

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 BOUNTIFUL IRRIGATION DISTRICT, dated August 5<sup>th</sup> 2018, 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 BOUNTIFUL IRRIGATION DISTRICT located in Davis County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 17<sup>th</sup> day of September, 2018 at Salt Lake City, Utah.

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

SPENCER J. COX  
Lieutenant Governor

**BOUNTIFUL IRRIGATION DISTRICT**

**RESOLUTION NO. 6**

**Annexation Approval Resolution  
(75% landowner petition)**

WHEREAS, the Bountiful Irrigation District (the “District”) is a duly organized local district located in Davis County, Utah, established and operating as prescribed in Title 17B of the Utah Code;

WHEREAS, the District owns and operates a secondary (irrigation) water distribution system in a portion of southern Davis County, Utah;

WHEREAS, a Landowner Annexation Petition (the “Petition”) has been filed with the District requesting that the real property identified on Exhibit “A” attached to this Resolution (the “Subject Property”) be annexed into the District in order to receive secondary water service from the District (the landowners are referred to herein as “Petitioners”);

WHEREAS, the Subject Property receives culinary water service from the City of Bountiful, but the City of Bountiful does not provide secondary (irrigation) water service;

WHEREAS, the District Board of Trustees (the “Board”) has the statutory authority to annex areas into the District pursuant to the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, which outlines the procedure to be followed to accomplish such annexations;

WHEREAS, Petitioners owns over 75% of the total real property within the Subject Property, both by area and by value;

WHEREAS, the Petition satisfies the applicable requirements of Utah Code Ann. §§ 17B-1-403 and -404;

WHEREAS, at a duly called meeting of the Board, with the proposed annexation listed on the agenda, the Board voted to certify the Petition in accordance with Utah Code Ann. § 17B-1-405;

WHEREAS, the identified contact sponsor was notified, in writing, of the certification of the Petition as required by Utah Code Ann. § 17B-1-405;

WHEREAS, since the Petition has been signed by over 75% by value and by area, of the total real property within the Subject Property, pursuant to Utah Code Ann. § 17B-1-413(1), the Board is not required to hold a public hearing pursuant to Utah Code Ann. §§ 17B-1-409 and -410 and the protest provisions of Utah Code Ann. § 17B-1-412 are not applicable to this annexation proceeding;

WHEREAS, a notice of the proposed annexation was given pursuant to the requirements of Utah Code Ann. § 17B-1-413;

WHEREAS, the written Notice referenced in the immediately preceding paragraph contained a brief description of the proposed annexation and included the name of the Bountiful Irrigation District, the service to be provided by the District, a description and/or map of the area proposed to be annexed, a local district telephone number where additional information about the proposed annexation could be obtained, and an explanation of the right of an owner of property located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition to request a public hearing on the proposed annexation in accordance with Utah Code Ann. § 17B-1-413(2)(a)(ii)(B), provided that such request was submitted to the District Board of Trustees within 20 days after the date the Notice was given;

WHEREAS, more than 20 days have passed since the notice was given, no property owner or registered voter having a right to do so has requested a hearing, and the time for submitting a request for a public hearing has passed;

WHEREAS, not more than 30 days has passed since the expiration of the time for submitting a request for a public hearing;

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any local district or special service district which is authorized to perform the same functions or provide the same services as the District and Davis County does not provide either culinary or secondary water service;

WHEREAS, the City of Bountiful provides culinary water service, but it is not proposed that the District provide culinary water service to the Subject Property, and the City does not provide secondary water service;

WHEREAS, it is not necessary to provide a notice of the proposed annexation to any county or municipality pursuant to Utah Code Ann. § 17B-1-406 because no county or municipality provides secondary water, which is the service to be provided to the Subject Property by the District, and the provisions of Utah Code Ann. §§ 17B-1-407 through -408 are not applicable; and

WHEREAS, the Board has determined that all applicable statutory requirements have been satisfied and, having considered the proposed annexation, has determined it to be in the best general interest of the District and of the property owners, residents, and taxpayers within both the District as presently constituted and the area proposed to be annexed for the requested annexation to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Bountiful Irrigation District, as follows:

1. That all of the legal requirements stated in Title 17B, Chapter 1, Part 4 of the Utah Code that must be satisfied before the adoption of this Resolution have been satisfied.

2. That, in accordance with Utah Code Ann. § 17B-1-414, the real property described and/or otherwise identified in attached Exhibit "A," which is incorporated by reference as part of this Resolution, shall be and hereby is annexed into and, from the effective date of the annexation, shall be part of the Bountiful Irrigation District.

3. That, from and after the issuance by the Lt. Governor of a certificate of annexation pursuant to Utah Code Ann. §§ 67-1a-6.5(7) and § 17B-1-414(3)(b), the Subject Property shall be an integral part of the District and the taxable property located within the Subject Property shall be subject to taxation for the purposes of the District, including the payment of any bonds and other obligations now outstanding or hereafter authorized and issued. All properties within and users of services provided by the District, as enlarged by this annexation, shall be subject to the payment of service and user fees and such other applicable fees and charges as may be assessed from time to time by the District and shall be subject to all rules, regulations, powers and authority of the District and of the Board as provided by law or otherwise.

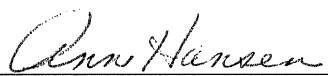
4. That the Chairman and/or General Manager of the District be and are instructed, within 30 days after adoption of this Annexation Resolution, to file a written Notice of Entity Boundary Change with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution and an accurate map and/or legal description of the boundaries of the annexed area (the Subject Property) which is adequate for the purposes of the County Assessor and the County Recorder. The certificate of boundary change issued by the Lt. Governor shall be maintained with the District's records.

5. That this Resolution shall take effect immediately upon its approval and adoption but the annexation shall not be complete until the date on which the Lt. Governor issues the certificate of boundary change.

5 Approved and adopted by the Board of Trustees of the Bountiful Irrigation District this day of August, 2018.

  
Board Chair

ATTEST:

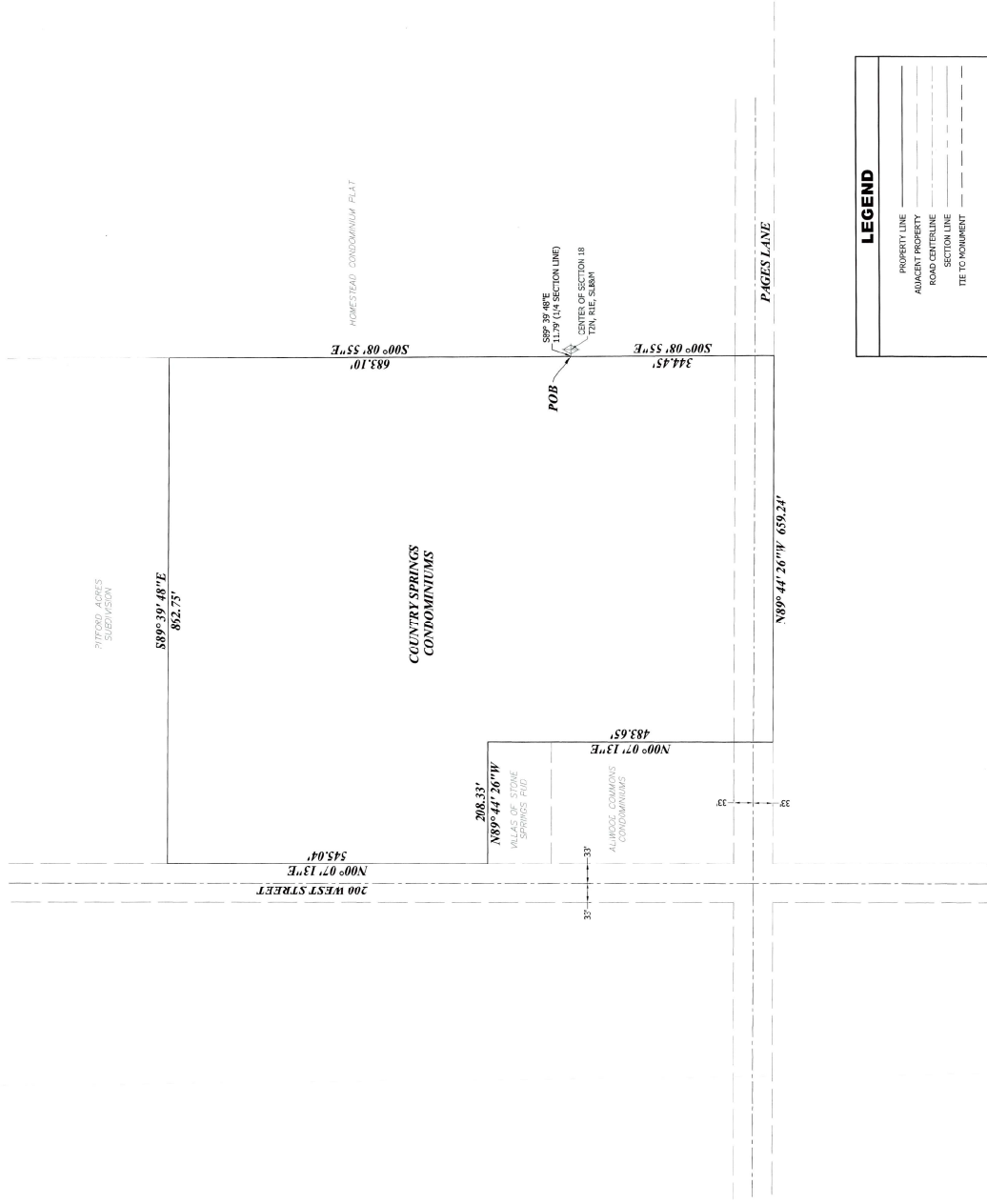
  
Board Clerk

**EXHIBIT A**  
**Subject Property**

[insert property description]  
4843-8532-4391, v. 1

# LOCAL ENTITY PLAT

ANNEXATION TO THE BOUNTIFUL IRRIGATION DISTRICT, DAVIS COUNTY, UTAH  
LOCATED IN THE WEST HALF OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
BOUNTIFUL CITY, DAVIS COUNTY, UTAH



## SURVEYOR'S CERTIFICATE

I, DON B. HILL, A PROFESSIONAL LAND SURVEYOR ACCORDING TO THE LAWS OF THE STATE OF UTAH, DO CERTIFY THAT ACCORDING TO THE LAWS OF THE STATE OF UTAH, UTAH ANNOTATED CODE 17-23-20, THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO BOUNTIFUL IRRIGATION DISTRICT, DAVIS COUNTY, UTAH.



## PARCEL DESCRIPTION

BEGINNING AT A POINT THAT IS THAT IS NORTH89°26'00\"/>

## ACCEPTANCE BY BOUNTIFUL IRRIGATION DISTRICT

THIS IS TO CERTIFY THAT THE BOUNTIFUL IRRIGATION DISTRICT, DAVIS COUNTY, UTAH, HAS RECEIVED A PETITION BY A MEMBER OF THE OWNERS OF THE TRACTS SHOWN HEREON REQUESTING THAT SAID TRACTS BE DE-ANNEXED FROM BOUNTIFUL IRRIGATION DISTRICT AND THAT A COPY OF THE ORDINANCES AND RESOLUTIONS OF THE DISTRICT BEING DE-ANNEXED BE ANNEXED TO THE LAWS OF THE STATE OF UTAH, UTAH ANNOTATED CODE 17-23-20, AS REVISED, AND THAT THE LAKE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE DE-ANNEXATION OF THE TRACTS, AS SHOWN, AS A PART OF BOUNTIFUL IRRIGATION DISTRICT.

*[Signature]*  
BOUNTIFUL IRRIGATION DISTRICT  
PRESIDENT OF THE BOARD

FINAL LOCAL ENTITY PLAT



## COUNTY RECORDER

STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REQUEST OF BOUNTIFUL CITY,

DATE \_\_\_\_\_ TIME \_\_\_\_\_  
BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ REF \_\_\_\_\_

COUNTY RECORDER

## LEGEND

PROPERTY LINE  
ADJACENT PROPERTY  
ROAD CENTERLINE  
SECTION LINE  
TIE TO MONUMENT

**Entellus**  
181 North 200 West, Suite #4  
Bountiful, UT 84010  
Phone 801.298.2236  
www.Entellus.com  
PROJ # 165001 34/07/15/2018