

# 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 January 15, 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 24<sup>th</sup> day of January, 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**

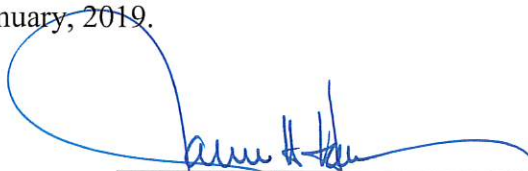
**TO: The Lieutenant Governor, State of Utah**

**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 January 15, 2019, adopted a Resolution Approving Petition for Annexation, Resolution # 2019-03, 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 15 day of January, 2019.



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Chairman  
Powder Mountain Water and Sewer Improvement  
District

**RESOLUTION RE-ADOPTING RESOLUTION # 2018-16 APPROVING PETITION  
FOR ANNEXATION**

**RESOLUTION # 2019-03**

**WHEREAS**, the Powder Mountain Water and Sewer Improvement District met on January 15, 2019 to consider, among other things, re-adopting Resolution # 2018-16 Approving Petition for Annexation from SMHG Landco, LLC; and

**WHEREAS**, the District met on November 20, 2018 to consider, among other things, approving an August 22, 2018 petition from SMHG Landco, LLC to annex property; and

**WHEREAS**, SMHG Landco, LLC 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 September 21, 2018; and

**WHEREAS**, Weber County did notify 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) had passed; and

**WHEREAS**, the District posted notices of the annexation pursuant to Utah Code § 17B-1-413(2)(b) on October 23, 2018;

**WHEREAS**, the District did not receive 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) had passed; and

**WHEREAS**, based on the foregoing, the District adopted Resolution # 2018-16 Approving Petition for Annexation on November 20, 2018; and

**WHEREAS**, the District filed the Notice of Impending Boundary Action and required attachments with the office of the Lt. Governor on January 11, 2019; and

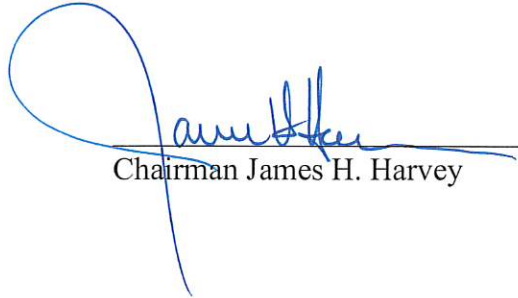
**WHEREAS**, the Lt. Governor's office responded that Resolution # 2018-16 had to be re-adopted in order to comply with the timing restrictions in § 17B-1-414(2)(a)(ii)(A); and

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



1. Resolution # 2018-16 is re-adopted and incorporated by reference herein.
2. The SMHG Landco, LLC petition to annex property is approved.
3. The District shall re-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 15th day of January, 2019.



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Chairman James H. Harvey

ATTEST:



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Clerk Carrie Zenger

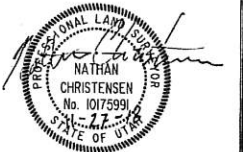
# ANNEXATION PLAT FOR POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT RESOLUTION #: 2018-16

LOCATED IN SECTION 8,  
TOWNSHIP 7 NORTH, RANGE 2 EAST, 5LB4M,  
WEBER COUNTY, UTAH.  
NOVEMBER 2018

**SURVEYORS CERTIFICATE:**

I, NATHAN CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF UTAH, AND THAT I HOLD CERTIFICATE NO. 10175991 AS PRESCRIBED UNDER TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. THIS ANNEXATION PLAT HAS BEEN MADE UNDER MY DIRECTION AND IN ACCORDANCE WITH UC 17-23-20 AND BY INFORMATION OBTAINED FROM THE WEBER COUNTY RECORDER'S OFFICE. SIGNED THIS XXX DAY OF AUGUST, 2018.

*Nathan Christensen*  
NATHAN CHRISTENSEN  
PROFESSIONAL LAND SURVEYOR  
UTAH CERTIFICATE NO. 10175991



**BOUNDARY DESCRIPTION:**

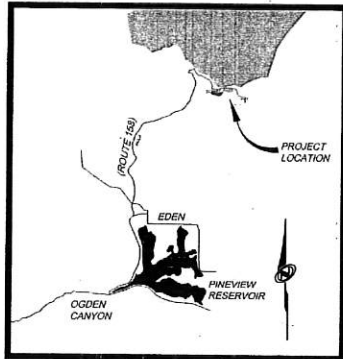
BEGINNING AT THE NORTHEAST QUARTER CORNER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, SAID QUARTER CORNER BEING ON THE SOUTHERLY BOUNDARY OF THE POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT (PMWSID) BOUNDARY, (BASIS OF BEARING BEING N89°55'51" W ALONG THE LINE BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND THE SET WEBER COUNTY MONUMENT ON THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE AND THE SECTION LINE), AND RUNNING THENCE 500°35'31" E 5539.73 FEET ALONG THE EAST LINE OF SAID SECTION 8; THENCE N89°07'47" W 2676.30 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER SAID SECTION 8; THENCE N88°43'17" W 2749.68 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE N00°45'10" W 513.55 FEET ALONG THE WEST LINE OF SAID SECTION 8 TO THE SOUTHERLY BOUNDARY LINE OF SUMMIT EDEN PHASE IA; THENCE N90°00'00" E 1716.23 FEET ALONG SOUTH TO A POINT ON THE SOUTHERLY LINE OF SUMMIT EDEN PHASE IC; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING FIVE (5) CALLS; 1) THENCE 535°56'05" E 538.55 FEET; 2) THENCE S14°02'38" W 1143.47 FEET; 3) THENCE 588°18'57" E 1941.65 FEET; 4) THENCE N29°11'14" E 337.79 FEET; 5) THENCE N00°00'00" E 289.59 FEET TO A POINT ON THE SOUTHERLY LINE OF SUMMIT EDEN PHASE ID AMENDMENT 2; THENCE N90°00'00" E 177.75 FEET ALONG SAID SOUTH LINE TO A POINT ON THE RIGHT-OF-WAY LINE OF SUMMIT PASS; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE (5) CALLS; 1) THENCE SOUTHERLY ALONG A 733.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (CHORD BEARS 505°05'08" W A DISTANCE OF 101.09 FEET), THROUGH A CENTRAL ANGLE OF 07°54'28", A DISTANCE OF 101.17 FEET; 2) THENCE S01°07'54" W 226.01 FEET; 3) THENCE 588°52'06" E 66.00 FEET; 4) THENCE N01°07'54" E 226.01 FEET; 5) THENCE NORTHEASTERLY ALONG A 667.00 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS N06°10'33" E A DISTANCE OF 117.29 FEET), THROUGH A CENTRAL ANGLE OF 10°05'18" A DISTANCE OF 117.44 FEET TO A POINT ON THE SOUTHERLY LINE OF SUMMIT EDEN PHASE I D AMENDMENT 1; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING FOUR (4) CALLS; 1) THENCE N89°04'16" E 431.21 FEET; 2) THENCE NORTHWESTERLY ALONG A 382.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (CHORD BEARS N22°17'09" W A DISTANCE OF 102.78 FEET), THROUGH A CENTRAL ANGLE OF 15°27'45", A DISTANCE OF 103.04 FEET; 3) THENCE N30°01'02" W 18.71 FEET; 4) THENCE N59°58'58" E 36.00 FEET TO A POINT ON THE EASTERLY LINE OF VILLAGE NEST EAST AT POWDER MOUNTAIN-PRUD; THENCE ALONG SAID EAST LINE THE FOLLOWING FIVE (5) CALLS; 1) THENCE N90°00'00" E 58.61 FEET; 2) THENCE N18°14'18" E 100.94 FEET; 3) THENCE N05°15'37" W 290.02 FEET; 4) THENCE N48°42'55" W 186.10 FEET; 5) THENCE N79°10'38" W 182.08 FEET; THENCE N46°01'51" W 50.00 FEET TO A POINT ON THE EASTERLY LINE OF SUMMIT EDEN PHASE I B; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING FOUR (4) CALLS; 1) THENCE N35°01'14" E 550.33 FEET; 2) THENCE N90°00'00" W 455.19 FEET; 3) THENCE N00°00'00" E 113.17 FEET; 4) THENCE N87°49'19" E 1344.63 FEET TO THE POINT OF BEGINNING  
CONTAINING 24,651,204 S.F. OR 565.91 AC.

**NARRATIVE:**

1. THE PURPOSE FOR THIS PLAT IS TO SHOW AND MAP THOSE PARCELS OF LAND THAT ARE BEING ANNEXED INTO THE EXPANDED BOUNDARIES OF THE POWDER MOUNTAIN WATER & SEWER IMPROVEMENT DISTRICT.
2. THIS PLAT IS COMPRISED OF RECORD INFORMATION FROM THE WEBER COUNTY RECORDER'S OFFICE. THIS IS NOT A LAND SURVEY.
3. CONTAINING: 565.91 ACRES

**REFERENCED DOCUMENTS:**

1. SUMMIT EDEN PHASE IA, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ENTRY #:2672943, BOOK:75, PAGES:28-31
2. SUMMIT EDEN PHASE IB, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ENTRY #:2672944, BOOK:75, PAGES:32-34
3. SUMMIT EDEN PHASE IC, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ENTRY #:2672945, BOOK:75, PAGES:35-40
4. SUMMIT EDEN PHASE ID, AMENDMENT 1, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER BOOK:78, PAGES:74 & 75
5. ANNEXATION PLAT FOR POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT, RESOLUTION NO. 2017-07



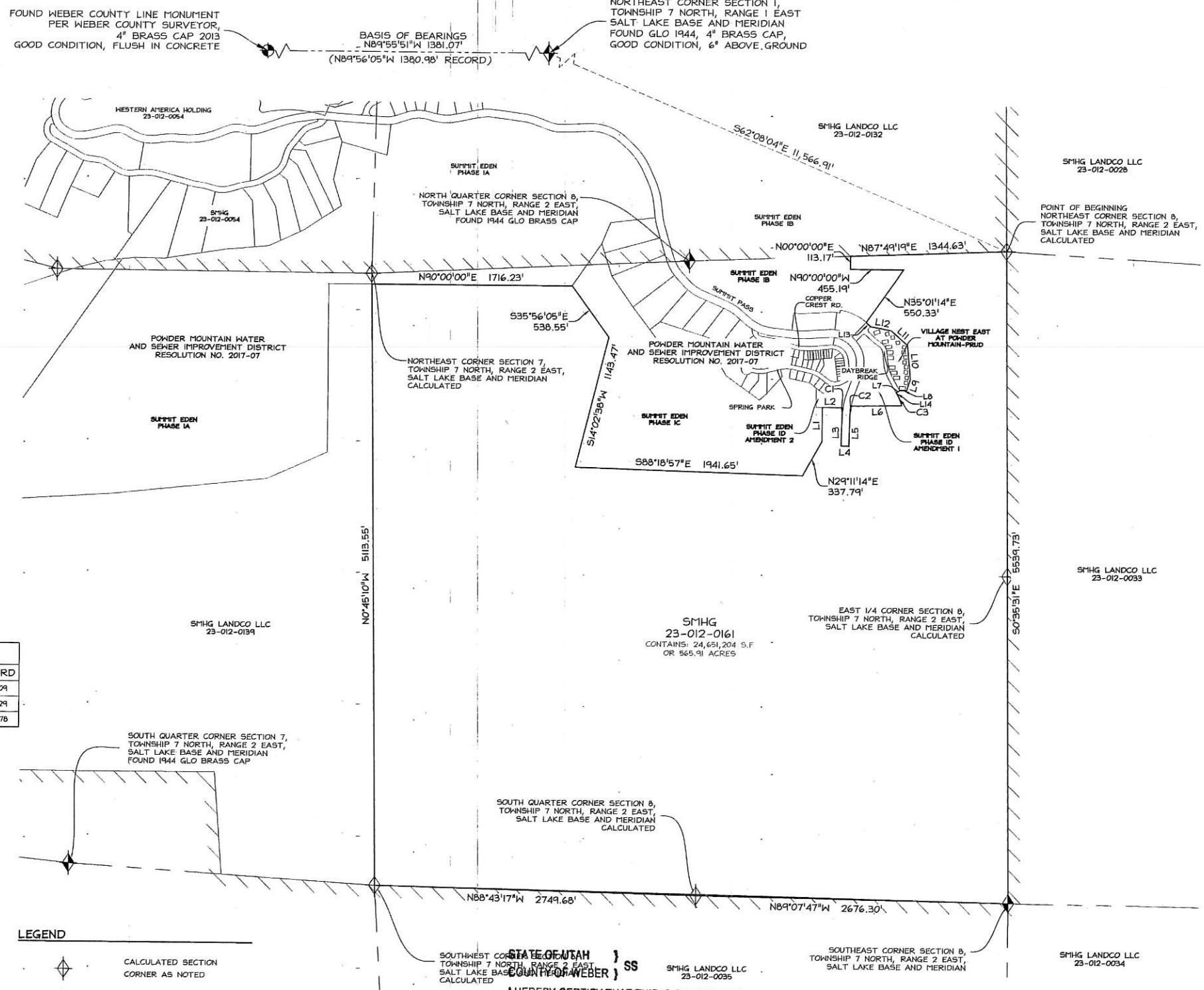
Vicinity Map  
N.T.S.

**LINE TABLE**

LINE	LENGTH	BEARING
L1	289.59	N0°00'00"E
L2	177.75	N90°00'00"E
L3	226.01	S1°07'54"W
L4	66.00	S88°52'06"E
L5	226.01	N1°07'54"E
L6	431.21	N89°04'16"E
L7	36.00	N5°15'37"W
L8	58.61	N90°00'00"E
L9	100.94	N18°14'18"E
L10	290.02	N59°58'58"E
L11	186.10	N48°42'55"W
L12	182.08	N79°10'38"W
L13	50.00	N46°01'51"W
L14	18.71	N30°01'02"W

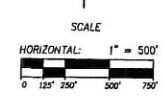
**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	733.00	101.17	7°54'28"	S05°05'08"W	101.09
C2	667.00	117.44	10°05'18"	N06°10'33"E	117.29
C3	382.00	103.04	15°27'45"	N22°17'09"W	102.78



**LEGEND**

- CALCULATED SECTION CORNER AS NOTED
- SECTION CORNER AS NOTED
- ANNEXATION LINE
- SECTION LINE
- QUARTER SECTION LINE
- EXISTING PMWSID LIMITS



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 7 DAY OF JANUARY 20 19  
LEANN H. KILTS, WEBER COUNTY RECORDER/  
SURVEYOR  
BY: *[Signature]* DEPUTY

**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 SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITY ASSOCIATED THEREWITH.  
SIGNED THIS 7<sup>TH</sup> DAY OF JANUARY, 20 19  
*[Signature]*  
WEBER COUNTY SURVEYOR

**POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT**  
THIS PLAT IS APPROVED AS TO FORM  
THIS 8 DAY OF JAN 20 19  
*[Signature]*  
CHAIRMAN,  
POWDER MOUNTAIN WATER & SEWER IMPROVEMENT DISTRICT



3212 SOUTH STATE STREET, SUITE 300 HURRAH, UT 84107  
801.743.1300 TEL. 801.743.0200 FAX  
WWW.NOLTE.COM

**RECORDED #**  
STATE OF UTAH, COUNTY OF WEBER,  
RECORDED AND FILED AT THE  
REQUEST OF:  
ENTRY NO.:  
DATE: TIME:  
BOOK: PAGE:  
FEE \$  
WEBER COUNTY RECORDER