

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 EASTERN SUMMIT COUNTY WATER CONSERVANCY SPECIAL SERVICE DISTRICT, dated September 25, 2019, 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 EASTERN SUMMIT COUNTY WATER CONSERVANCY SPECIAL SERVICE DISTRICT located in Summit County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 9<sup>th</sup> day of October, 2019 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**

Pursuant to Utah Code Annotated §67-1a-6.5, the County Council of Summit County hereby provides the Lieutenant Governor's Office with written notice of an impending boundary action that effects Summit County and the Eastern Summit County Water Conservancy Special Service District.

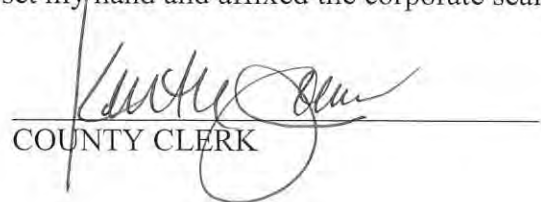
The Summit County Council seeks a certificate of annexation as it relates to the Eastern Summit County Water Conservancy Special Service District. On September 18, 2019, the Summit County Council adopted Resolutions 2019-23 to annex certain property, Summit County Tax Parcel Numbers CD-413-A, CD-499, CD-563, CD-563-D and CD-575-B (the "Parcels"). The Parcels are solely owned by Indian Hollow Creek, LLC as set forth in the resolution.

The Summit County Council hereby certifies that the attached constitutes a true and correct copy of the Resolution annexing territory into the boundaries of the Eastern Summit County Water Conservancy Special Service District as well as the final local entity plat. The Summit County Council further certifies that all the requirements for the annexation of territory into the boundaries of the Eastern Summit County Water Conservancy Special Service District have been complied with pursuant to Utah Code Annotated §17D-1-101 et. seq.



CHAIRPERSON OF THE SUMMIT COUNTY COUNCIL

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County this 25th day of September, 2019.



COUNTY CLERK

**RESOLUTION NO. 2019-23**

**A RESOLUTION APPROVING THE ANNEXATION OF  
REAL PROPERTY INTO THE BOUNDARIES OF THE  
EASTERN SUMMIT COUNTY WATER CONSERVANCY  
SPECIAL SERVICE DISTRICT, SUMMIT COUNTY, UTAH**

**WHEREAS**, the former Summit County Commission established a special service district to oversee wastewater within unincorporated eastern Summit County, known as the Eastern Summit County Water Conservancy Special Service District (the “District”); and

**WHEREAS**, Utah Code Ann. §17D-1-401 provides that additional land may be annexed to the District in conformance with the applicable procedures; and

**WHEREAS**, Utah Code Ann. §17D-1-203 and §17D-1-401(2) provide that a county’s legislative body, acting as the governing body of a special service district, may be petitioned to annex an area into a special service district; and

**WHEREAS**, Indian Hollow Creek, LLC, as the sole owner of Summit County Tax I.D. Numbers CD-413-A, CD-499, CD-563, CD-563-D and CD-575-B (the “Parcels”), has petitioned the Summit County Council (the “Council”) as the governing body of the District, to annex the Parcels into the District as set forth in Exhibit A; and

**WHEREAS**, the Parcels were formally within the boundaries of the Indian Hollow Creek Special Service District, a district providing wastewater services within its boundaries and that district was dissolved by action of the Council in May of 2019; and

**WHEREAS**, Utah Code Ann. §17D-1-402 provides that the notice, hearing, and protest period do not apply if a petition for annexation of additional area is filed with the signatures of all of the owners of taxable real property; and

**WHEREAS**, Indian Hollow Creek, LLC has signed the petition for annexation.

**WHEREAS**, the Parcels do not currently lie within the boundaries of any political subdivision of the State of Utah providing similar wastewater services.

**NOW THEREFORE, BE IT RESOLVED** by the County Council of Summit County, Utah, acting as the governing body of the District as follows:

**Section 1.** The Council hereby finds and determines that no part of the Parcels proposed to be annexed into the District is included within the area of any other special service district or local

district providing the same services proposed to be supplied by the District and that there are no incorporated cities or towns that will be annexed into the District. The Council further finds and determines that the Parcels to be annexed into the District will be benefitted by the wastewater services provided by the District.

**Section 2:** The Parcels proposed for annexation to the District are set forth specifically in Exhibits A & B to this Resolution, which are incorporated herein as though fully set forth.

**Section 3:** The services which shall be provided to the Parcels are all of the services which are provided by the District at the time and date of this resolution, i.e., to provide wastewater services through facilities or systems acquired or constructed for that purpose through construction, purchase, lease, contract, gift or condemnation or any combination thereof. The District may have the authority to impose fees and/or charges to pay for all or part of the services to be provided to the area proposed for annexation into the District. It may also annually levy taxes upon all taxable property within the area proposed to be annexed into the district.

**Section 4:** The officers and employees of Summit County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

**Section 5:** Summit County Code Title 2, Chapter 20, "Eastern Summit County Water Conservancy Special Service District" governs the procedures for the management of the District as well as the procedures of the management of this newly annexed property into the boundaries of the District.

**Section 6:** The County Clerk is hereby authorized and directed to file a copy of this Resolution as finally approved in the Summit County Recorder's Office within five days from the date hereof.

**Section 7:** Pursuant to UCA §17D-1-403, within thirty (30) days after the Council adopts this Resolution, the Council shall file with the Lieutenant Governor's Office a copy of a notice of an impending boundary action as defined by UCA §67-1a-6.5 that meets the requirements of UCA §67-1a-6.5(3) and a copy of an approved final local entity plat as defined by UCA §67-1a-6.5. Upon the Lieutenant Governor's issuance of a certificate of annexation, the Council shall, pursuant to UCA §67-1a-6.5, submit to the Summit County Recorder the original notice of an impending boundary action, the original certificate of annexation, the original approved final local entity plat; and a certified copy of the resolution approving the annexation. Until these records are recorded, the County may not levy or collect a property tax for special service district purposes on property within the annexed area and the District may not levy or collect an assessment on property within the annexed area or charge or collect a fee for service provided to property within the annexed area.

**Section 8:** If any one or more sections, sentences, clauses or parts of this Resolution shall for any reason be held invalid or unenforceable, the invalidity or unenforceability thereof shall not affect, impair or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts hereof held unenforceable or invalid. The unenforceability or invalidity of any section, sentence, clause or part of this

Resolution in any one or more instances shall not affect or prejudice in any way the enforceability or validity of this Resolution in any other instance.

**Section 9:** All resolutions and regulations of the County which may be inconsistent or in conflict with this Resolution are amended to conform to the provisions of this Resolution to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any resolution or regulation, or part thereof, heretofore repealed.

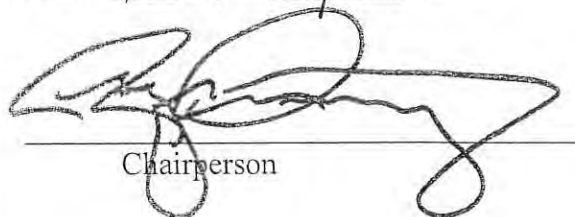
**Section 10.** This Resolution shall take effect immediately upon its passage.

GIVEN by order of the governing body of the District, this 18 day of September 2019.

ATTEST:

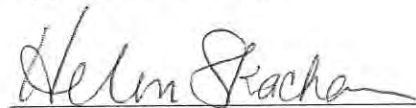


County Clerk



Chairperson

Approved as to form:



Attorney's Office

# Annexation to the Eastern Summit County Water Conservancy Special Service District

By Resolution No. 2019-23

### Annexation Description

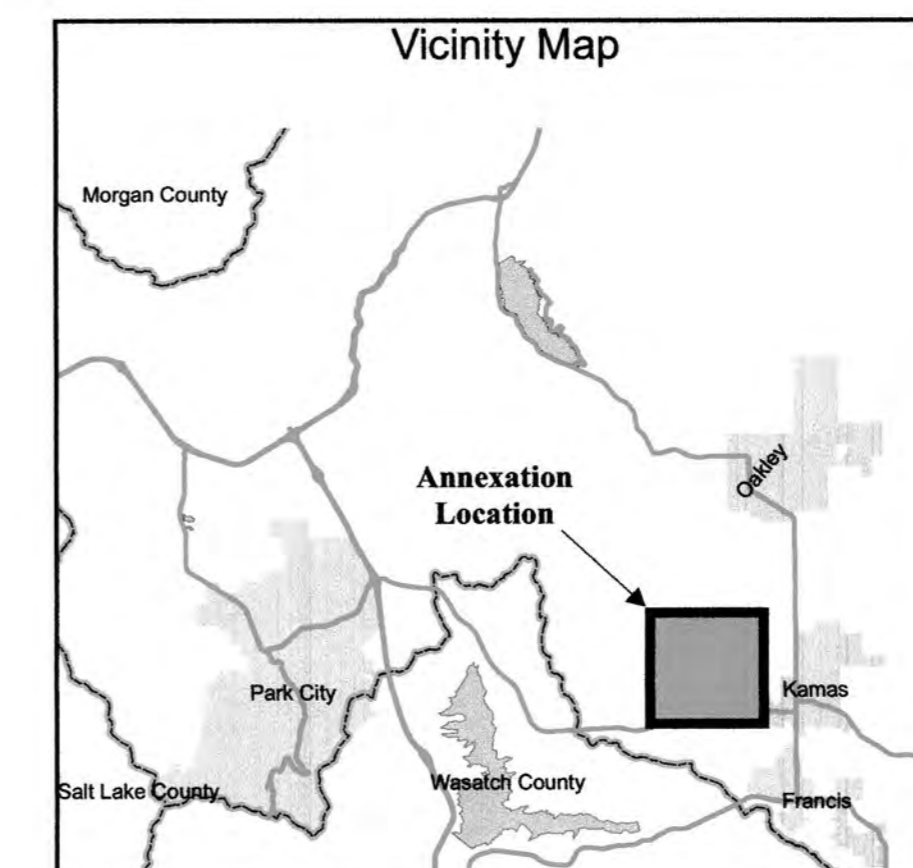
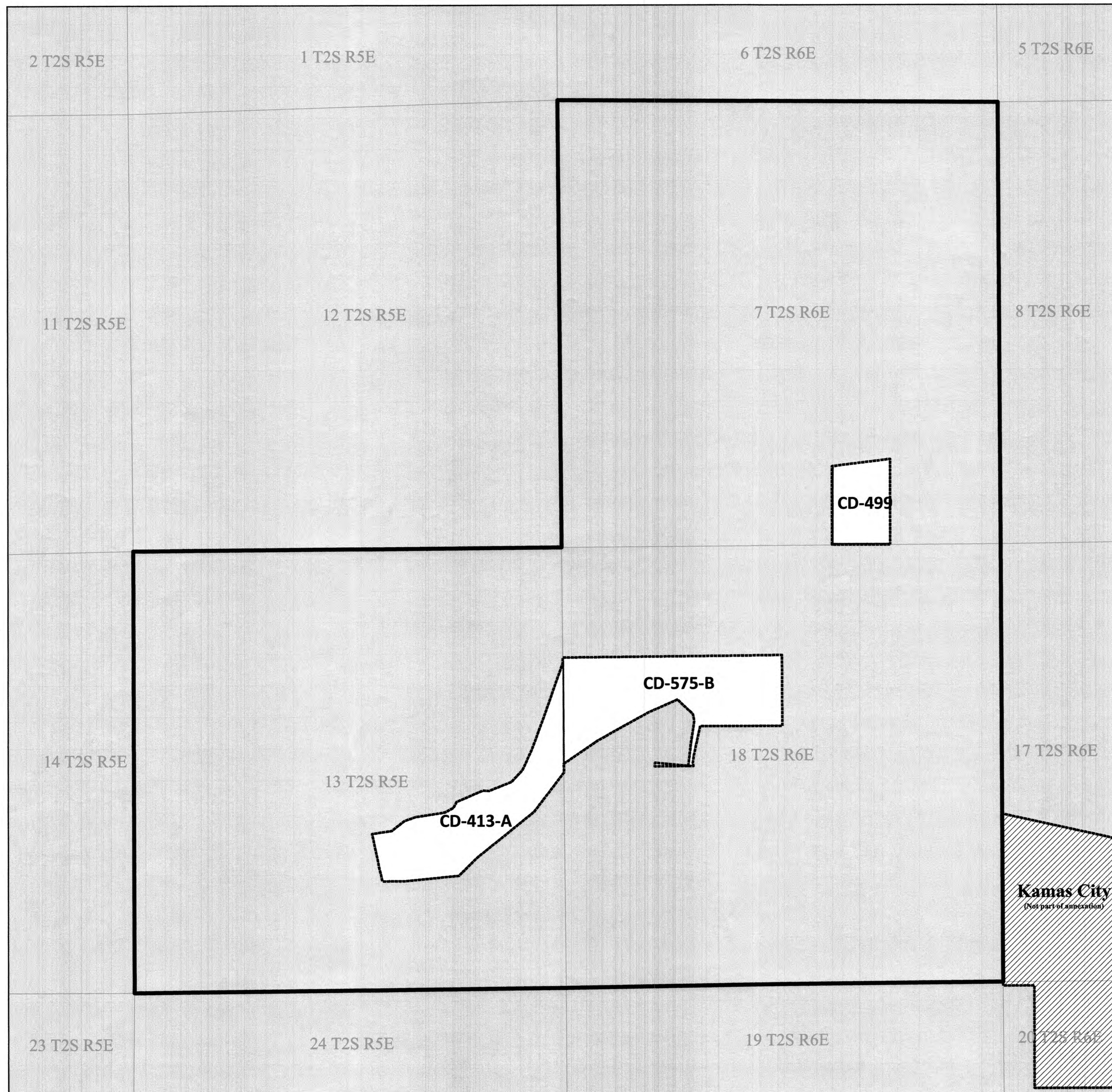
All of Section 13, Township 2 South, Range 5 East, Salt Lake Base and Meridian.

All of Sections 7 and 18 of Township 2 South Range 6 East, Salt Lake Base and Meridian.

Excepting therefrom any portions currently lying within the boundaries of the Eastern Summit County Water Conservancy Special Service District

**Note:** With this Annexation all of the above stated Sections will lie within the Eastern Summit County Water Conservancy Special Service District.


Resolution 2019-23 and its associated petition included five parcels to be annexed into the boundaries of the Eastern Summit County Water Conservancy Special Service District, however, Summit County Tax ID Parcel Nos. CD-563 and CD-563-D are already within the boundaries of the Eastern Summit County Water Conservancy Special Service District, having been previously included when the District was originally created in 2008.



**Surveyor's Certificate**


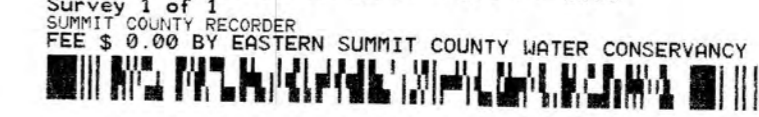
I, Wade Wilde do hereby certify that I am a registered land surveyor and that I hold certificate no. 368352 as prescribed under the laws of the State of Utah. I further certify that this plat has been made under my direction in compliance with section 17A-2-1326 (4) and that the annexation to the Eastern Summit County Water Conservancy Special Service District is correctly shown thereon. No field survey was performed.

Wade Wilde  
Surveyor's Signature



- Legend**
- Annexation Boundary
  - Eastern Summit County Water Conservancy Special Service District
  - Section Lines
  - Kamas City



Approved As To Form Summit County Attorney  By: <u>Helen Strachan</u> <u>9.23.19</u> Date	Approved As To Form Summit County Surveyor  By:  Acting Summit County Surveyor Date	County Surveyor Filing  <b>FILE NO. S0009840</b> 09/23/2019 10:32:01 AM B: 0002 P: 1309 Survey 1 of 1 SUMMIT COUNTY RECORDER FEE \$ 8.00 BY EASTERN SUMMIT COUNTY WATER CONSERVANCY  S-9840	Summit County Recorder Recording
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