



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 PARK CITY WATER SERVICE DISTRICT, dated October 11th, 2018, 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 PARK CITY WATER SERVICE 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 18th day of December, 2018 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

NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah (the "Council"), acting in its capacity as the governing authority of the Park City Water Service District (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on October 11, 2018, adopted a *Resolution Annexing Certain Property into the Boundaries of Park City Water Service District (Mountain Top Subdivision)*, 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 Local Entity 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 Summit County, Utah, is attached as EXHIBIT "B" hereto and incorporated by this reference. The Council hereby certifies that all requirements applicable to the annexation of the property into the legal boundaries of the District, as more particularly described in the Annexation Resolution, have been met.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. §17D-1-403.

DATED this 11 day of October, 2018.

CITY COUNCIL, PARK CITY, UTAH,
acting in its capacity as the governing authority of the
Park City Water Service District,

By: _____

Mayor

VERIFICATION

STATE OF UTAH)

:ss.

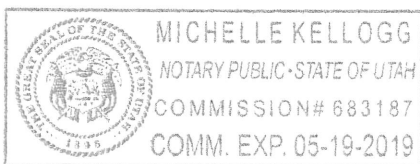
County of Summit)

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.

Andy Beerman

Mayor, City Council, Park City, Utah

SUBSCRIBED AND SWORN to before me this 11 day of October, 2018.



Michelle Kellogg
NOTARY PUBLIC

RESOLUTION NO. 25-2018

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY INTO THE BOUNDARIES OF
PARK CITY WATER SERVICE DISTRICT
(Mountain Top Subdivision)**

WHEREAS, in conformance with the applicable provisions of the Utah Special Service District Act, Title 17D, Chapter 1, et seq. Utah Code Ann., 1953, as amended (the “*Act*”), the City Council of Park City Municipal Corporation (“PCMC”), created the Park City Water Service District (the “*District*”), and acts in its capacity, as required by the Act, as governing authority of the District;

WHEREAS, pursuant to authority of §17D, Part 4 of the Act, PCMC has authority to annex real property into the legal boundaries of the District; and

WHEREAS, PCMC received a duly executed Petition for the Annexation of Property Into Park City Water Service District, effective August 6, 2018 (the “*Petition*”), pursuant to which the Petitioners therein petitioned PCMC to annex the real property described in the Petition, (the “*Annexation Property*”), into the boundaries of the District as a condition to receiving municipal water service from PCMC (the water service provider within the District), for the benefit of the Annexation Property; and

WHEREAS, the Petition contains the signatures of the owners of 100% of the private real property located within the Annexation Property proposed to be annexed, representing an assessed value equal to 100% of the assessed value of all private real property within the Annexation Property; and

WHEREAS, in conformance with the provisions of Section 17D-1-402 of the Act, the notice, hearing and protest requirements set forth in Section 17D-1-401 do not apply inasmuch as the Petition contains the signatures of all the owners of the taxable real property within the area proposed to be annexed; and

WHEREAS, PCMC and Mountaintop Subdivision Association of Property Owners, duly representing all of the Petitioners by virtue of their membership in said association, have entered into an *Annexation Agreement* (Mountaintop Subdivision Association of Property Owners), which sets forth the terms, conditions, procedures and time parameters pursuant to which the Annexation Property shall be annexed into the District so as to facilitate municipal water service by PCMC to the Annexation Property; and

WHEREAS, the City Council of Park City has found and determined that:

(1) all proceedings relating to the annexation of the Annexation Property into the District have been in conformance with the requirements of the Act;

(2) PCMC has system capacity sufficient to provide municipal water service to the Annexation Property and is willing to provide municipal water service to the Annexation Property;

(3) the Annexation Property will be benefitted by its inclusion into the District whereby it may receive municipal water service as provided by PCMC within the District; and

(4) subject to the satisfaction of the terms and conditions of the Annexation Agreement, the annexation of the Annexation Property into the boundaries of the District is in the best interest of the public.

NOW, THEREFORE, be it hereby resolved by the City Council of PCMC as follows:

SECTION 1. ANNEXATION. The annexation of the real property referred to herein as the Annexation Property, being hereinafter more particularly described in EXHIBIT "A" hereto, is approved and, subject to all proper filings with the office of the Lt. Governor as required by the Act, said property is hereby annexed into the boundaries of the Park City Water Service District. An Annexation Final Local Entity Plat for the above-described Property is attached as EXHIBIT "B" hereto and incorporated by reference herein.

SECTION 2. 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 municipal water facilities and services provided by PCMC within the District, subject to all rights, powers and authority vested in the District, and/or in PCMC as the governing authority of and the water service provider within the District, as set forth in the Act, including, without limitation, the right, power and authority of the District, and/or PCMC as governing authority of and water service provider within the District: (i) to promulgate rules and regulations for the operation of the District which shall be applied to and be enforceable against the owners of the Annexation Property on an equal basis with all other owners of property within the District; (ii) to levy ad valorem property

taxes on the Annexation Property; (iii) to provide municipal water services; and (iv) to impose fees and charges, including water service fees and charges and applicable impact fees, as shall be necessary to pay for all or part of the commodities, facilities and services to be provided to the Annexation Property by PCMC as the water service provider within the District, and for payment of bonds and other obligations; all subject to compliance with applicable codes, rules, regulations and policies.

SECTION 3. INCORPORATION OF RECITALS AND EXHIBITS. The Recitals hereinabove set forth and all Exhibits hereto are incorporated into this Resolution and made a part hereof as though fully set forth herein.

SECTION 4. DIRECTION. All officers and employees of PCMC are hereby directed to take such action as shall be required pursuant to the Act 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 City Council of Park City.

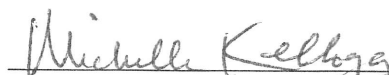
APPROVED AND ADOPTED this 11th day of October, 2018.

**CITY COUNCIL OF PARK CITY, UTAH, acting in its
capacity as the governing authority of Park City Water
Service District**

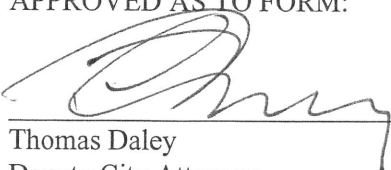


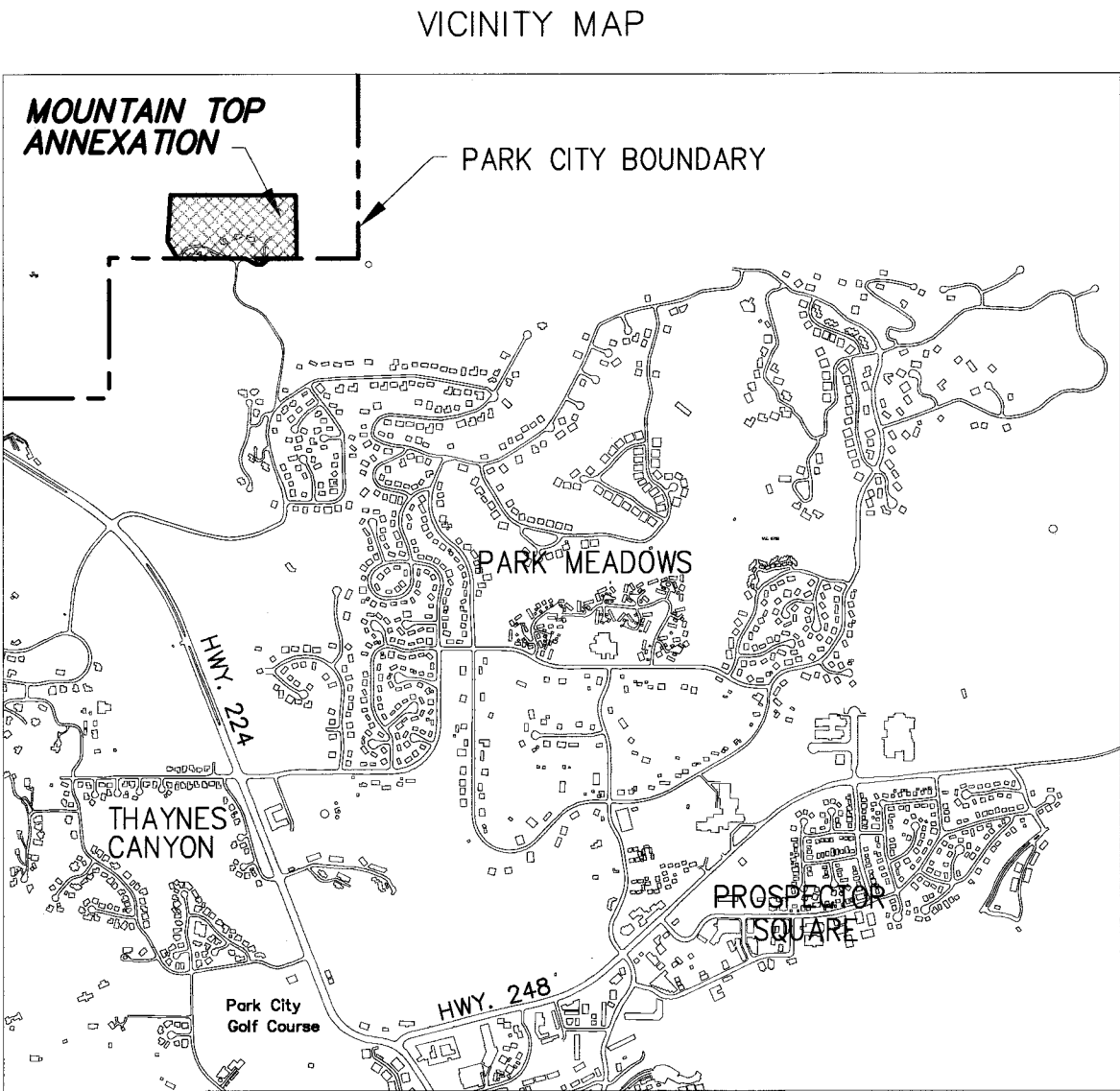
Andy Beerman, Mayor

ATTEST:


Michelle Kellogg, City Recorder

APPROVED AS TO FORM:


Thomas Daley
Deputy City Attorney

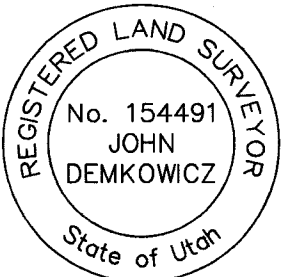


SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that this plat accurately describes and illustrates the boundary as prescribed within the boundary of the RICHARDS/PCMC ANNEXATION petition.

John Demkowicz
John Demkowicz LS 154491

12-11-2018
Date



BOUNDARY DESCRIPTION

MOUNTAIN TOP SUBDIVISION

A parcel of land located in the south east Quarter of Section 32, Township 1 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at point North 89°43'42" West along a section line 662.185 feet from the southeast corner of Section 32, Township 1 South, Range 4 East, Salt Lake Base and Meridian, said point also being the southeast corner of the southwest quarter of the southeast quarter of the southeast quarter of said Section 32, and running thence North 89°43'42" West along said section line 295.055 feet; thence South 48°10' West 67.00 feet to a point of a 80.00 foot radius curve to the right, the radius point of which is North 41°50' West 80.00 feet; thence southwesterly along the arc of said curve 98.20 feet to a point of tangency; thence North 61°30' West 118.51 feet; thence North 89°43'42" West along said section line 721.715 feet; thence North 30°23'54" West 202.89 feet; thence North 3°40'57" East 498.95 feet to the northwest corner of the southeast quarter of the southwest quarter of said Section 32, thence South 89°44'35" East 1324.32 feet to the northeast corner of the southwest quarter of the southeast quarter of the southeast quarter of said section 32, thence South 0°44'15" East 673.01 feet to the point of beginning. Contains 20.845 acres.

Description contains all of Lot 1-12 Mountain Top Subdivision and Lots 10 & 11 Mountain Top Subdivision Second Amendment to Lots 10 & 11 plats on file at Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Mountaintop Property Owners Association, the undersigned owner of the herein described tract of land, to be known hereafter as THE MOUNTAIN TOP SUBDIVISION ANNEXATION, does hereby certify that it has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this 11 day, of December, 2018.

Don Weiss
Don Weiss, President
Mountaintop Property Owners Association

State of UT SS: ACKNOWLEDGMENT
County of Summit

On this 11 day of December, 2018, Don Weiss personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Don Weiss acknowledged to me that he is the president of the Mountaintop Property Owners Association, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

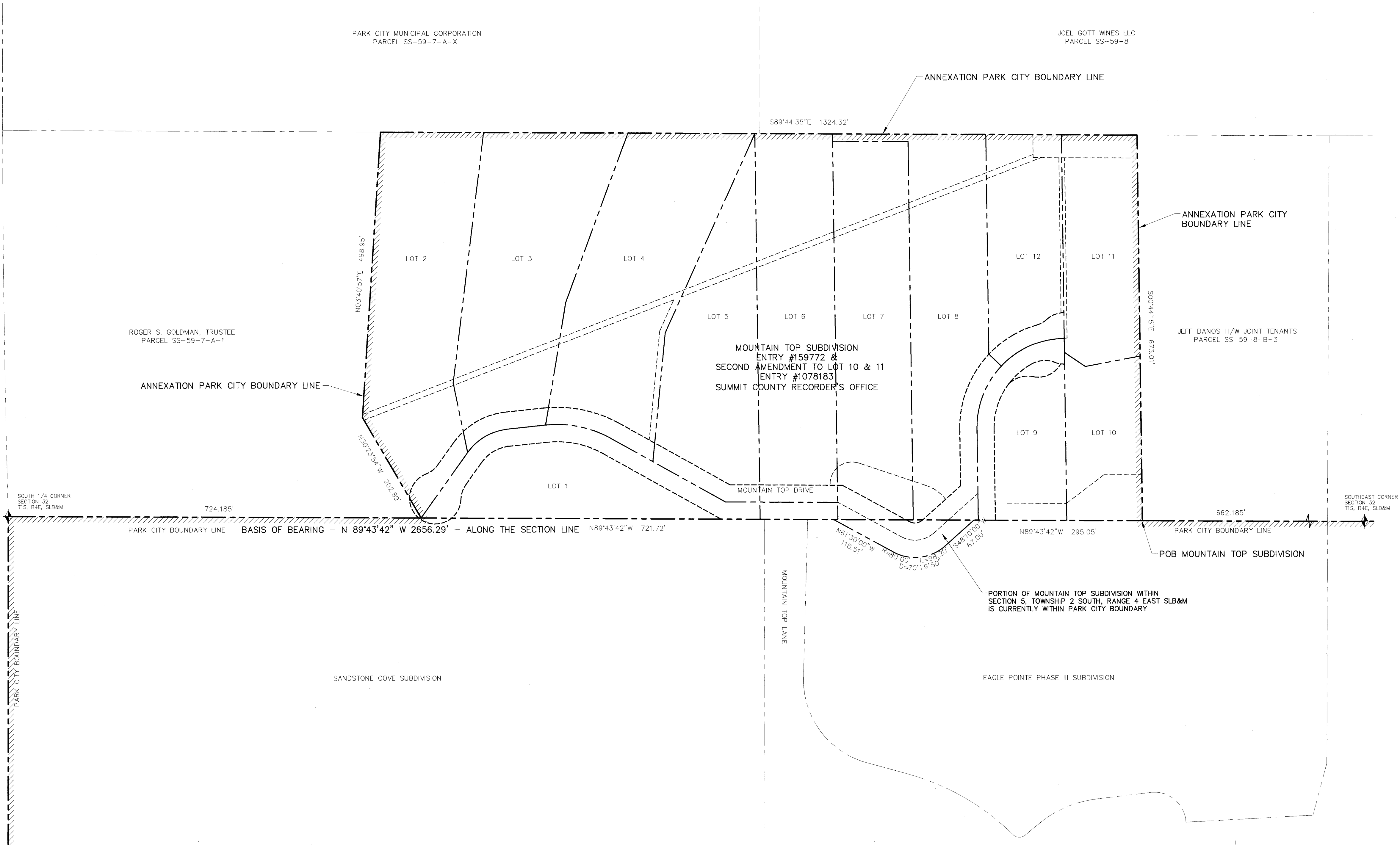
Shannon Ireland
Notary Public

A Notary Public commissioned in Summit County, UT
Shannon Ireland
Printed Name

Residing in: Park City
My commission expires: Oct 1, 2022

NOTES:

1. The boundary shown for Mountain Top Subdivision and the adjacent parcels and subdivisions are from the information on the recorded plat or recorded deed on file at the Summit County Recorder's Office. A field survey was not performed.



MOUNTAIN TOP SUBDIVISION PARK CITY
WATER SERVICE DISTRICT ANNEXATION

FINAL LOCAL ENTITY PLAT

LOCATED IN THE SOUTH EAST QUARTER OF SECTION 32
TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

FILE NO. **S0009610**

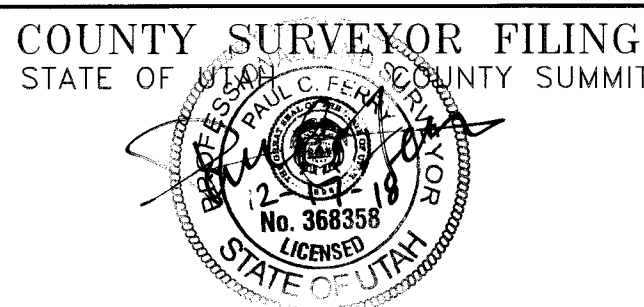
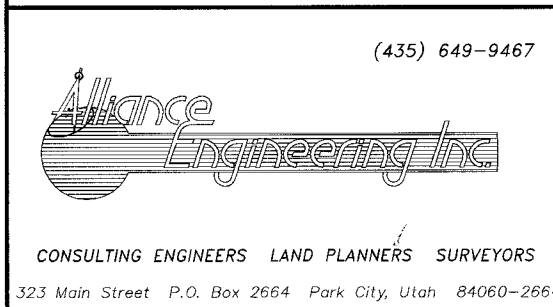
12/17/2018 10:46:17 AM B: 0202 P: 1079

Survey 1 of 1
SUMMIT COUNTY RECORDER
FEE: \$ 8.00 BY PARK CITY MUNICIPAL CORPORATION

12/17/18 JOB NO.: 17-9-15 FILE: X:\ParkMeadows\dwg\sr\plat2017\170915-mntop-annex.dwg

100' 0 100' 200'

SHEET 1 OF 1



APPROVED IN COMPLIANCE WITH SECTION 17-23-20 OF THE UTAH CODE
THIS 17 DAY OF December 2018 A.D.
BY *Paul Kemp*
ACTING SUMMIT COUNTY SURVEYOR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 11th DAY OF December, 2018 A.D.
BY *Michelle Kellogg*
PUBLIC UTILITIES DIRECTOR

CITY ATTORNEY
APPROVED AS TO FORM THIS 11th DAY OF December 2018 A.D.
BY *Michelle Kellogg*
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 11 DAY OF December, 2018 A.D.
BY *Michelle Kellogg*
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 11 DAY OF December, 2018 A.D.
BY *Andi B.*
MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____ RECORDER _____