

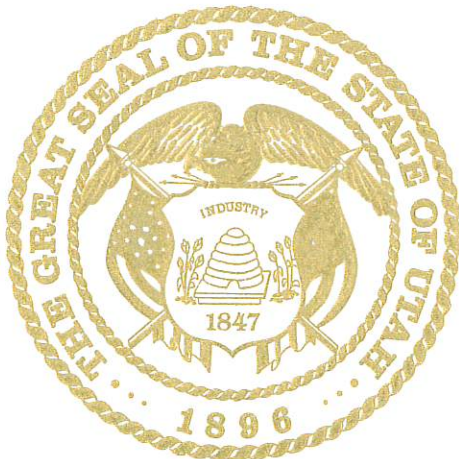


OFFICE OF THE LIEUTENANT GOVERNOR  
CERTIFICATE OF ANNEXATION

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 KEARNS IMPROVEMENT DISTRICT, dated December 11<sup>th</sup>, 2018, complying with Title 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 boundary correction and adjustment, referred to above, on file with the Office of the Lieutenant Governor pertaining to KEARNS IMPROVEMENT 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 21<sup>st</sup> day of December, 2018 at Salt Lake City, Utah.



A handwritten signature in black ink, which appears to read "Spencer J. Cox", is placed above the printed name.

SPENCER J. COX  
Lieutenant Governor

**KEARNS IMPROVEMENT DISTRICT  
NOTICE OF IMPENDING BOUNDARY ACTION  
(Annexation)**

TO: SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH

Notice is hereby given that on December 11, 2018, the Board of Trustees of the Kearns Improvement District (the "District") adopted a Resolution approving an annexation of land into the District. The real property being annexed into the District (the "Affected Area") is described and depicted in the final local entity plat which accompanies this Notice. It is requested that the Lieutenant Governor issue his certificate of annexation in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

In satisfaction of the requirements of Utah Code Ann. § 67-1a-6.5(3)(e)(i), the Board of Trustees of the Kearns Improvement District hereby certifies that all requirements applicable to the annexation of the Affected Area as part of the Kearns Improvement District have been met.

This notice is accompanied by: (a) a copy of the Kearns Improvement District Resolution and (b) an approved final local entity plat as defined in Utah Code Ann. § 67-1a-6.5 and meeting the requirements of Utah Code Ann. § 17-23-20.

The address of the District is as follows:

Kearns Improvement District  
5350 West 5400 South  
Kearns, Utah 84118

DATED this 11 day of December, 2018.

**KEARNS IMPROVEMENT DISTRICT BOARD  
OF TRUSTEES**

By: \_\_\_\_\_

Gregory R. Christensen, Chairman

ATTEST:

\_\_\_\_\_  
*Bruce Hicken*

Bruce Hicken, District Clerk

## **KEARNS IMPROVEMENT DISTRICT**

### **RESOLUTION 2018-12-2**

#### **Annexation Approval Resolution (100% landowner petition)**

**WHEREAS**, the Kearns Improvement District (the "District") is a duly organized Improvement district located in Salt Lake County, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the Utah Code and other relevant portions of Title 17B of the Utah Code;

**WHEREAS**, the District owns and operates a culinary water distribution system and a sanitary sewer system which serve the Kearns Metro Township and portions of West Valley City, West Jordan City, and Taylorsville City;

**WHEREAS**, a Landowner Annexation Petition (the "Petition") has been filed with the District by G & N Wood Properties, L.L.C. (hereafter "Applicant") 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 culinary water and sanitary sewer services from the District;

**WHEREAS**, the District requires that Applicant's property be annexed into the District as a condition to receiving, and continuing to receive, culinary water and sewer 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**, Applicant owns 100% of the Subject Property;

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

**WHEREAS**, within thirty days after the Petition was filed, at a duly called meeting of the Board of Trustees of the District for which certification of the Petition was 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 the sole owner of the Subject Property, pursuant to Utah Code Ann. § 17B-1-413(1), the District 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 Kearns Improvement District, the services 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, nor is it located within the boundaries of any municipality or any county that provides the same service that the District provides;

**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 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 Kearns Improvement 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.

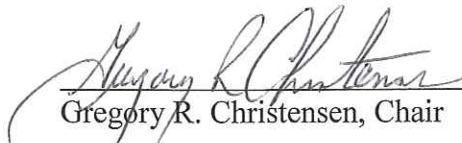
2. That, in accordance with Utah Code Ann. § 17B-1-414, the real property described and/or otherwise identified in attached Exhibit "A," which is incorporated by reference as part of this Resolution, shall be and hereby is annexed into and, from the effective date of the annexation, shall be part of the Kearns Improvement 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 and § 17B-1-414(3)(b), the Subject Property shall be an integral part of the District and, upon the submittal of the original notice of annexation, the original certificate of annexation issued by the Lieutenant Governor, the approved final local entity plat, and a certified copy of this Resolution to the Salt Lake County Recorder for recordation, 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 of the Board 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 annexation with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution and an approved final local entity plat. The Chairman and/or General Manager are further instructed, upon receipt of the certificate of annexation from the Lieutenant Governor, to submit the documents identified in paragraph 3 above to the Salt Lake County Recorder for recordation.

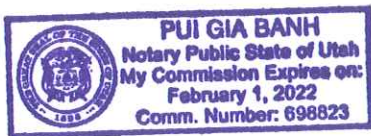
5. That this Resolution shall take effect immediately upon its approval and adoption, but the annexation shall not be complete and effective until the date specified in the certificate of annexation issued by the Lt. Governor.

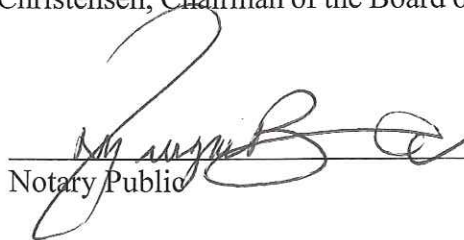
Approved and adopted by the Board of Trustees of the Kearns Improvement District this 11 day of December, 2018.

  
\_\_\_\_\_  
Gregory R. Christensen, Chair

STATE OF UTAH                    )  
  :SS.  
COUNTY OF SALT LAKE    )

The foregoing Resolution was subscribed before me, a notary public, this 11 day of December, 2018 by Gregory R. Christensen, Chairman of the Board of Trustees of the Kearns Improvement District.



  
\_\_\_\_\_  
Notary Public

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

A parcel of land located in Salt Lake County, Utah situate in the Southeast Quarter of Section 21, Township 2 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at an existing stone with a rivet being the Southwest Corner of Section 22, Township 2 South, Range 2 West, Salt Lake Base and Meridian; and running

thence North 61°02'53" West 238.74 feet to a stone monument being the Southeast Corner of Section 21, Township 2 South, Range 2 West, Salt Lake Base and Meridian;

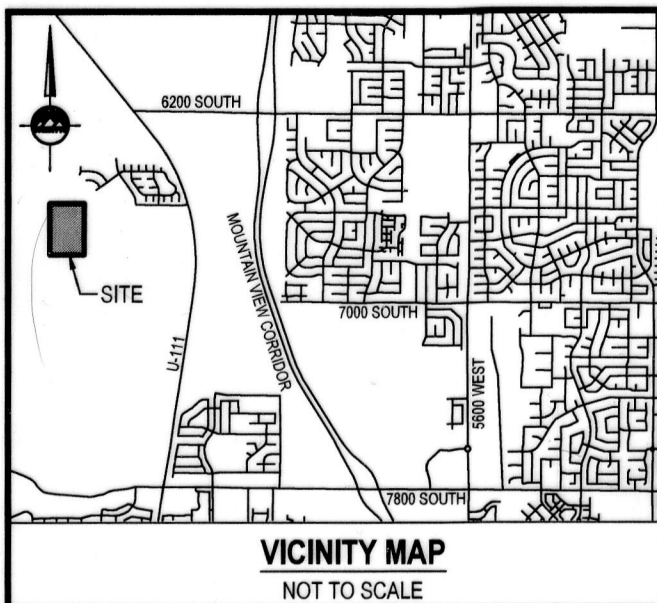
thence North 89°56'32" West 1,331.32 feet along the South Section line to an aluminum cap stamped "United States Public Lands" representing the Southeast 1/16 Corner of said Section 21, said point also being the Southeast Corner of Government Lot 8 of said Section 21;

thence North 00°05'54" East 2,592.25 feet along the Westerly line of said Government Lot 8 and Government Lot 1 of said Section 21;

thence South 89°04'10" East 1,432.62 feet to a brass cap monument being the West Quarter Corner of said Section 22;

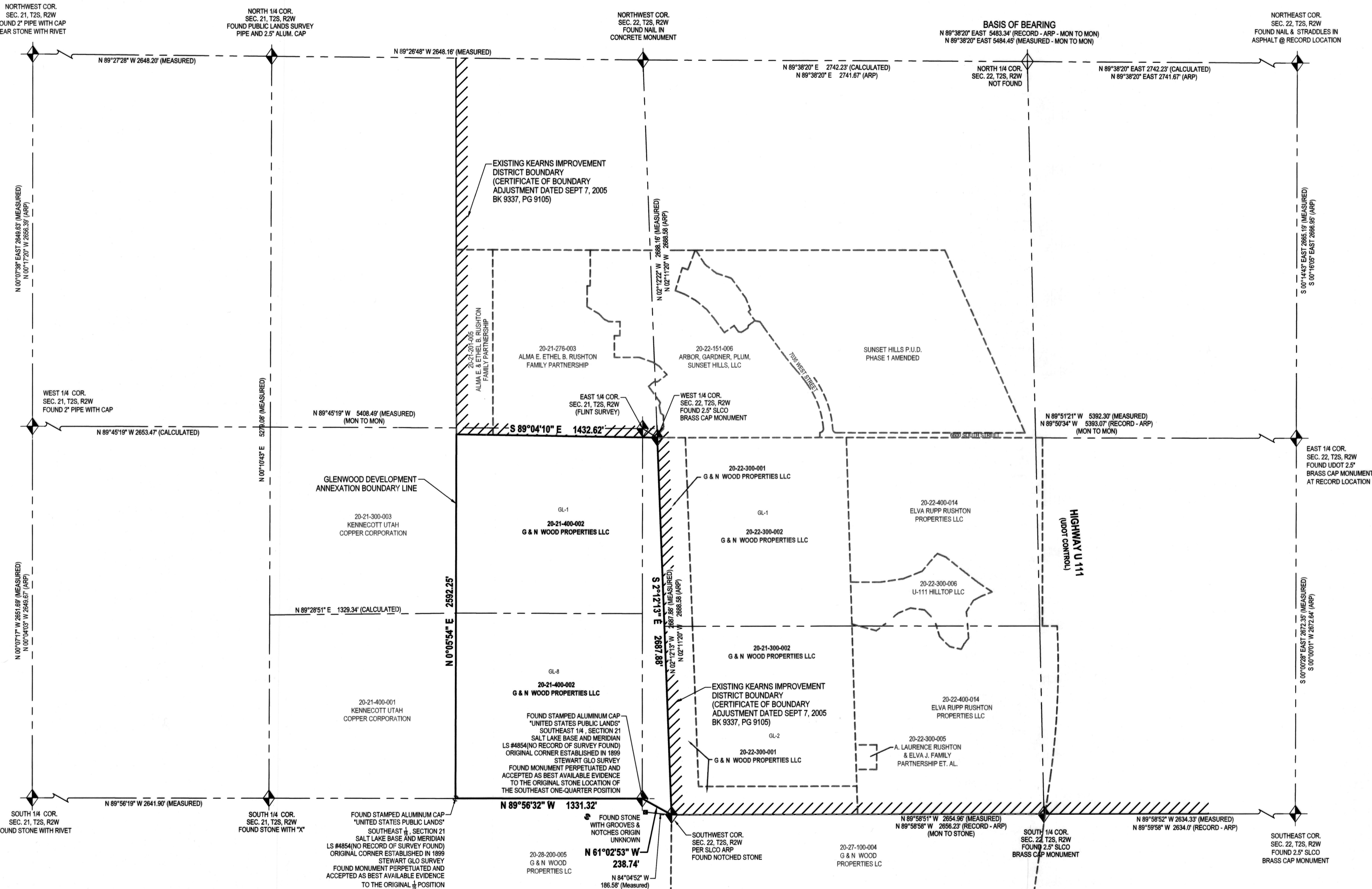
thence South 02°12'13" East 2,687.88 feet along the West Section line to the point of beginning.

Contains 3,842,277 Square Feet or 88.206 Acres



# FINAL LOCAL ENTITY PLAT ANNEXATION OF THE PROPERTY WITHIN THE GLENWOOD DEVELOPMENT INTO THE KEARNS IMPROVEMENT DISTRICT DECEMBER 2018

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21  
TOWNSHIP 2 SOUTH, RANGE 2 WEST,  
SALT LAKE BASE AND MERIDIAN  
SALT LAKE COUNTY, UTAH



## SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Land Surveyors Act, holding License No. 286882, do hereby certify that a Final Local Entity Plat, in accordance with Section 17-23-20 of Utah State Code, was made by me, or under my direction, and shown hereon is a true and correct representation of said Final Local Entity Plat. I further certify that by authority of the Owners, I have prepared this plat for the purpose of depicting those properties within Salt Lake County to be annexed into the Kearns Improvement District.

## BOUNDARY DESCRIPTION

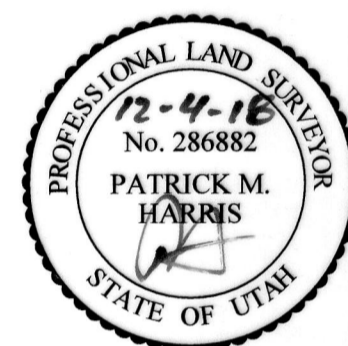
A parcel of land situate in the Southeast Quarter of Section 21, Township 2 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at an existing stone with a rivet being the Southwest Corner of Section 22, Township 2 South, Range 2 West, Salt Lake Base and Meridian; and running

thence North 61°02'53" West 238.74 feet to a stone monument being the Southeast Corner of Section 21, Township 2 South, Range 2 West, Salt Lake Base and Meridian;  
thence North 89°56'32" West 1,331.32 feet along the South Section line to an aluminum cap stamped "United States Public Lands" representing the Southeast 1/16 Corner of said Section 21, said point also being the Southeast Corner of Government Lot 8 of said Section 21;

thence North 00°05'54" East 2,592.25 feet along the Westerly line of said Government Lot 8 and Government Lot 1 of said Section 21 to the northwesterly corner of said Lot 1 and a southwesterly corner of the Kearns Improvement District, recorded in that Certificate of Boundary Adjustment in Book 9337, on Page 9105;  
thence South 89°04'10" East 1,432.62 feet along the northerly line of said Lot 1 and the Easterly line of said Kearns Improvement District boundary to a brass cap monument being the West Quarter Corner of said Section 22;  
thence South 02°12'13" East 2,687.88 feet along the West Section line and the Southerly line of said Kearns Improvement District boundary to the point of beginning.

Contains 3,842,277 Square Feet or 88.206 Acres



DEC. 4, 2018

DATE

*Patrick M. Harris*

PATRICK M. HARRIS  
P.L.S. 286882

## SURVEYOR'S NARRATIVE

THE OVERALL BOUNDARY DESCRIPTION IS A BEST FIT SCENARIO OF THE SUBJECT PROPERTY TAKING INTO ACCOUNT RECORDED SUBDIVISION PLATS, RECORDED SURVEYS, AND RECORDED DEEDS SURROUNDING THE SUBJECT PARCEL. THIS SURVEY HONORS THE EXISTING SECTION CORNER MONUMENTS ESTABLISHED AND RECOGNIZED BY THE SALT LAKE COUNTY SURVEYORS OFFICE IN COMBINATION WITH THE PLATS, SURVEYS, AND DEEDS RECORDED THAT WERE RELIANT UPON A RESTORATION OF SECTION CORNER LOCATIONS ESTABLISHED BY A LARSEN AND MALMQUIST SURVEY RECORDED BY JOHN STAHL AS SURVEY PLAT # 589-01-0017 AND FURTHER EXPANDED UPON BY WARD ENGINEERING SURVEYS RECORDED BY MARTY SHEARER AS SURVEY PLATS # S2006060517 AND # S2006121107 IN CONFORMANCE WITH THE STAHL SURVEY. SPECIFICALLY, THE SOUTHERLY BOUNDARIES OF SUNSET HILLS P.U.D. PHASE 1 AMENDED, PARCEL 20-22-151-006, PARCEL 20-21-276-003, AND PARCEL 20-21-201-005 ARE HONORED AS THE NORTHERLY BOUNDARY OF THE OVERALL SURVEYED PARCEL. THE EASTERLY, SOUTHERLY, AND WESTERLY BOUNDARIES OF THE OVERALL SURVEYED PARCEL HAVE BEEN DETERMINED BY HONORING CORNER POSITIONS REPRESENTED BY FOUND SALT LAKE COUNTY MONUMENTS AND STONES AS DOCUMENTED AND ACCEPTED PER SALT LAKE COUNTY AREA REFERENCE PLATS.

THE BASIS OF BEARING IS THE LINE BETWEEN THE NORTHWEST CORNER AND THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MEASURING SOUTH 89°38'20" EAST 5484.45 FEET.

## FINAL LOCAL ENTITY PLAT ANNEXATION OF THE PROPERTY WITHIN THE GLENWOOD DEVELOPMENT INTO THE KEARNS IMPROVEMENT DISTRICT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21 TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN SALT LAKE COUNTY, UTAH

DEVELOPER  
GLENWOOD

## LEGEND

- BOUNDARY LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- EXISTING DISTRICT BOUNDARY LINE

GLENWOOD ANNEXATION PARCEL	
PARCEL IDENTIFICATION NUMBER	OWNER(S)
20-21-400-002	G & N WOOD PROPERTIES LLC

## SHEET 1 OF 1

PROJECT NUMBER: 5339  
MANAGER: ROE  
DRAWN BY: KPW  
CHECKED BY: PMH  
DATE: 12/4/18



SALT LAKE CITY  
45 W. 10000 S., Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4449  
WWW.ENSIGNMGS.COM

LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.843.3590  
CEDAR CITY  
Phone: 435.855.1463  
RICHFIELD  
Phone: 435.896.2953

## KEARNS IMPROVEMENT DISTRICT

APPROVED THIS 4th DAY OF December, 20 18  
BY THE KEARNS IMPROVEMENT DISTRICT.

*Janet Hill*  
GENERAL MANAGER

## SALT LAKE COUNTY SURVEYOR

APPROVED THIS 4th DAY OF December, 20 18  
BY THE SALT LAKE COUNTY SURVEYOR. THIS PLAT HAS BEEN REVIEWED  
BY THE COUNTY SURVEYOR AND IS HERE BY CERTIFIED AS A FINAL LOCAL  
ENTITY PLAT, PURSUANT TO SECTION 17-23-20 OF UTAH STATE CODE.

*Patrick M. Harris*  
SALT LAKE COUNTY SURVEYOR

## RECORDED #

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE

REQUEST OF:

DATE: TIME: BOOK: PAGE:

FEES

DEPUTY SALT LAKE COUNTY RECORDER

