

# 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 POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT, dated August 29, 2019, 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 POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT located in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 10<sup>th</sup> day of September, 2019 at Salt Lake City, Utah.

SPENCER J. COX  
Lieutenant Governor

**NOTICE OF IMPENDING BOUNDARY ACTION**

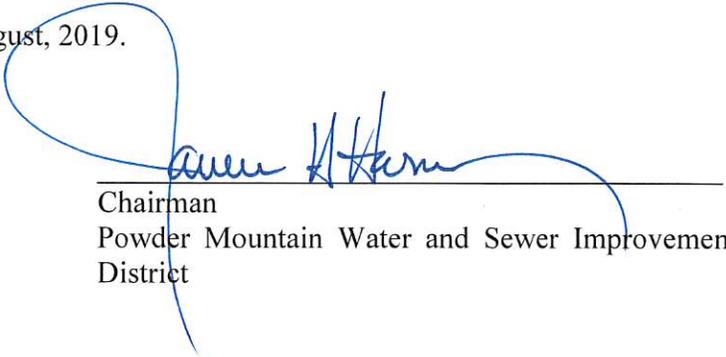
**TO: The Lieutenant Governor, State of Utah**

**NOTICE IS HEREBY GIVEN** that the Board of Directors of the Powder Mountain Water and Sewer Improvement District (the "District"), at a regular meeting of the Board, duly convened pursuant to notice, on August 20, 2019, adopted a Resolution Approving Petition for Annexation, Resolution # 2019-08, 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 Weber County, Utah, is attached hereto as Exhibit B and incorporated by this reference. The District 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 and Utah Code Ann. § 17B-1-401 *et seq.*, have been met.

**WHEREFORE**, the District hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions in Utah Code Ann. §§ 17B-1-414(2)(c) and 67-1a-65.

**SIGNED** this 29 day of August, 2019.

  
\_\_\_\_\_  
Chairman  
Powder Mountain Water and Sewer Improvement  
District

**RESOLUTION APPROVING PETITION FOR ANNEXATION**

**RESOLUTION # 2019-08**

**WHEREAS**, the Powder Mountain Water and Sewer Improvement District met on August 20, 2019 to consider, among other things, approving a May 21, 2019 petition from Lonnie Martinez to annex property (“Martinez Petition”); and

**WHEREAS**, Lonnie Martinez owns 100% of the land proposed to be annexed; and

**WHEREAS**, the District certified the petition to Weber County pursuant to Utah Code § 17B-1-405 and notified the County of the proposed annexation pursuant to Utah Code § 17B-1-406(1) on June 20, 2019; and

**WHEREAS**, Weber County has not notified the District that it intends to consider providing services to the propose annexed area pursuant to Utah Code § 17B-1-407(1)(a); and

**WHEREAS**, the time for the County to notify the District of such an intent (30 days from the date of notice) has passed; and

**WHEREAS**, the District posted notices of the annexation pursuant to Utah Code § 17B-1-413(2)(b) on July 7 and 15, 2019;

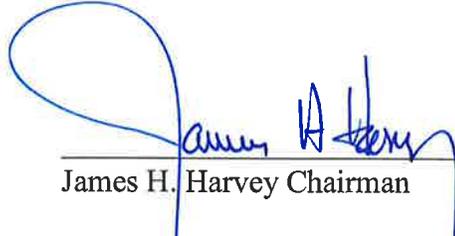
**WHEREAS**, the District has not received any requests for a public hearing under Utah Code § 17B-1-413(2)(a)(ii)(B); and

**WHEREAS**, the time for making such requests (20 days from the posting of notices) has passed; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Powder Mountain Water and Sewer Improvement District as follows:

1. The Martinez Petition to annex property is hereby approved.
2. The District shall submit the requisite documents to the Lt. Governor’s office to obtain a certificate of annexation within 30 days of this Resolution.

Passed by the Board of Trustees of the Powder Mountain Water and Sewer Improvement District this 20th day of August 2019.

  
James H. Harvey Chairman 20 Aug 2019

ATTEST:

  
Clerk

PLAT OF ADDITION TO  
**THE CORPORATE LIMITS OF POWDER MOUNTAIN WATER & SEWER DISTRICT**  
**ANNEXATION PLAT RESOLUTION NO. 2019-07**

A Part of the Northeast Quarter of Section 17,  
 Township 7 North, Range 1 East, Salt Lake Base & Meridian  
 May 15, 2019

**ANNEXATION BOUNDARY DESCRIPTION**

A PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 7 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER ALSO BEING A POINT ON THE NORTH LINE OF SHEEP CREEK CLUSTER SUBDIVISION PHASE 3 AND RUNNING THENCE ALONG SAID NORTH LINE THE FOLLOWING FOUR (4) COURSES: (1) SOUTH 89°21'12" WEST 1.41 FEET; (2) SOUTH 89°47'03" WEST 145.79 FEET; (3) SOUTH 88°08'25" WEST 357.84 FEET; AND (4) SOUTH 88°59'07" WEST 203.38 FEET TO THE NORTHWEST CORNER OF SAID SHEEP CREEK CLUSTER SUBDIVISION PHASE 3 ALSO BEING THE NORTHEAST CORNER OF SHEEP CREEK SUBDIVISION PHASE 4; THENCE SOUTH 88°59'07" WEST 579.13 FEET ALONG THE NORTH LINE OF SAID SHEEP CREEK SUBDIVISION PHASE 4 TO THE SOUTHWEST CORNER OF SHANE & KAY LOWENSTEIN PROPERTY TAX ID NO. 22-007-0100; THENCE NORTH 00°25'08" EAST 893.03 FEET TO THE SOUTH LINE OF POWLSEN INVESTMENT LLC PROPERTY TAX ID NO. 03-007-0003; THENCE SOUTH 88°41'19" EAST 1287.03 FEET TO THE SOUTHWEST CORNER OF SAID POWLSEN INVESTMENT LLC PROPERTY BEING A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00°25'08" WEST 860.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING, CONTAINING 20,000 ACRES.

**ACCEPTANCE BY LEGISLATIVE BODY**

This is to certify that we, the City Council of Powder Mountain Water & Sewer District have received a petition signed by a majority of the owners and the owners of at least one third in value of real property shown, requesting that said areas be annexed to Powder Mountain Water & Sewer District and that a copy of the ordinance or resolution has been prepared for filing herewith in accordance with the provisions of Utah code annotated sec. 10-2-403 and that we have examined and do hereby approve and accept the annexation of the areas as shown on this final local entity plat as a part of said Water & Sewer District.

Witness my hand and Official Seal this 30 day of Aug. A.D., 2019.

Approved: Steve HARVEY

**WEBER COUNTY SURVEYOR**

I hereby certify that the Weber County Surveyor's Office has reviewed this Plat and all conditions for approval by this office have been satisfied. The approval of this Plat by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith. Signed this 28th day of June, 2019.

[Signature]  
 Weber County Surveyor

STATE OF UTAH }  
 COUNTY OF WEBER } SS

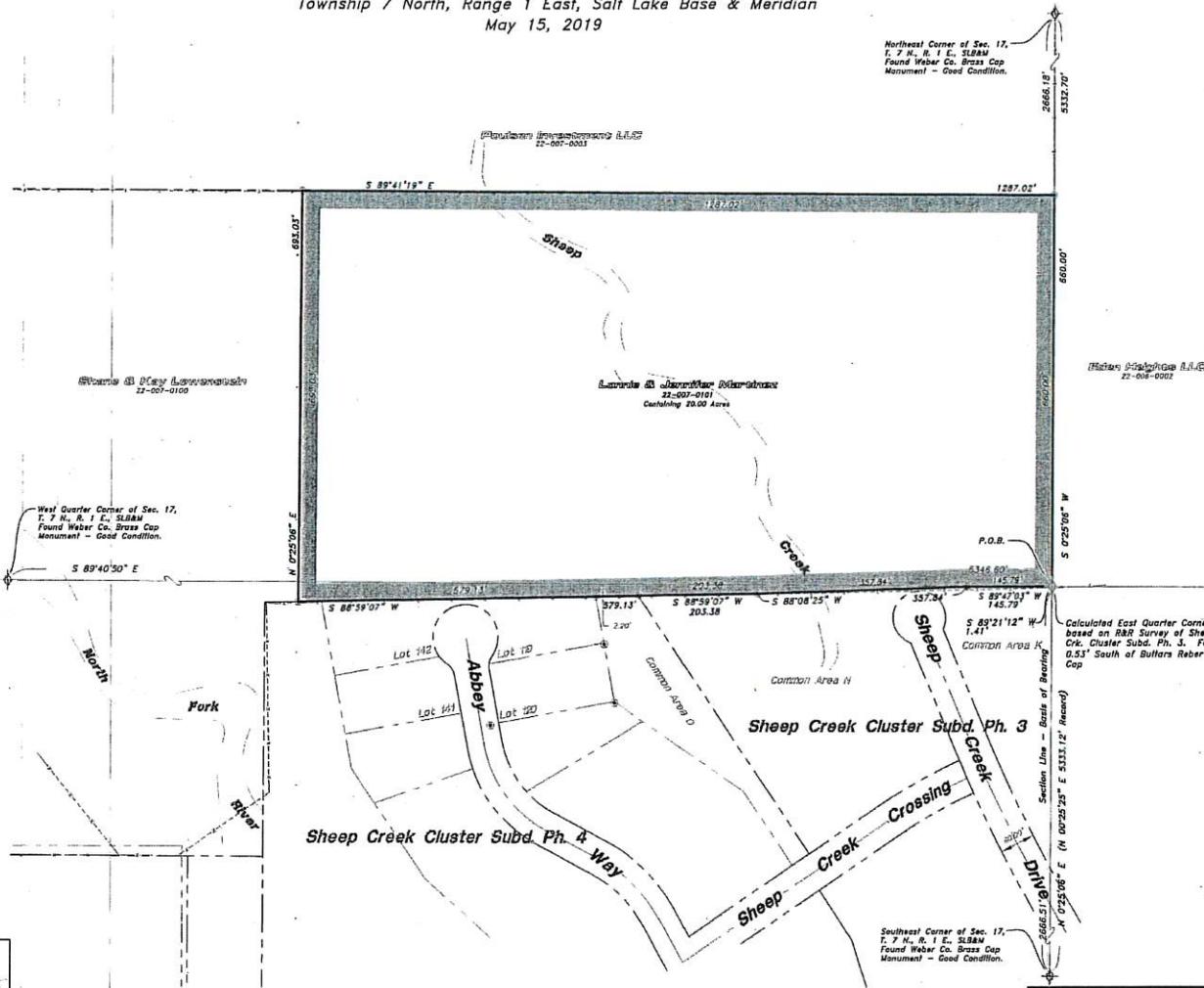
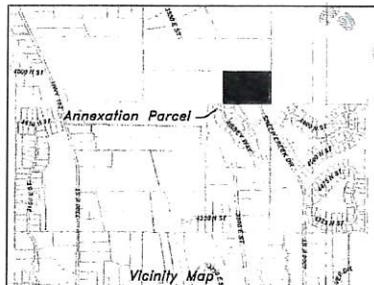
I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE DOCUMENT THAT APPEARS ON RECORD IN MY OFFICE.

WITNESS MY HAND AND SEAL

THIS 30th DAY OF June, 2019

LEANN H. KILTS, WEBER COUNTY RECORDER/  
 SURVEYOR

BY [Signature] DEPUTY



**SURVEYOR'S CERTIFICATE**

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 56, Chapter 22, Professional Engineers and Professional Land Surveyors Act and I have completed a survey of the property described on this plat in accordance with section 17-23-17 and have verified all measurements, have placed monuments as represented on this plat and that this is a true and accurate map of the tract of land to be annexed into Brigham City, Box Elder County, Utah.

Signed this 28th day of June, 2019.

K. Greg Hansen P.L.S.  
 Utah Land Surveyor Licence No. 187819



Scale: 1" = 100'  
 0 100 200  
 Feet  
 (Date in Parentheses is Record)

**LEGEND**

- Subject Property Line
- - - - - Adjoining Property Line
- Fence Line
- Proposed Corporate Boundary
- o Found rebar set by others
- o Set 3/8"x24" Rebar With Cap
- o Section Corner
- o Calculated Section Corner

**WEBER COUNTY RECORDER**

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
 FILED FOR RECORD AND  
 RECORDED \_\_\_\_\_  
 IN BOOK \_\_\_\_\_ OF OFFICIAL  
 RECORDS, PAGE \_\_\_\_\_ RECORDED  
 FOR \_\_\_\_\_  
 COUNTY RECORDER  
 BY: \_\_\_\_\_  
 DEPUTY

**HANSEN & ASSOCIATES, INC.**  
 Consulting Engineers and Land Surveyors  
 538 North Main Street, Brigham, Utah 84302  
 Visit us at [www.haies.net](http://www.haies.net)  
 Logan Ogden  
 (435) 732-3491 (801) 339-4983 (435) 732-8272  
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