

STATE OF UTAH

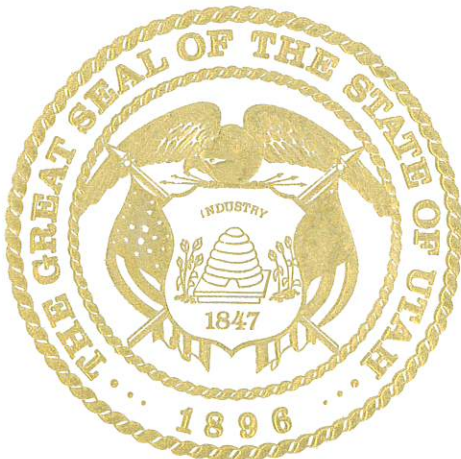


OFFICE OF THE LIEUTENANT GOVERNOR

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 TOOELE CITY SPECIAL SERVICE DISTRICT, dated January 24th, 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 TOOELE CITY SPECIAL SERVICE DISTRICT located in Tooele County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 1st day of February, 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 Change

January 24, 2019

Lieutenant Governor Spencer J. Cox
State Capitol Complex
P.O. Box 142325
Salt Lake City, UT 84114-2325
Via email: annexations@utah.gov


Dear Lieutenant Governor Cox:

This letter is to inform you of the annexation of area into the North Tooele City Special Service District. Such annexations are governed by U.C.A. Chapter 17D-1 Parts 2 and 4. Section 17D-1-403 regards the notice to the Lieutenant Governor. This letter is also intended to serve as a Notice of Impending Boundary Change. I certify that all actions applicable to this boundary change have been met. Enclosed you will find copies of the following documents:

- municipal body resolution approving the annexation
- approved final local entity plat

We look forward to receiving a Certificate of Annexation from your office.

Sincerely,


Michelle Y. Pitt
Tooele City Recorder

TOOELE CITY CORPORATION

RESOLUTION 2018-30

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING THE ANNEXATION OF 7.85 ACRES OF PROVIDENCE TOOELE LLC PROPERTY INTO THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT.

WHEREAS, the creation of special service districts is governed by U.C.A. Chapter 17D-1 Part 2; the procedure for annexing additional property into an existing special service district is the same as for the existing special service district's original creation; and,

WHEREAS, on June 16, 1999, the City Council approved Resolution 1999-29 for the creation of the North Tooele City Special Service District ("District") for the purpose of maintaining several unique public amenity features of the Overlake subdivisions; and,

WHEREAS, Tooele City has received a Petition from Howard J. Schmidt on behalf of Providence Tooele, LLC ("Petitioner") to annex the 7.85-acre Providence at Overlake subdivision (the "Property") into the District (see the Petition, property maps, and legal description attached hereto as Exhibit A), which Property is adjacent to portions of Overlake Estates phases 1C and 1D subdivisions; and,

WHEREAS, the Administrative Control Board of the District voted unanimously on May 9, 2018, to recommend annexation of the Property into the District; and,

WHEREAS, because the Property is held in common ownership by Petitioner, Tooele City and the Petitioner are relieved of complying with the Notice, Protest, and Public Hearing requirements of U.C.A. Sections 17D-1-205, 206, and 207, and the annexation may be approved simply by approving this Resolution, obtaining a Certificate of Incorporation from the Utah Lt. Governor, and recording the required documents with the Office of the Tooele County Recorder; and,

WHEREAS, the purpose of the District in annexing the Property will be to maintain within the Property those special features and amenities related to the unique design of public street lighting, public signage, public drainage and flood control, public recreation properties, public street design and traffic calming features, and associated and integral public landscaping (the "Amenities") located within the District; and,

WHEREAS, in addition to the above purposes, annexation of the Property into the District will also allow Tooele City to impose upon and enforce within the Property the construction and maintenance of Amenities design standards common to the District, including the privately-owned and privately-maintained privacy fence along 400 West Street right-of-way property line, rather than defaulting to Tooele City's regular design standards, including double-frontage lot standards, for such features and Amenities; and,

WHEREAS, the District will maintain only those Amenities formally accepted by and dedicated to Tooele City in the land use approval process; and,

WHEREAS, the City Council finds that it is in the best interest of the City in general and of District residents in particular, including the future residents of the Property, to annex the Property into the District; and,

WHEREAS, to the best of the City's knowledge, all requirements of the law precedent to the approval of this Resolution have been fully met:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that the annexation of the Property into the District is hereby approved, and that the City Recorder is hereby instructed to file and record the necessary documents with the Utah Lt. Governor and the Tooele County Recorder.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this 5th day of September, 2018.

TOOELE CITY COUNCIL

(For)

(Against)

St. McCall

[Signature]

[Signature]

[Signature]

Melodi M. Goehs

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

Debra G. White

ATTEST:

Michelle Y. Pitt
Michelle Y. Pitt, City Recorder

SEAL



Approved as to Form:

Roger Evans Baker
Roger Evans Baker, City Attorney

TOOELE CITY COUNCIL

(For)

(Against)

[Signature]

[Signature]

[Signature]

[Signature]

Melodi M. Stokes

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

[Signature]

ATTEST:

[Signature]
Michelle Y. Pitt, City Recorder

SEAL



Approved as to Form:

[Signature]
Roger Evans Baker, City Attorney

Readopted 1-16-19.

ANNEXATION DESCRIPTION

A parcel of land, situate in the Southwest Quarter of Section 16, Township 3 South, Range 4 West, Salt Lake Base and Meridian, said parcel is also located in Tooele City, Tooele County, Utah, more particularly described as follows:

Beginning at a point on southerly line of Overlake Estates Phase 1C, recorded as Entry No. 107635, in the Tooele County Recorder's Office, said point being on the section line between the Southwest and West Quarter Corners of Section 16, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and South 0°14'46" East 350.10 feet from said West Quarter Corner, and running:

thence North 89°45'14" East 283.42 feet along the southerly line of said Overlake Estates Phase 1C, to the southerly line of Clemente Way;

thence South 45°16'09" East 60.00 feet along said southerly line this call and the following (6) calls;

thence Northeasterly 22.78 feet along the arc of a 14.50-foot radius non-tangent curve to the right (center bears South 45°16'09" East and the long chord bears North 89°43'51" East 20.51 feet through a central angle of 90°00'00");

thence South 45°16'09" East 284.20 feet;

thence Southeasterly 22.78 feet along the arc of a 14.50-foot radius tangent curve to the right (center bears South 44°43'51" West and the long chord bears South 0°16'09" East 20.51 feet through a central angle of 90°00'00");

thence South 45°16'09" East 60.00 feet;

thence Northeasterly 22.78 feet along the arc of a 14.50-foot radius non-tangent curve to the right (center bears South 45°16'09" East and the long chord bears North 89°43'51" East 20.51 feet through a central angle of 90°00'00");

thence South 45°16'09" East 224.90 feet;

thence South 44°43'51" West 100.00 feet;

thence North 45°16'09" West 149.56 feet;

thence South 44°43'51" West 100.00 feet;

thence South 45°16'09" East 32.35 feet;

thence South 44°43'51" West 175.97 feet;

thence South 89°45'14" West 246.69 feet;

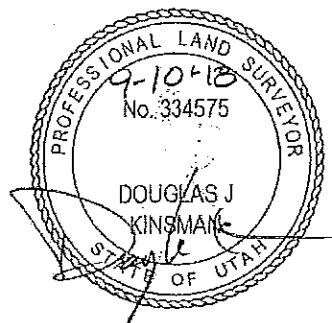
thence North 82°13'55" West 60.06 feet;

thence North 84°32'22" West 97.96 feet;

thence Southwesterly 64.32 feet along the arc of a 1,047.00-foot radius non-tangent curve to the right (center bears North 76°32'00" West and the long chord bears South 15°13'36" West 64.31 feet through a central angle of 3°31'12") to the section line of said Section 16;

thence North 0°14'46" West 692.13 feet along said section line; to the Point of Beginning.

Contains 342,003 square feet or 7.85 acres.

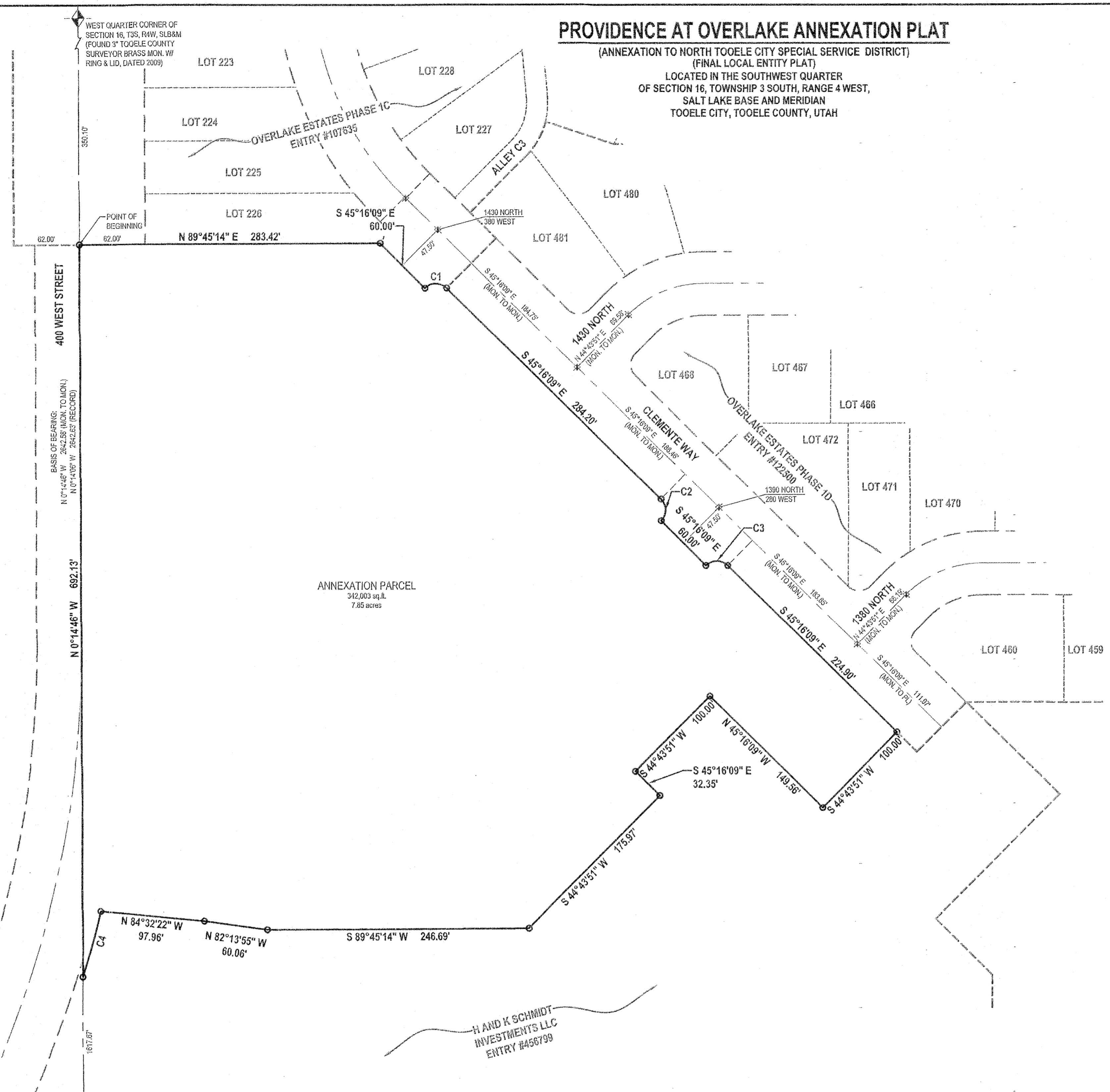


PROVIDENCE AT OVERLAKE ANNEXATION PLAT

(ANNEXATION TO NORTH TOOELE CITY SPECIAL SERVICE DISTRICT)
(FINAL LOCAL ENTITY PLAT)

LOCATED IN THE SOUTHWEST QUARTER
OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH

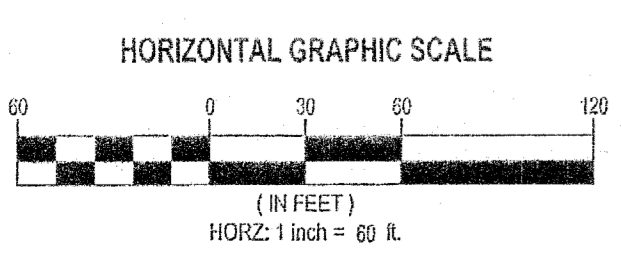
CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	14.50'	22.78'	90°00'00"	N89°43'51"E	20.51'
C2	14.50'	22.78'	90°00'00"	S0°16'09"E	20.51'
C3	14.50'	22.78'	90°00'00"	N89°43'51"E	20.51'
C4	1047.00'	64.32'	3°31'12"	S15°13'36"W	64.31'



400 WEST STREET
BASIS OF RECORDING:
N 0°14'46" W 692.13'
N 0°10'07" W 264.63' (RECORDED)

SOUTHWEST CORNER OF
SECTION 16, T3S, R4W, SLB4M
(FOUND 3" TOOELE COUNTY
SURVEYOR BRASS MON. W/
RING & LID, DATED 2009)

- LEGEND**
- SECTION CORNER
 - EXIST REBAR AND CAP
 - ADJACENT RIGHT OF WAY
 - CENTERLINE
 - PROPERTY LINE
 - ADJACENT PROPERTY LINE

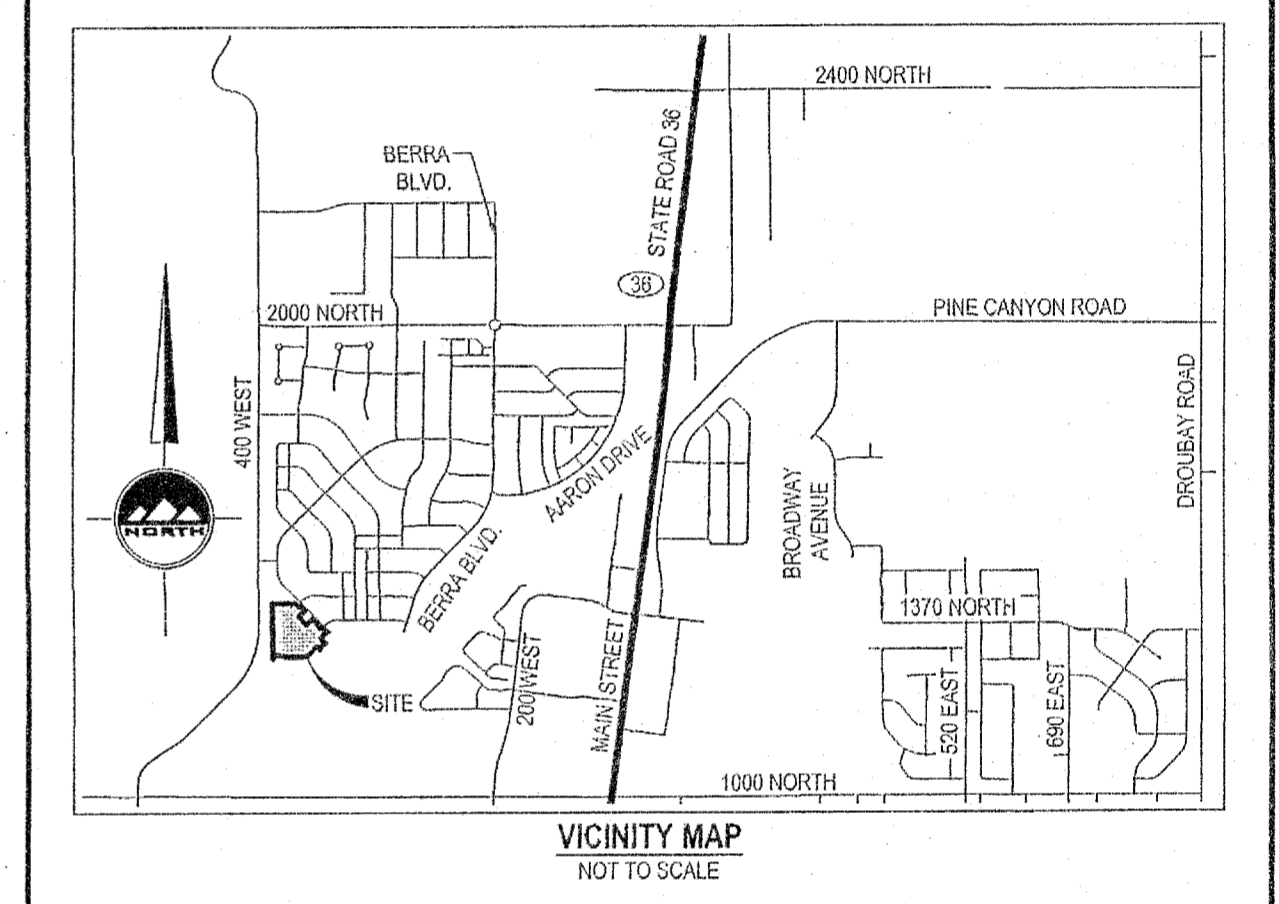


SURVEYOR'S CERTIFICATE
I, DOUGLAS J. KINSMAN, do hereby certify that I am a Professional Land Surveyor, and that I hold license No. 334575 as prescribed under laws of the State of Utah. I further certify that this is a true and accurate map of the tract of land to be annexed to the North Tooele City Special Service District of Tooele City, Utah.

BOUNDARY DESCRIPTION
A parcel of land, situate in the Southwest Quarter of Section 16, Township 3 South, Range 4 West, Salt Lake Base and Meridian, said parcel is also located in Tooele City, Tooele County, Utah, more particularly described as follows:
Beginning at a point on southerly line of Overlake Estates Phase 1C, recorded as Entry No. 107635, in the Tooele County Recorder's Office, said point being on the section line between the Southwest and West Quarter Corners of Section 16, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and South 0°14'46" East 350.10 feet from said West Quarter Corner, and running:
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thence South 45°16'09" East 60.00 feet along said southerly line this call and the following (6) calls;
thence Northeastly 22.78 feet along the arc of a 14.50-foot radius non-tangent curve to the right (center bears South 45°16'09" East and the long chord bears North 89°43'51" East 20.51 feet through a central angle of 90°00'00");
thence South 45°16'09" East 20.51 feet;
thence Southwesterly 22.78 feet along the arc of a 14.50-foot radius non-tangent curve to the right (center bears South 44°43'51" West and the long chord bears South 0°16'09" East 20.51 feet through a central angle of 90°00'00");
thence South 45°16'09" East 80.00 feet;
thence Northeastly 22.78 feet along the arc of a 14.50-foot radius non-tangent curve to the right (center bears South 45°16'09" East and the long chord bears North 89°43'51" East 20.51 feet through a central angle of 90°00'00");
thence South 45°16'09" East 224.90 feet;
thence South 44°43'51" West 100.00 feet;
thence North 45°16'09" West 149.56 feet;
thence South 44°43'51" West 100.00 feet;
thence South 45°16'09" East 32.35 feet;
thence South 44°43'51" West 175.97 feet;
thence South 89°46'14" West 246.59 feet;
thence North 82°13'55" West 60.06 feet;
thence North 84°32'22" West 97.96 feet;
thence Southwesterly 64.32 feet along the arc of a 1,047.00-foot radius non-tangent curve to the right (center bears North 76°32'00" West and the long chord bears South 15°13'36" West 64.31 feet through a central angle of 3°31'12") to the section line of said Section 16;
thence North 0°14'46" West 692.13 feet along said section line, to the Point of Beginning.

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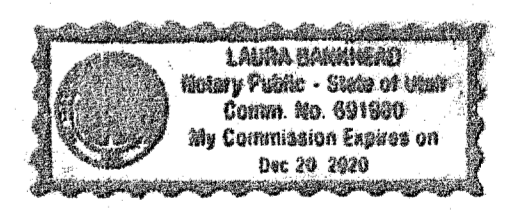
NOV 14, 2018
Date
Douglas J. Kinsman
License no. 334575



LIMITED LIABILITY COMPANY ACKNOWLEDGMENT
STATE OF UTAH
County of Tooele, U.S.S.
On the 3rd day of December, A.D., 20 18, Howard J. Schmidt personally appeared before me, the undersigned Notary Public, in and for said County of Tooele, in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the Manager of H and K Schmidt Investment LLC, a Limited Liability Company and that He/She signed the Owner's Declaration freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: 12-20-20 NOTARY # 691960
Janna Bankhead RESIDING IN Tooele COUNTY, UTAH
NOTARY PUBLIC

OWNER'S WITNESS
In witness whereof I / we have hereunto set my / our hand this 3rd day of December, A.D., 20 18.
By: Howard J. Schmidt Janna Bankhead
H and K Schmidt Investments, LLC
Howard Schmidt, Managing Member



PROVIDENCE AT OVERLAKE ANNEXATION PLAT
(ANNEXATION TO NORTH TOOELE CITY SPECIAL SERVICE DISTRICT)
(FINAL LOCAL ENTITY PLAT)

LOCATED IN THE SOUTHWEST QUARTER
OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER
RECORDED # 478465 DATE: 12/13/2018 TIME: 8:55 AM
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE
REQUEST OF: H & K Schmidt Investment LLC
Mandi Moratti Deputy
TOOELE COUNTY RECORDER

NORTH TOOELE CITY SPECIAL SERVICE DISTRICT
APPROVED THIS 15th DAY OF November, 20 18,
BY THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT.
Robert C. Hoffman
NORTH TOOELE CITY SPECIAL SERVICE DISTRICT

DEVELOPER
HOWARD SCHMIDT
PO BOX 95410
SOUTH JORDAN, UT
801-859-9449

MANAGER: D. KINSMAN
DRAWN BY: D. PETERSEN
CHECKED BY: D. BISHOP
DATE: 11/14/2018

CITY ATTORNEY'S APPROVAL
APPROVAL AS TO FORM THIS 15 DAY OF November, 20 18,
BY THE TOOELE CITY ATTORNEY.
Robert C. Hoffman
TOOELE CITY ATTORNEY

COUNTY SURVEYOR APPROVAL
APPROVED THIS 16th DAY OF NOVEMBER, 20 18,
BY THE TOOELE COUNTY SURVEYOR.
ROS #2018-0019
Douglas J. Kinsman
TOOELE COUNTY SURVEYOR

TOOELE
160 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108
www.ensignsv.com

SALT LAKE CITY
Phone: 801.255.0509

LAYTON
Phone: 801.542.1100

CDAR CITY
Phone: 435.833.1400
Fax: 435.833.1400

RICHFIELD
Phone: 801.890.2540