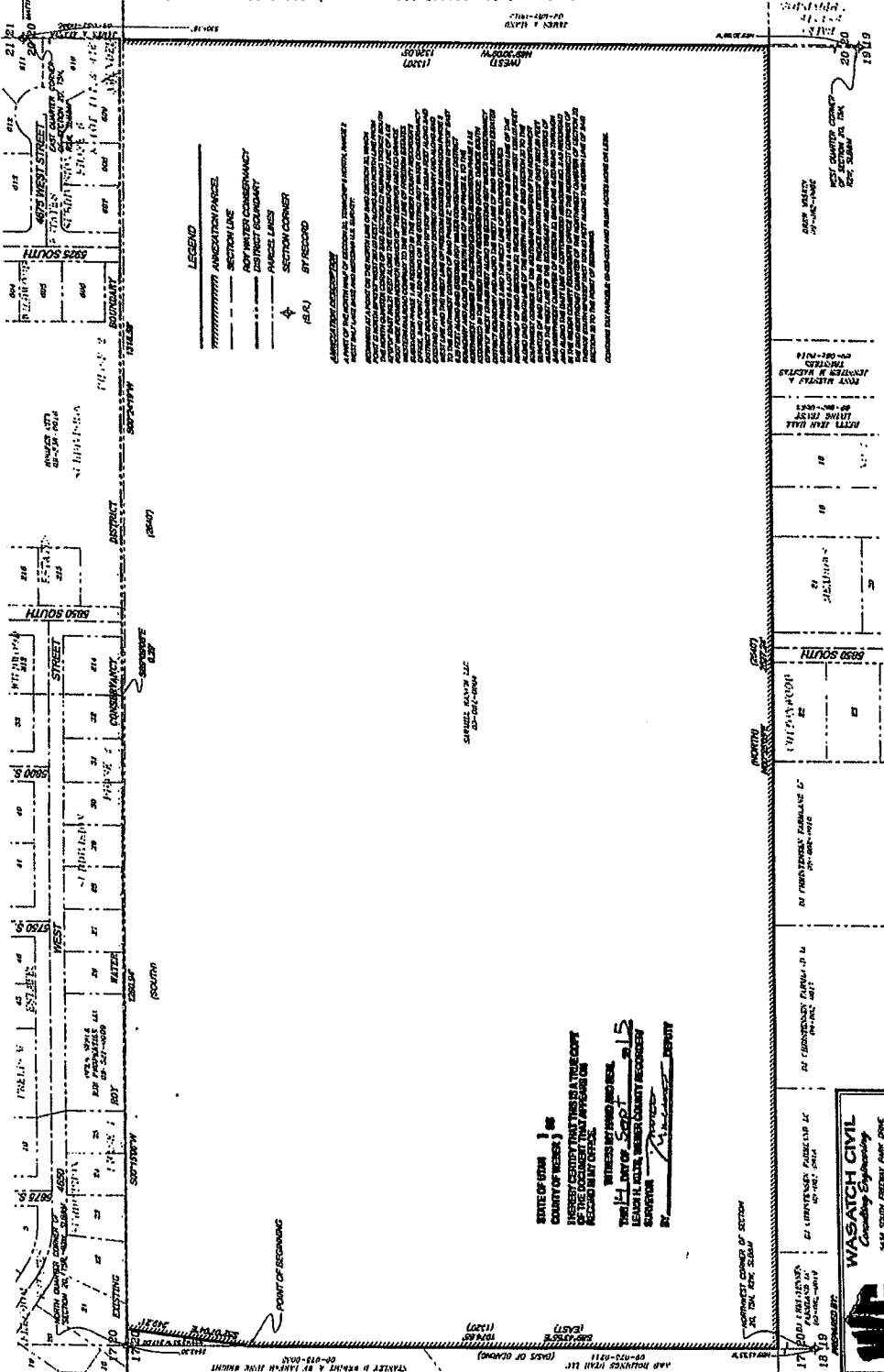
ANNEXATION TO THE ROY WATER CONSERVANCY DISTRICT 2015-10

A PART OF THE NORTH HALF OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE

AND MERIDIAN U.S. SURVEY; HOOPER CITY, WEBER COUNTY, UTAH SEPTEMBER, 2015



SCALE: 1" = 100'



LEGEND

ANNEXATION PARCEL

ROY WATER CONSERVANCY DISTRICT BOUNDARY

PARCEL LINES

SECTION CORNER

(B.R.) BY RECORD

ANNEXATION CERTIFICATE

A PART OF THE NORTH HALF OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE, MERIDIAN U.S. SURVEY, HOOPER CITY, WEBER COUNTY, UTAH, IS HEREBY ANNEXED TO THE ROY WATER CONSERVANCY DISTRICT, WEBER COUNTY, UTAH, AS SHOWN ON THE ATTACHED MAP. THE ANNEXATION IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE ANNEXATION AGREEMENT, WHICH IS A PART OF THIS CERTIFICATE. THE ANNEXATION IS EFFECTIVE AS OF THE DATE OF RECORDATION OF THIS CERTIFICATE.

STATE OF UTAH)
COUNTY OF WEBER)
I, **THE HONORABLE CLERK**,
DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE DOCUMENT THAT APPEARED FOR RECORD IN MY OFFICE.

WITNESSED MY HAND AND SEAL
THIS 15TH DAY OF SEPTEMBER, 2015.
SUSANNE M. HARRIS, CLERK

WASATCH CIVIL
Engineering & Surveying
1000 East 1000 South, Suite 100
Provo, Utah 84604 (801) 725-8711



PROFESSIONAL SEAL

LAND SURVEYOR

STATE OF UTAH

NO. 12345

DATE: 09/15/2015

COUNTY CLERK'S OFFICE

WEBER COUNTY, UTAH

RECORDED

DATE: 09/15/2015

BOOK: 12345

PAGE: 1

APPROVED THIS 15TH DAY OF SEPTEMBER, 2015.

[Signature]

CLERK

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CLERK