

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 NORTH DAVIS FIRE DISTRICT, dated April 8, 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 NORTH DAVIS FIRE 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 9<sup>th</sup> day of April, 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  
ANNEXATION TO THE NORTH DAVIS FIRE DISTRICT

Spencer Cox  
Lieutenant Governor  
Utah State Capitol Suite 220  
PO Box 142325  
Salt Lake City UT 84114

NOTICE IS HEREBY GIVEN that, on the 12<sup>th</sup> day of March, 2019, the Clearfield City Council, in its capacity as the Governing Body of the North Davis Fire District, passed and adopted the attached Resolution 2019R-10 providing for the annexation of the entire boundary of Sunset City, Utah into the North Davis Fire District, which area is more particularly described in the exhibits to the Resolution. The approved final local entity plat depicting the boundaries of the areas to be annexed and the legal descriptions of those areas are also filed herewith. Request is hereby made that you file in the records of your office the attached Resolution and approved final local entity plat evidencing the approved annexation, and that you issue a certificate of annexation.

I, Nancy R. Dean, Clearfield City Recorder, hereby certify that the Clearfield City Council, acting as the Governing Body of the North Davis Fire District, has met all requirements under the law for this annexation.

SUBMITTED on this 8<sup>th</sup> day of April, 2019.



CLEARFIELD CITY CORPORATION  
(GOVERNING BODY FOR THE NORTH  
DAVIS FIRE DISTRICT)

  
Nancy R. Dean, City Recorder

# CLEARFIELD CITY RESOLUTION 2019R-10

A RESOLUTION ANNEXING CERTAIN TERRITORY TO THE  
NORTH DAVIS FIRE DISTRICT, DAVIS COUNTY, UTAH;  
AND PROVIDING FOR RELATED MATTERS.

WHEREAS by Resolution No. 2004R-25 duly adopted on October 12, 2004, the Clearfield City Council (the "Council") acting as the Governing Body created the North Davis Fire District, a Special Service District in Davis County, Utah (the "District") to provide fire protection, emergency medical and ambulance, and emergency 911 services, as authorized by Article XI, Section 7 of the Utah Constitution and by the Utah Special Service District Act, Title 17A, Chapter 2, Part 13, Utah Code Annotated 1953, now known as the "Special Service District Act." Title 17D, Chapter 1, Utah Code Annotated, 1953 (the "Act"); and

WHEREAS, it appears to the Council that the public health convenience and necessity require the annexation to the District of the territory hereinafter described (the "Annexed Area") pursuant to the Act and Article XI, Section 7 of the Utah Constitution; and

WHEREAS pursuant to Resolution 2018R-16 (the "Intent Resolution") adopted on November 27, 2018, the City Council gave notice of its intention to annex into the District the Annexed Area comprised of the legal boundaries of Sunset City and having the boundaries set out in Section 2 hereof, by causing to be published in *The Standard-Examiner* on December 2, 2018, December 9, 2018, December 16, 2018 and December 23, 2018 a "Notice of Intention to Annex Certain Areas to the North Davis Fire District" in Davis County, Utah (the "Notice of Intention"); and

WHEREAS pursuant to the Intent Resolution, the City Council held a public hearing on January 8, 2019 at 7:00 p.m. (the "Hearing"), at the regular meeting place of the City Council at the Clearfield City Hall, 55 South State Street, in Clearfield, Utah, on the annexation of the Annexed Area into the District, public notice of the time and place of which was given through

publication of the Notice of Intention as described above, the first of such publications having been not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date of the Hearing; and

WHEREAS the City Council considered at the Hearing all protests filed and heard (no protests were filed and no interested person came forward to be heard), and the time for filing protests as provided in the Act has expired; and

WHEREAS by Resolution duly adopted by the Administrative Control Board on November 15, 2018, the North Davis Fire District, Utah, requested and consented to the annexation into the District of the Annexed Area; and

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council as follows:

*Section 1.* The Council does hereby find and determine that:

(a) Public notice of the Hearing on the annexation of the Annexed Area into the District was given by the City Recorder by publication of an appropriate notice (the Notice of Intention) in *The Standard-Examiner*, a newspaper published and of general circulation in Davis County, Utah, once a week for four consecutive weeks on December 2, 2018, December 9, 2018, December 16, 2018 and December 23, 2018; the first of said publications having been made not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date of the Hearing.

(b) By resolution duly adopted on November 15, 2018, the Administrative Control Board of the North Davis Fire District, Utah, consented to the annexation of the Annexed Area into the District.

(c) The following persons filed written protests against the annexation of the Annexed Area into the District, at or prior to the Hearing, which written protests were not withdrawn prior to the adoption of this resolution:

NAME

ADDRESS

None.

(d) A public hearing on the annexation of the Annexed Area into the District was held and conducted by the Council as required by law and the Intent Resolution on January 8, 2019, at 7:00 p.m., at the regular meeting place of the Council in the Clearfield City Hall, in Clearfield, Utah, at which Hearing the Council gave full consideration to all protests that were filed and heard and considered all interested persons desiring to be heard (no protests were filed and no interested person came forward to be heard).

(e) After careful consideration of all factors involved and of all objections and protests, it has been and is hereby found, determined and declared that: (i) all property included within the boundaries of the Annexed Area, as such boundaries are set out in the Intent Resolution and in Section 2 hereof, will be directly benefitted by the services to be furnished therein by the District, (ii) none of the Annexed Area is also contained within the boundaries of any other special service district created under the Act to provide services, (iii) the public health, convenience and necessity requires the annexation to the District of the Annexed Area pursuant to the provisions of the Act and Article XI, Section 7 of the Utah Constitution, and (iv) all proceedings taken in annexing the Annexed Area into the District have been in compliance with law.

*Section 2.* The Annexed Area is hereby annexed into the District. The boundaries of the Annexed Area are described in Exhibit "A" which is attached hereto and by reference made a part hereof.

*Section 3.* The Annexed Area is annexed into the District for the purpose of providing fire protection, emergency medical and ambulance services and emergency 911 services within the Annexed Area.

*Section 4.* The Council hereby finds and determines that adequate protests have not been filed with the City Recorder to prevent such annexation (no protests were filed).

*Section 5.* Pursuant to the requirements of Title 17D, Chapter 1, Section 403, Utah Code Annotated 1953, as amended, the City Council shall file a notification of the annexation of the Annexed Area into the District with the Lieutenant Governor within 30 days after the adoption of this Resolution, which notification shall include the information and certification required by such statute.

*Section 6.* All acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

*Section 7.* This Resolution shall take immediate effect upon its adoption and approval.

ADOPTED AND APPROVED this 12<sup>th</sup> day of March, 2019.




CLEARFIELD CITY CORPORATION

By:

  
Mark R. Shepherd, Mayor

ATTEST:

  
Nancy R. Dean  
City Recorder

VOTE OF THE COUNCIL

AYE: Councilmembers Bush, Peterson, Phipps, Thompson

NAY: None

ABSENT: Councilmember Roper

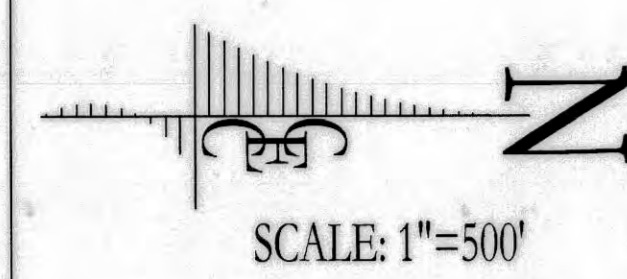
# BOUNDARY OF THE 2019 ANNEXED AREA TO THE NORTH DAVIS FIRE DISTRICT

A PART OF SECTIONS 23, 24, 25, 26, 35 & 36, TOWNSHIP 5 NORTH, RANGE 2 WEST

SALT LAKE BASE & MERIDIAN

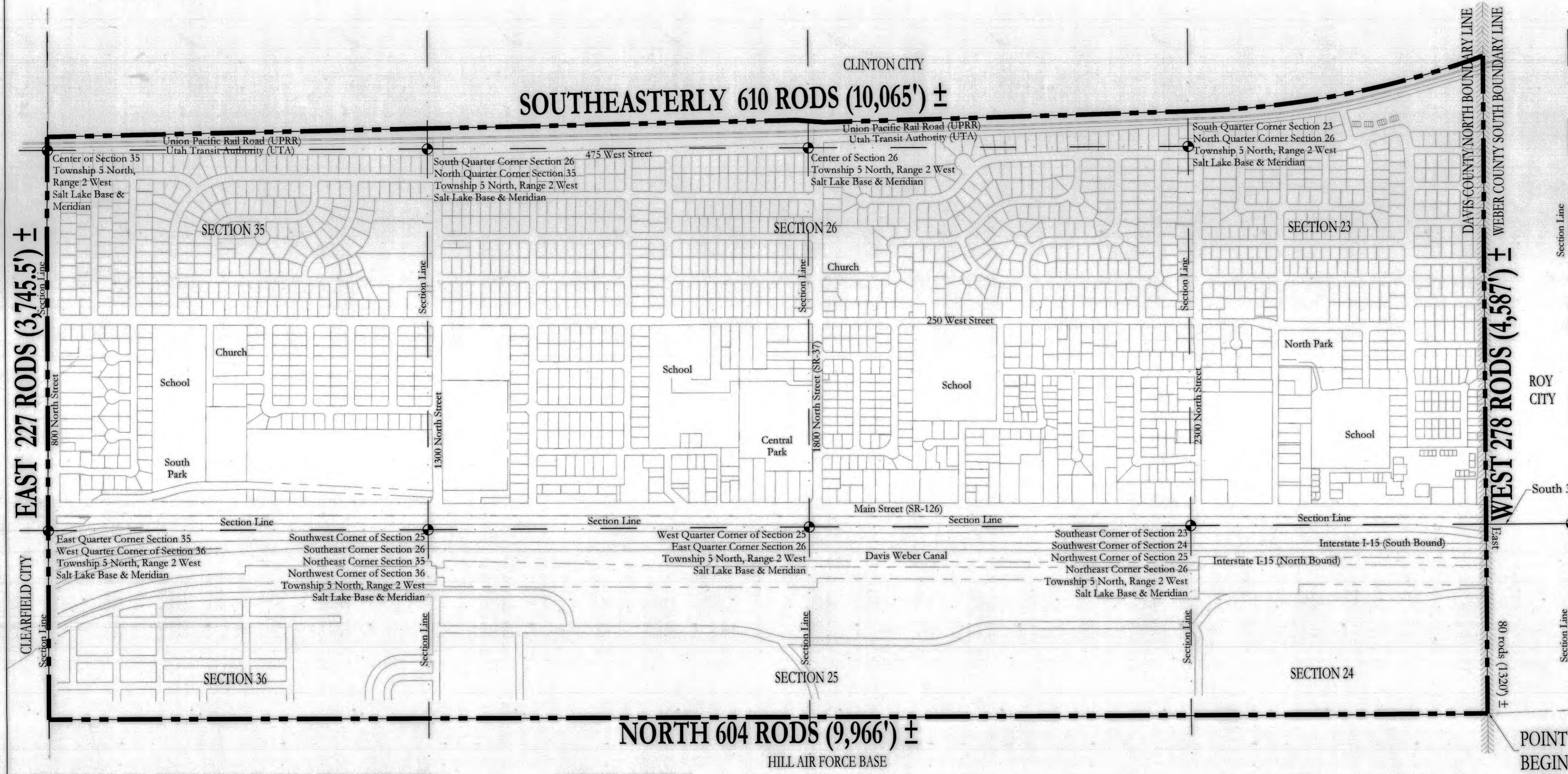
SUNSET CITY, DAVIS COUNTY, UTAH

April 2019



**SURVEYORS CERTIFICATE**  
I, Dick N. Mechem, do hereby certify that I am a registered land surveyor, and that I hold license number 155649, as prescribed under the laws of the State of Utah. This Annexation Plat has been prepared under my direction and in accordance with information obtained from the Davis County Records Office.

Signed this 4th day of April, 2019.



**ANNEXED BOUNDARY DESCRIPTION**  
Beginning on the North boundary line of Davis County, State of Utah, which is approximately 36 rods South and 80 rods East from the Northwest corner of the Southwest (SW 1/4) of Section 24; Township 5 North, Range 2 West Salt Lake Meridian, United States Survey; running thence West 278 rods more or less to the West line of the right of way of the O.S.L.R.R. Co; thence in a Southeasterly direction along the West line of the said right of way 610 rods more or less to the South line of the North one-half (1/2) of Section 35, Township and Range aforesaid; thence East 227 rods, more or less to a point 80 rods East of the West line of Section 36; said Township and Range; Thence North 604 rods, more or less to the place of beginning.

Contains: 944 acres, more or less.

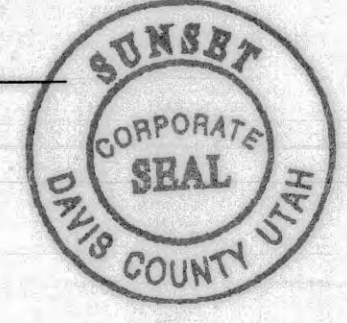
**SPECIAL NOTE**  
The annexed boundary description provided herein is the original description of the Sunset City incorporation annexation. Please note that the O.S.L.R.R. Co. right of way is now the Union Pacific Rail Road (U.P.R.R.) and the Utah Transit Authority (U.T.A.) right of ways.

**SUNSET CITY CERTIFICATE**  
I, hereby certify that this plat of annexation to the Boundary Limits of the North Davis Fire District was accepted by the Mayor and City Council of Sunset City, Davis County, Utah, by a resolution passes on the 16th day of May, 2019.

In witness whereof I hereby unto set my hand and affix the Corporate Seal of Sunset City as the Governing body for the North Davis Fire District.

Approved this 4 day of April, 2019.

*Howard Madson*  
Sunset City Mayor  
*Susan P. Hale*  
Sunset City Recorder



**APPROVAL OF THE ANNEXATION PLAT BY LEGISLATIVE BODY**  
This annexation plat is hereby approved by Clearfield City Council acting as both the municipal legislative body and governing body for the North Davis Fire District this 12th day of March, 2019.

*Nancy R. Dean*  
Clearfield City Mayor  
*Nancy R. Dean*  
Clearfield City Recorder



**ACKNOWLEDGMENT**

State of Utah  
County of Davis  
On the 4th day of April, 2019, personally appeared before me, the undersigned Notary Public, \_\_\_\_\_, who duly sworn did say that said instrument was signed freely and voluntarily and for the purposes therein mentioned.



*Misty Rogers*  
Notary Public

**CIVIL ENGINEERING CONSULTANTS, PLLC.**  
5141 SOUTH 1500 WEST  
RIVERDALE, UTAH 84405  
PHONE: 801.866.0550  
FAX: 801.866.0551

**MtnWest Surveying & Mapping, Inc.**  
Email: mwls@readytek.net

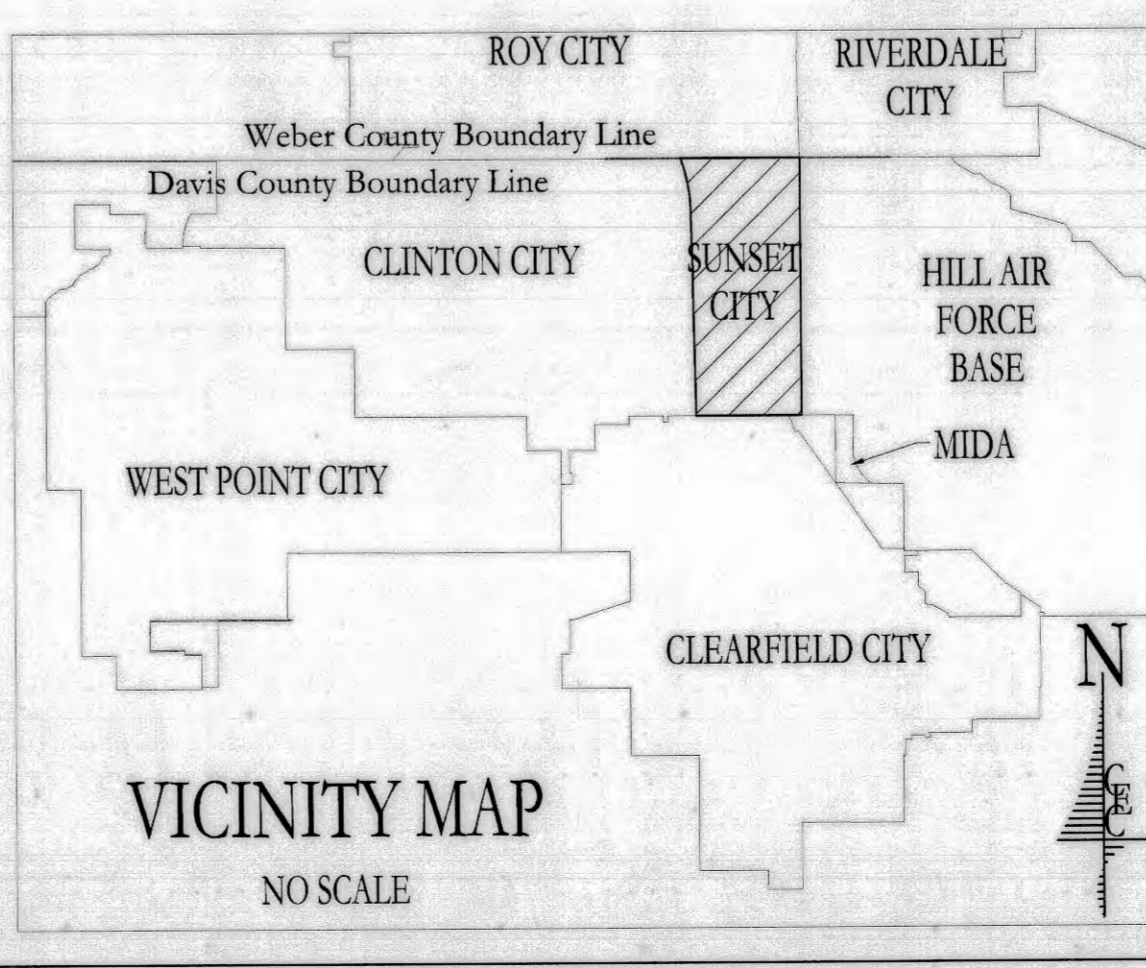
**DAVIS COUNTY SURVEYOR**

Approved by \_\_\_\_\_ County Surveyor Office on this 12th day of March, 2019.  
Signed this 12th day of March, 2019.  
Davis County Surveyor



**SUNSET CITY ENGINEER**

I hereby certify that the "Office of the City Engineer" has examined the foregoing Plat and in our opinion the information conveyed herewith, complies with the Public Works Standards and Specifications of Sunset City.  
Signed this 4th day of April, 2019.  
*Scott Mechem*  
Sunset City Engineer



**DAVIS COUNTY RECORDER**

Entry No. \_\_\_\_\_ fee paid \_\_\_\_\_ filed for record and recorded \_\_\_\_\_ at \_\_\_\_\_ in book of official records page \_\_\_\_\_. Recorded for \_\_\_\_\_  
By: \_\_\_\_\_  
County Recorder