

STATE OF UTAH

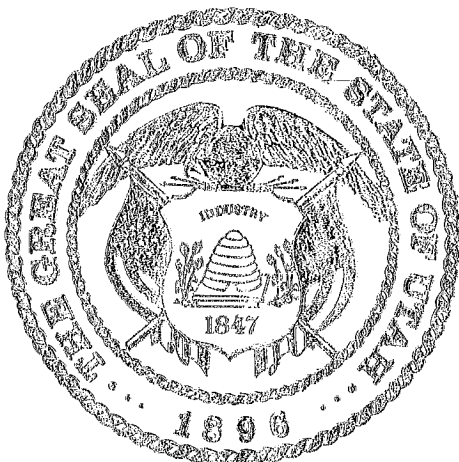


OFFICE OF THE LIEUTENANT GOVERNOR

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 CITY of SARATOGA SPRINGS, dated April 21st 2015, complying with Section 10-2-425, 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 the CITY of SARATOGA SPRINGS, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 5th day of June, 2015 at Salt Lake City, Utah.

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

SPENCER J. COX
Lieutenant Governor



CITY OF
SARATOGA SPRINGS

NOTICE OF IMPENDING BOUNDARY ACTION

May 19, 2015

The Honorable Spencer J. Cox
Lieutenant Governor of the State of Utah
Utah State Capitol Complex
PO Box 142325
Salt Lake City, Utah 84114-2325

RE: Notice of Impending Boundary Action – Annexation of 723.732 Acres of Land

Dear Lieutenant Governor Cox,

On April 21, 2015, the City Council of the City of Saratoga Springs, Utah adopted Ordinance 15-14 to annex 723.732 of undeveloped land situated outside of the current boundaries of the City of Saratoga Springs, Utah within portions of unincorporated Utah County, which property is contiguous to the boundaries of the City and identified in the City's Annexation Policy Plan. An original copy of the Ordinance and supporting documents are provided with this Notice setting forth the revised boundaries of the City of Saratoga Springs, Utah. Also provided with this Notice is an Approved Final Local Entity Plat, as defined in Utah Code § 67-1a-6.5(1)(b) certified by the Utah County Surveyor.

In accordance with Utah Code § 67-1a-6.5(3)(e), I hereby certify that all requirements applicable to this annexation have been met. I also respectfully request that your office issue a Certificate of Annexation to the City of Saratoga Springs in accordance with Utah Code § 10-2-425.

If you have any questions or need additional information from me, please do not hesitate to contact me at any time.

Respectfully,

Jim Miller, Mayor

ORDINANCE NO. 15-14 (4-21-15)

AN ORDINANCE ADOPTED PURSUANT TO SECTION 10-2-407(3)(b) OF THE UTAH CODE, APPROVING AN ANNEXATION APPLICATION RELATING TO APPROXIMATELY 723.732 ACRES OF LAND; ANNEXING SUCH LAND INTO THE CITY; AND RELATED MATTERS.

WHEREAS, Western States Ventures, LLC (“Western States”), owns approximately 475.737 acres of undeveloped land situated outside of the current boundaries of the City of Saratoga Springs, Utah (the “City”) within portions of unincorporated Utah County, which property is contiguous to the boundaries of the City, and which is more particularly described on Exhibit A attached hereto (the “Western States Property”); and

WHEREAS, Western States has submitted to the City Recorder an Annexation Application (such Annexation Application, together with all attached and related materials, being referred to herein as the “Petition”), requesting that the City annex the Western States Property into the City; and

WHEREAS, Western States included in the Petition certain additional parcels of property not owned by Western States, and also situated outside of the current boundaries of the City within portions of unincorporated Utah County, which additional parcels are contiguous to the boundaries of the City, and which are more particularly described on Exhibit B attached hereto (the “Non-Western States Property”); and

WHEREAS, the Western States Property and the Non-Western States Property is approximately 723.732 acres in size; and

WHEREAS, the Western States Property and the Non-Western States Property is situated within the portion of unincorporated Utah County included in the Annexation Policy Plan Map adopted by the City Council of the City on June 19, 2012 as part of Ordinance No. 12-7 (6-19-12); and

WHEREAS, on December 2, 2014 the City Council accepted the Petition for further consideration; and

WHEREAS, on March 12, 2015 the City Recorder (i) certified the Petition, and (ii) mailed or delivered written notification of such certification to the City Council, Western States, and the Utah County Commission, in satisfaction of Section 10-2-405(2)(c) of the Utah Code, a copy of which certification and notification is attached hereto as Exhibit C; and

WHEREAS, following receipt of notice of such certification from the City Recorder on March 12, 2015, the City Council caused a notice of the proposed annexation to be published (a) on March 17, 2015, March 24, 2015 and March 31, 2015, in the Daily Herald, a newspaper of general circulation within (i) the area circumscribed by the Western States Property and the Non-Western States Property, and (ii) the unincorporated area within ½ mile of the Western States

Property and the Non-Western State Property, and (b) for three weeks, beginning on March 12, 2015, on the website established pursuant to Section 45-1-101 of the Utah Code, which notices, together with affidavits of publication thereof, are attached hereto as Exhibit D; and

WHEREAS, following receipt of notice of such certification from the City Recorder on March 12, 2015, the City Council caused a notice thereof to be mailed on March 12, 2015 to affected entities, copies of which notices are attached hereto as Exhibit E; and

WHEREAS, the notices attached as Exhibits D and E identified the deadline of April 17, 2015 (the "Protest Deadline"), for the filing of protests under Section 10-2-407 of the Utah Code; and

WHEREAS, attached hereto as Exhibit F is a letter from the City Recorder stating that the City Recorder did not receive a copy of any protests to the proposed annexation filed with the Utah County Boundary Commission on or before the Protest Deadline; and

WHEREAS, on April 8, 2015, there was published in the Daily Herald a Notice of Public Hearing relating to the proposed annexation, in satisfaction of the requirements of Section 10-2-407(3)(b)(ii)(A) of the Utah Code, a copy of which Notice, together with an affidavit of the publication thereof, are attached as Exhibit G hereto; and

WHEREAS, on April 21, 2015, not less than seven (7) days after publication of the notice identified in Exhibit G, the City Council held a public hearing relating to the proposed annexation, at which public hearing all individuals desiring to express their views relating to the proposed annexation were given the opportunity to be heard on the matter; and

WHEREAS, the City Council has given careful consideration to the views expressed by the public during the public hearing; and

WHEREAS, the City Council has carefully reviewed and considered the Petition and all materials submitted by Western States in connection therewith and in support thereof, including materials required to be submitted pursuant to the City's Annexation Policy Plan Statement and Annexation Petition Requirements and Procedures; and

WHEREAS; in light of the foregoing, and after due deliberation, the City Council desires to approve the Petition and proceed with the proposed annexation and other related matters.

NOW THEREFORE, it is hereby ordained by the City Council of the City of Saratoga Springs, Utah, as follows:

SECTION 1. Findings. The City Council does hereby find and determine that the annexation of the Western States Property and the Non-Western States Property as proposed in the Petition furthers the health, safety, and general welfare of the City and its residents.

SECTION 2. Approval of Annexation; Effective Date. The City Council approves the Petition, approves the annexation of the Western States Property and the Non-Western States Property as described in the Petition, and does hereby annex the Western States Property and the

Non-Western States Property into the City. The effective date of such annexation shall be the date of issuance by the Utah Lieutenant Governor of the Certificate of Annexation, under Section 10-2-425 of the Utah Code.

SECTION 3. Zoning. The Western States Property and the Non-Western Property shall be subject to such zoning designations as shall be established by separate ordinance adopted by the City Council.

SECTION 4. Vesting of Development Rights. Western States Ventures, LLC shall be entitled to such vested development rights as are described in a separate Annexation and Master Development Agreement for The Springs Master Planned Community approved contemporaneously with this Ordinance.

SECTION 5. Authorized Actions. The Mayor, the City Recorder, the City Manager, and all other officers and employees of the City are hereby authorized and directed to take, in a timely manner, any and all actions required or advisable to be taken to give effect to the annexation hereby approved; including, without limitation, the giving of all notices and the filing of all items required pursuant to Sections 10-2-401 et seq. of the Utah Code.

SECTION 6. Publication of Ordinance. A copy of this Ordinance shall be delivered to the City Recorder immediately upon execution by the Mayor, and the City Recorder is hereby authorized and directed to cause a summary thereof to be published on the earliest possible date in the Daily Herald. This Ordinance shall become effective immediately upon such publication.

SECTION 7. Amendment of Conflicting Ordinances. If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 21 day of April, 2015.

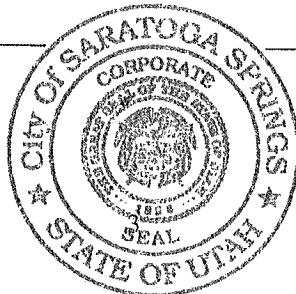
Signed: _____

Jim Miller, Mayor

Attest: _____

Lori Yates, City Recorder

4-21-15
Date



Shellie Baertsch
Rebecca Call
Michael McOmber
Stephen Willden
Bud Poduska

VOTE

Aye
Aye
Aye
Aye
Aye

EXHIBIT A

[Here attach map of Unincorporated Western States Property.]

EXHIBIT B

[Here attach map of the Non-Western States Property.]

EXHIBIT C

[Here attach Certification and Notice of Annexation Petition.]

CITY OF

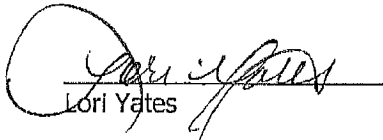


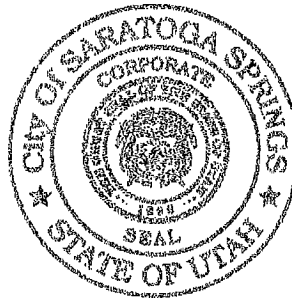
SARATOGA SPRINGS

NOTICE OF CERTIFICATION

I, Lori Yates, City Recorder for the City of Saratoga Springs, have reviewed the Petition for Annexation for The Springs ("Petition"), consisting of 723.732 acres, located west of the proposed Wildflower project at approximately 1000 North 1000 West, adjacent to the south border of Camp Williams and the northwest boundary of the City of Saratoga Springs. I hereby certify that the Petition meets the requirements of Utah Code Subsections 10-2-403(3), (4), and (5). A complete copy of the Petition is available from the City Recorder at 1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah.

DATED this 12th day of March, 2015


Lori Yates



Certification of mailing for the Springs Annexation.

Notice of Certification was sent to the following on March 12, 2015.

**Mayor Miller, Councilman McOmer, Councilman Poduska, Councilman Willden,
Councilwoman Baertsch, Councilwoman Call, Western States Ventures LLC and Utah
County Commission.**

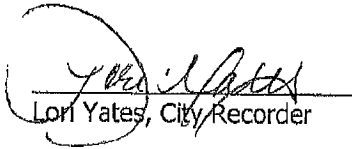

Lori Yates, City Recorder



EXHIBIT D

[Here attach copy of published notice of proposed annexation, together with affidavits of publication.]

*** Proof of Publication ***

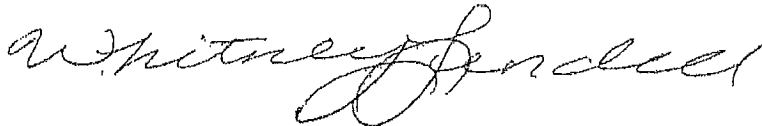
The Daily Herald
State of Utah, Utah County > SS -----

City of Saratoga Springs - legal
1307 N. Commerce Dr. Suite 200
Saratoga Springs, UT 84045

ORDER NUMBER 49621

I, being first duly sworn depose and say that I am the Legal Billing Clerk of The Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the ad attached hereto, and which is a copy, was published in said newspaper; that said notice was published in the regular and entire issue of the paper during that period and times of publication, and was published in the newspaper proper and not in the supplement.

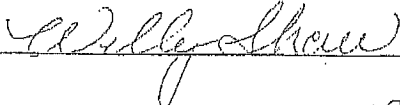
Same was also published online at utahlegals.com, according to Section 45-1-101, Utah Code Annotated, beginning on the first date of publication and for at least 30 days thereafter.



PUBLISHED ON: 03/17/2015, 03/24/2015, 03/31/2015

TOTAL AD COST: 267.00

FILED ON: 3/17/2015

SIGNATURE 

Subscribed and sworn to before me this the 18th DAY OF March 20 15

PUBLIC NOTICE
A Petition for annexation has been filed in the office of the City Recorder of the City of Saratoga Springs, Utah for the purpose of requesting annexation of portions of certain parcels of land belonging to Western States Ventures LLC, JD V, LLC, JD VI, LLC, United States of America, and Utah Power and Light Company (parcel numbers: 58:021:0028; 58:022:0020; 58:022:0021; 58:022:0022; 58:022:0028; 58:022:0074; 58:022:0104; 58:022:0105; 58:022:0114; 58:022:0115; 58:022:0121; and 58:033:0033) more specifically described as follows:

BEGINNING AT A POINT WHICH IS SOUTH 88°24'01" EAST 1342.64 FEET AND NORTH 00°48'03" EAST 1339.79 FEET FROM A BRASS CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°48'00" EAST ALONG THE SIXTEENTH LINE 1,339.41 FEET TO A FOUND BRASS CAP MONUMENT; THENCE NORTH 00°20'46" EAST ALONG THE SIXTEEN LINE 518.45 FEET TO A FOUND BRASS CAP MONUMENT; THENCE NORTH 76°58'47" EAST 1,368.44 FEET; THENCE CONTINUE NORTHEASTERLY ALONG SAID LINE, A DISTANCE OF 890.93 FEET; THENCE NORTH 79°06'29" EAST 896.48 FEET; THENCE NORTH 75°12'07" EAST 302.85 FEET TO A FOUND BRASS CAP MONUMENT; THENCE SOUTH 89°12'05" EAST ALONG THE SIXTEENTH LINE 635.01 FEET; THENCE SOUTH 88°32'30" EAST ALONG THE SIXTEENTH LINE 2,587.39 FEET TO A FOUND BRASS CAP MONUMENT; THENCE SOUTH 00°33'49" EAST ALONG A QUARTER SECTION LINE 1,292.07 FEET TO A QUARTER SECTION LINE; THENCE SOUTH 89°17'49" EAST ALONG THE QUARTER SECTION LINE 2,689.22 FEET TO A FOUND BRASS CAP MONUMENT; THENCE NORTH 00°21'58" EAST 2675.92 FEET; THENCE NORTH 00°17'10 EAST 2640.23 FEET; THENCE NORTH 00°26'29" EAST 1345.65 FEET; THENCE NORTH 89°51'40" EAST 961.03 FEET; THENCE SOUTH 04°46'00 WEST 4007.31 FEET; THENCE NORTH 89°31'57" WEST 36.48 FEET; THENCE SOUTH 04°46'00" WEST 3952.15 FEET; THENCE SOUTH 33°40'00 WEST 103.50 FEET; THENCE SOUTH 70°47'00 EAST 62.40 FEET; THENCE SOUTH 19°13'00 WEST 20.00 FEET; THENCE NORTH 70°47'00 WEST 67.80 FEET; THENCE SOUTH 33°40'00 WEST 442.67 FEET; THENCE SOUTH 38°16'14" WEST 1142.70 FEET; THENCE SOUTH 33°40'00" WEST 2969.67 FEET TO THE NORTH RIGHT-OF-WAY LINE OF CEDAR FORT ROAD (SR-73); THENCE SOUTH 78°02'07" WEST ALONG SAID RIGHT-OF-WAY 355.21 FEET; THENCE NORTH 00°23'28" EAST 2537.31 FEET; THENCE NORTH 00°32'31" WEST 1351.06 FEET TO A SIXTEENTH LINE; THENCE NORTH 89°36'23" WEST 2,634.37 FEET ALONG THE SIXTEENTH LINE; THENCE NORTH 88°46'20" WEST ALONG THE SIXTEENTH LINE 2,674.42 FEET; THENCE NORTH 88°45'43" WEST ALONG THE SIXTEENTH LINE 1,335.65 FEET TO THE POINT OF BEGINNING. CONTAINING 31,529,972 SQUARE FEET OR 723.732 ACRES, MORE OR LESS.

The City of Saratoga Springs City Council received a Notice of Certification from the City Recorder of the City of Saratoga Springs on March 12, 2015. This notice as well as the complete annexation petition is available for inspection and copying at the office of the City Recorder.

The City of Saratoga Springs may grant the petition and annex the area described in the petition unless a written protest to the annexation is filed with the Boundary Commission at 100 East Center, Provo, Utah 84604 and a copy of the protest is delivered to the City Recorder of the City of Saratoga Springs by April 17, 2015.

Legal Notice 49621. Published in The Daily Herald March 17, 24 31 2015.

EXHIBIT E

[Here attach copy of notices to affected entities.]

Certification of mailing for The Springs Annexation

Notice of Certification was mailed to the following list on March 12th 2015

Questar Corporation
180 East 100 South
PO Box 45433
Salt Lake City, Utah 84145

Rocky Mountain Power
201 South Main Street, Suite 2300
Salt Lake City, Utah 84111

Rocky Mountain Power
Annexations
PO Box 400
Portland, OR 97207-0400

Timpanogos Special Service District
PO Box 363
American Fork, Utah 84003

Utah County Commission
100 East Center Street
Provo, Utah 84606

Mountainland Association of Governments
586 East 800 North
Orem, Utah 84097

Alpine School District
575 North 100 East
American Fork, Utah 84003

Lehi City
153 North 100 East
Lehi, Utah 84043

Eagle Mountain City
1650 East Stagecoach Run
Eagle Mountain, Utah 84005

Central Utah Water Conservancy District
355 West University Parkway
Orem, Utah 84058

UDOT, Region 3
Attn: Shane Marshall
658 North 1500 West
Orem, Utah 84057

Suburban Land Reserve
Attn: Michael Hathorne
5 Triad Center, Suite 325
Salt Lake City, Utah 84180

Matrix Design Group
Attn: Celeste Werner
2224 W. Northern Avenue, D240
Phoenix, AZ 85021

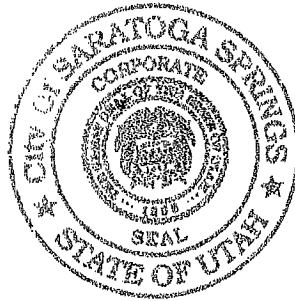
Utah Training Center-Camp Williams
Attn: LTC Tyler Smith
17800 Camp Williams Road
Riverton, Utah 84065

State Planning Coordinator
Mike Mower
Notification is to be posted on State website

Qwest Communications
Email notification to sea.amc@qwest.com

Comcast
Attn: Matt Young
9602 South 300 West
Sandy, Utah 84070
801-401-3017

State of Utah-SITLA
Attn: Elise Eler
675 East 500 South, Suite 500
Salt Lake City, Utah 84102-2818




Lori Yates, City Recorder

EXHIBIT F

[Here attach letter of City Recorder.]



CITY OF
SARATOGA SPRINGS

I, Lori Yates, City Recorder for the City of Saratoga Springs, did not receive a copy of any protests to the proposed annexation filed with the Utah County Boundary Commission on or before the Protest Deadline.

DATED this 21st day of April, 2015

A handwritten signature in cursive script, appearing to read "Lori Yates".

Lori Yates
City Recorder



EXHIBIT G

[Here attach copy of notice of public hearing, together with affidavits of publication.]

*** Proof of Publication ***


The Daily Herald
State of Utah, Utah County > SS -----

City of Saratoga Springs - legal
1307 N. Commerce Dr. Suite 200
Saratoga Springs, UT 84045

ORDER NUMBER 50855

I, being first duly sworn depose and say that I am the Legal Billing Clerk of The Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the ad attached hereto, and which is a copy, was published in said newspaper; that said notice was published in the regular and entire issue of the paper during that period and times of publication, and was published in the newspaper proper and not in the supplement.

Same was also published online at utahlegals.com, according to Section 45-1-101, Utah Code Annotated, beginning on the first date of publication and for at least 30 days thereafter.

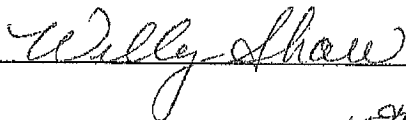


PUBLISHED ON: 04/10/2015

TOTAL AD COST: 81.10

FILED ON: 4/10/2015

SIGNATURE



Subscribed and sworn to before me this the 10th DAY OF April, 2015

WILLY SHAW
Notary Public
Utah
My Comm. Expires 12/31/2017

Notice of Public Hearing
Notice is hereby given that the City of Saratoga Springs City Council will conduct a public hearing on a proposed Annexation, General Plan Amendment, Rezone, and Master Development Agreement.
Project: The Springs
Project Location: West of Wildflower and Harvest Hills south of Camp Williams
Hearing: Tuesday, April 21, 2015 at 7:00 p.m.
Location of Hearing: Saratoga Springs City Offices, Council Chamber, 1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045
Questions regarding this proposed application may be directed to the City of Saratoga Springs Planning Department, telephone 766-9793. Copies of this proposed application are available for public inspection online at www.saratogaspringscity.com/planning under "Pending Applications", or at the City Offices Monday through Thursday between 7:00 a.m. and 5:00 p.m. and Friday between 8:00 a.m. and 5:00 p.m.
Legal Notice 50855 Published in The Daily Herald April 10, 2015.

Exhibit H

Proof of Ordinance Publication

*** Proof of Publication ***

The Daily Herald
State of Utah, Utah County > SS -----

City of Saratoga Springs - legal
1307 N. Commerce Dr. Suite 200
Saratoga Springs, UT 84045

ORDER NUMBER 52113

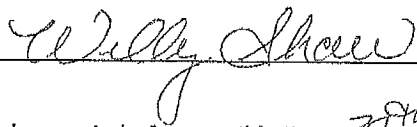
I, being first duly sworn depose and say that I am the Legal Billing Clerk of The Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the ad attached hereto, and which is a copy, was published in said newspaper; that said notice was published in the regular and entire issue of the paper during that period and times of publication, and was published in the newspaper proper and not in the supplement.

Same was also published online at utahlegals.com, according to Section 45-1-101, Utah Code Annotated, beginning on the first date of publication and for at least 30 days thereafter.




PUBLISHED ON: 04/30/2015

TOTAL AD COST: 71.00
FILED ON: 4/30/2015

SIGNATURE 

Subscribed and sworn to before me this the 30th DAY OF April, 2015

 WILLY SHAW
NOTARY PUBLIC - STATE OF UTAH
COMMISSION# 670719
COMM. EXP. 09-24-2017

Public Notice
Notice is hereby given that the City of Saratoga Springs City Council adopted the following ordinance on the date indicated:
Ordinance No. 15-14: An ordinance adopted pursuant to Section 10-2-407(3)(b) of the Utah Code, approving an annexation application relating to approximately 728.732 acres of land annexing such land into the city and related matters.
Ordinance No. 15-15: An ordinance adopting amendments to the City's official Zoning Map and General Plan.
Ordinance No. 15-16: An ordinance approving the Annexation and Master Development Agreement for The Springs Master Planned Community.
Effective Upon publication.
This ordinance is available for public inspection during business hours at the office of the City Recorder at 1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah.
W. Lon Yates, City Recorder
Legal Notice 52113 Published in The Daily Herald April 30, 2015.