

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF DISSOLUTION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of dissolution pertaining to the TREMONTON CITY SPECIAL IMPROVEMENT DISTRICT #1, dated July 22, 2019, complying with Title 17D-1-603, of 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 dissolution, referred to above, on file with the Office of the Lieutenant Governor pertaining to the TREMONTON CITY SPECIAL IMPROVEMENT DISTRICT #1, located in Box Elder County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah this 29th day of July, 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

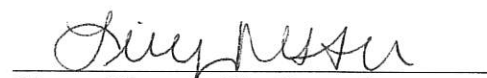
Pursuant to Utah Code Annotated 67-1a-6.5, the Tremonton City Council hereby provides the Lieutenant Governor's Office with written notice of an impending boundary action that affects the "Tremonton City Special Improvement District #1".

Tremonton City seeks a certificate of dissolution as it relates to the Tremonton City Special Improvement District #1. On July 16, 2019, the Tremonton City Council adopted Resolution 19-38 approving the dissolution of the District.

The Tremonton City Council hereby certifies that the attached constitutes a true and correct copy of the Resolution to dissolve the Tremonton City Special Improvement District #1. The City Council further certifies that all requirements for the dissolution have been complied with pursuant to Utah Code Annotated 17D-1-601 et. seq.


Roger Erdal, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this 22 day of July, 2019.


Linsey Nessen, City Recorder



RESOLUTION NO. 19-38

**A RESOLUTION APPROVING THE DISSOLUTION OF THE DISTRICT ENTITLED
“SPECIAL IMPROVEMENT DISTRICT #1”**

WHEREAS, via Resolutions 91-19 (See Exhibit “A”) and 92-05 (See Exhibit “B”), the Tremonton City Council created a District entitled “Special Improvement District #1”; and

WHEREAS, it has been determined the District created by Resolutions 91-19 and 92-05 was mischaracterized as a Special Improvement District, when the District created was, in reality, a Special Service District (See Exhibit “C”); and

WHEREAS, the District was created to provide culinary water services to residents newly annexed into the Corporate City Limits of Tremonton in 1991, those services having been completed and all obligations of the District having been fulfilled; and

WHEREAS, since the creation of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” the assets of the Special Service District have been maintained by the Tremonton City Water Department; and

WHEREAS, the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” has fulfilled all its obligations, financial and otherwise; and

WHEREAS, since the creation of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” has been governed by the Tremonton City Council; and

WHEREAS, the Tremonton City Council has determined that the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” is no longer needed for the purposes for which it was created;

WHEREAS, on or about June 19, 2012, the Tremonton City Council passed Resolution 12-32 dissolving the Special Service District created by Resolutions 91-19 and 92-05; and

WHEREAS, in accordance with the passing of Resolution 12-32 dissolving the Special Service District the Finance Director transferred all of the assets more particularly described in Exhibit “D” to the Tremonton City Water Department to be accounted for in the Tremonton City Fund 51- Water Fund; and

WHEREAS, following the passage of Resolution 12-32, the intent of the Tremonton City Council was for the Tremonton City Recorder to provide notice to the Lieutenant Governor of the State of Utah of the dissolution of the Special Service District created by Resolution 91-19 and 92-05; and

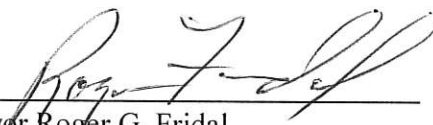
WHEREAS, as the Lieutenant Governor's office does not have record of receiving notice of Resolution 12-32, the Tremonton City Council is hereby adopting this Resolution to again dissolve the Special Service District created by Resolution 91-19 and 92-05.

NOW, THEREFORE, pursuant to Section 17D-1-601, Utah Code, the Tremonton City Council hereby resolves to approve the dissolution of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled "Special Improvement District #1," which is legally and more particularly described in Exhibit "E" attached and incorporated hereto.

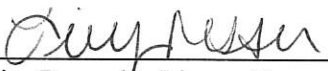
Additionally, be it resolved that, pursuant to 17D-1-603, the City Council directs the City Recorder within 30 days after the passage of this Resolution to give notice to the Lieutenant Governor regarding the dissolution of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled "Special Improvement District #1.

ADOPTED AND PASSED by the City Council of the City of Tremonton, Utah, this 16th day of July, 2019.

TREMONTON CITY CORPORATION

By 
Mayor Roger G. Fridal

ATTEST:


City Recorder Linsey Nessen



(city seal)

Exhibit "A"

Tremonton, Utah

December 5, 1991

A special meeting of the City Council of Tremonton City, Box Elder County, Utah (the "Council") was held on Thursday, the 5th day of December, 1991 at the hour of 6:15 pm at its regular meeting place of the Council at which meeting there were present and answering roll call the following members who constituted a quorum:

Present:

| | |
|------------------|-----------|
| Gilfred W. Smart | Mayor |
| Louise Day | Councilor |
| Harry W. Gephart | Councilor |
| Max Weese | Councilor |
| DeWayne H. Falk | Councilor |

Also present:

| | |
|------------------|----------|
| W. Paul Buys III | Recorder |
|------------------|----------|

Absent:

| | |
|------------------|-----------|
| Gordon G. Worley | Councilor |
|------------------|-----------|

After the meeting had been duly called to order there was presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this December 5, 1991 meeting, a copy of which is attached hereto as Exhibit "A".

Thereupon, the following resolution was introduced in written form, discussed in full, and pursuant to motion made by Councilor DeWayne Falk and seconded by Councilor Harry Gephart, adopted by the following vote:

YEA:

Max Weese
Louise Day
Harry Gephart
DeWayne Falk

NAY:

None

RESOLUTION NO. 91-19

A RESOLUTION OF THE CITY COUNCIL (THE "COUNCIL") OF TREMONTON CITY (THE "CITY") DECLARING THEIR INTENTION TO CREATE WITHIN THE CITY, SPECIAL IMPROVEMENT DISTRICT NO. 1; APPROVING THE FORM OF THE NOTICE OF INTENTION TO BE PUBLISHED; ESTABLISHING THE TIME WITHIN WHICH THE CITY WILL ACCEPT PROTESTS AGAINST THE CREATION OF THE DISTRICT; ESTABLISHING THE DATE AND TIME FOR A HEARING AT WHICH ALL PROTESTS FILED SHALL BE CONSIDERED; ESTABLISHING THE NECESSARY NUMBER OF PROTESTS TO CAUSE THE ABANDONMENT OF THE DISTRICT; AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION; AND ALL RELATED MATTERS.

WHEREAS, the Council is the legislative body for Tremonton, Utah, a Utah municipal corporation; and

WHEREAS, the Council has received a Petition for Annexation from the owners of certain real property which is contiguous to the northwest boundary of the City; and

WHEREAS, the primary, motivating factor for said Petition is that the owners of the referenced real property have private culinary water sources that have been drying up and efforts to drill new wells at greater depth or to obtain culinary water from sources other than the City do not have merit; and

WHEREAS, the referenced petitioners and property owners desire to be annexed to the City in order that they might receive municipal culinary water, but it has been estimated by the City Engineer that it will cost approximately \$150,000.00 for the construction of the necessary improvements to provide municipal culinary water to said property owners; and

WHEREAS, the City is willing to annex the referenced real property and to provide culinary water to the owners of the real property, provided they pay for the costs associated with extending the necessary water main line, the costs for the installation of a booster pump station; the costs for engineering, legal, financing and all other related costs associated with the necessary improvements to the City's water system, together with monthly service fees and the costs for operation and maintenance of the booster pump station; and

WHEREAS, it has been determined that the most appropriate method by which the necessary cost can be isolated and assessed to the owners of the property to be annexed is through the creation of a Special Improvement District for that area; and

WHEREAS, the City has obtained the authorization for a loan up to \$140,000.00 from the Utah State Drinking Water Board and said Board is willing to purchase a bond for such amount from a Special Improvement District; and

WHEREAS, the City Council has determined that it would be in the best interests of the City and the owners of the property proposed for annexation if a Special Improvement District were formed, concurrently with or after the annexation of said real property.

NOW, THEREFORE, the City Council of Tremonton City does hereby resolve as follows:

Section 1. The Council hereby finds and determines that it is in the best interest of the residents of the City, including those to become residents in the area proposed for annexation for a Special Improvement District to be formed for purposes of extending a main culinary water line along 1000 North Street and installing a booster pump station and necessarily related appurtenances, so as to enable the City to provide culinary water service to the property owners in the annexed area. The area proposed for annexation and the area for the proposed Special Improvement District are identical and are more particularly described in the Notice of Intention which is set forth in Section 4, below.

Section 2. The City Council hereby determines that there is sufficient capacity in its culinary water system and sufficient quantity of water from its municipal water sources to service the area located within the boundaries of the proposed Special Improvement District so as to provide the culinary water service to the referenced property owners in the manner contemplated.

Section 3. The City Council hereby declares its intention to create Special Improvement District No. 1 within its corporate boundaries and hereby authorizes and directs the Mayor to execute the Notice of Intention as more specifically set forth in the next section of this resolution and authorizes and directs the City Recorder to cause the publication of the same in The Leader, a newspaper published on a weekly basis within the City. The Recorder shall cause it to be published in the manner required by law.

Section 4. The form of a Notice of Intention shall be in substantially the form set forth below:

NOTICE OF INTENTION

Public notice is hereby given that on the 5th day of December, 1991 the Municipal Council and the Mayor of the City of Tremonton, Box Elder County, Utah adopted and approved a

resolution declaring their intention of creating in said city Special Improvement District No. 1, Tremonton City, Box Elder County, Utah, for the purpose of extending a main culinary water line, of installing a booster pump station, with all related appurtenances, and to levy special taxes and assessments as provided in Chapter 3, Part 3, Title 17A, UCA, 1953, as amended, on the property within said District for the benefit of which such assessments are to be expended in the improvement of street frontage and general value of said properties. The proposed District area is described as follows:

Commencing at the Northwest corner of Section 5, Township 11 North, Range 3 West, Salt Lake Base and Meridian; thence as follows: North 558.00 feet along the East line of Section 32, Township 12 North, Range 3 West; thence North 89°41' East 2649.84 feet; thence South 591.00 feet along the Quarter section line; thence North 89°48'04" East 1600.00 feet along the South line of 10th North; thence South 200.00 feet along the existing corporate boundary; thence South 89°48'04" West 450.00 feet along the existing corporate boundary; thence South 89°39' West 1953.80 feet; thence South 278.50 feet; thence North 89°39' West 507.00 feet along the South boundary of the Hiroko Isaki property; thence North 50 feet more or less to the South boundary of the Melvin A. Schneiter property; thence South 69°50' West 394.5 feet along the South boundary of the Melvin A. Schneiter property; thence South 71°20' West 396.17 feet along the South boundary of the Lee D. Fuhriman property; thence North 153.74 feet; thence South 77°15' West 582.20 feet along the South boundary of the Collen Laws property; thence North 274.00 feet; thence West 210.00 feet; thence North 450.00 feet; thence East 210.00 feet to the point of commencement. Contains 72 acres more or less.

The water line extension and pump station are proposed to be installed in the street right-of-way known as 1000 North, on which each of the property owners in the proposed Special Improvement District area has frontage. Property owners will access the improvements by use of collateral water lines running from their property and connected to the main water line in the street. Other improvements outside the District may be made to coordinate the proposed improvements with existing improvements and topography, but assessments will be levied only for improvements within the District.

ESTIMATED COST; METHOD OF ASSESSMENT

As determined by the City Engineer, the total estimated cost of the improvements including necessary amounts to cover the actual cost of legal fees, engineering fees, costs for financing, preparing, publishing and mailing of notices, and all other incidental costs relating to the District, including costs for making the levy, is approximately \$150,000.00 and \$140,000.00 of said cost will be paid by a special assessment to be levied against the property described above, and which abuts upon or is adjacent to the said 1000 North Street and which may be affected by or specially benefitted by any of such improvements. Assessments shall be levied on the basis of the frontage of the property of each owner immediately adjacent to the said 1000 North Street, in which the planned improvements are to be located. Each property owner shall also be required to pay the established connection fee for each connection to the main water line, prior to making such connection, shall pay a prorata portion of the expenses related to the operation and maintenance of the referenced pump station and shall pay the monthly service charge for the use of the municipal water system.

The special assessments to be levied may be paid by the abutting property owners in full or in part, without interest, within fifteen (15) days after the ordinance levying the assessments becomes effective. It is the intention of the City Council to fund up to \$140,000.00 of the costs for the improvements proposed in said District with a loan which has been authorized by the Utah State Drinking Water Board. The Board has agreed to purchase the City's interim warrants which will provide up to \$140,000.00 in funds to be added to the City's contribution of approximately \$10,000.00, to complete the project. Once the project is completed and all costs have been assessed to the property owners within the District and time has been allowed for those who desire to pay their entire assessment or have it charged to them annually on their property tax bill, then the balance left unpaid shall become the amount for the special assessment bond which the Board will purchase in making the loan to the District.

TIME FOR FILING PROTESTS

Any objections to the proposed special improvements or to the creation of the Special Improvement District shall be in writing, signed by the owner or owners of property within the proposed District and abutting upon or adjacent to 1000 North Street, shall contain a description of the owner's property (lot, block, etc.) and shall be filed with the Tremonton City Recorder, Tremonton City Offices, 102 South Tremont Street, Tremonton, Utah, 84337, on or before 5:00 o'clock p.m. on Friday, January 10, 1992. Thereafter, at 7:30 o'clock p.m. on

Tuesday, January 21, 1992, the Municipal Council and Mayor will meet at the Municipal Council Chambers to hear and consider any such objections to the proposed improvements or to the creation of the District. The governing body shall abandon the District and not create it if protests representing one-half (1/2) of the front footage of the property to be assessed which abuts upon and is adjacent to the referenced 1000 North Street have been filed with the City Recorder on or before 5:00 o'clock p.m. on Friday, January 10, 1992.

DATED this 5th day of December, 1991.

TREMONTON CITY, a Utah
Municipal Corporation

By Gilfred W. Smart, Mayor

Publication Dates: December 11, 18, 24 and 31, 1991.

Section 5. All proceedings, resolutions and documents pertaining to the Special Improvement District, to date, and actions of the City and its officers taken in connection with the transactions contemplated by this Resolution are hereby ratified, confirmed and approved. All items as specifically noted in the Notice of Intention set forth in Section 4, above, including those related to the types of improvements proposed, the estimated cost and method of assessment, the proposed methods for payment and financing and the time for filing protests and the number required to stop the creation of the Special Improvement District, the date and time for the hearing to be held regarding any protests, and all other items, shall be as set forth in the referenced Notice of Intention.

Section 6. The appropriate officers of the City are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the actions contemplated hereby and are authorized to take all action necessary in conformity with the Utah Municipal Improvement District Act, to create the Special Improvement District as contemplated.

Section 7. The Mayor is hereby authorized to make any alterations, changes or additions in the Notice of Intention herein approved and authorized necessary to correct errors or omissions therein, to remove ambiguities therefrom, or to conform the same to the provisions of this Resolution, or the provisions of the laws of the State of Utah.

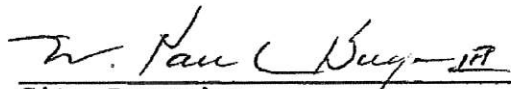
STATE OF UTAH)
 : ss.
County of Box Elder)

I, W. Paul Buys III, duly qualified and acting City Recorder of Tremonton City (the "City") do hereby certify:

1. The foregoing is a true copy of the record of proceedings of the City Council of the City (the "Council"), had and taken at a lawful public meeting of said Council held at the regular meeting place of said Council, in Tremonton City, Box Elder County, Utah, on the 5th day of December, 1991, commencing at the hour of 6:15 p.m., as recorded in the regular official book of the proceedings of the City kept in the office of the City, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

2. All members of the City Council of said City were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 5th day of December, 1991.



City Recorder

(SEAL)

EXHIBIT "A"

STATE OF UTAH)
 : ss.
County of Box Elder)

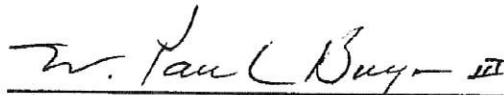
I, W. Paul Buys III, the undersigned City Recorder of Tremonton City (the "City") do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the December 5, 1991 public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "A", to be posted at the City's principal offices on December 4, 1991, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule "A", to be delivered to The Leader, a newspaper of general circulation in the City and to each local media correspondent requesting Notice of Meetings on December 4, 1991, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, Notice of the 1991 Annual Meeting Schedule of the Council, in the form attached hereto as Schedule "B" was (and has remained) posted and available for public inspection and was made available to the local media correspondents as required by law.

IN WITNESS WHEREOF, I have hereunto set my official signature of this 5th day of December, 1991.



City Recorder

SCHEDULE "A"

Meeting Notice

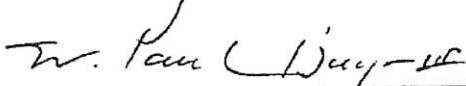
TREMONTON CITY CORPORATION

COUNCIL SPECIAL MEETING AGENDA DECEMBER 5, 1991

TO BE HELD AT 102 S. TREMONT, AT 6:15 p.m.

1. CONSIDERATION OF A RESOLUTION DECLARING THE INTENT TO CREATE WITHIN THE CITY, SPECIAL IMPROVEMENT DISTRICT NO. 1; APPROVING THE FORM OF THE NOTICE OF INTENTION TO BE PUBLISHED; ESTABLISHING THE TIME WITHIN WHICH THE CITY WILL ACCEPT PROTESTS AGAINST THE CREATION OF THE DISTRICT; ESTABLISHING THE DATE AND TIME FOR A HEARING AT WHICH ALL PROTESTS FILED SHALL BE CONSIDERED; ESTABLISHING THE NECESSARY NUMBER OF PROTESTS TO CAUSE THE ABANDONMENT OF THE DISTRICT; AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION; AND ALL RELATED MATTERS.
2. ADJOURNMENT

NOTICE WAS POSTED December 4, 1991, A DATE NOT LESS THAN 24 HOURS PRIOR TO THE DATE AND TIME OF THE MEETING AND REMAINED SO POSTED UNTIL AFTER THE SAID MEETING. A COPY OF THE AGENDA WAS DELIVERED TO THE LEADER ON December 4, 1991.



W. PAUL BUYS III, RECORDER

SCHEDULE "B"

Annual Meeting Schedule

NOTICE OF ANNUAL MEETING SCHEDULE

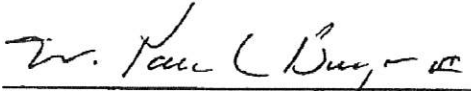
CITY COUNCIL OF TREMONTON CITY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN THAT THE 1991 ANNUAL MEETING SCHEDULE OF THE CITY COUNCIL OF TREMONTON CITY, BOX ELDER COUNTY, UTAH IS AS FOLLOWS:

| <u>REGULAR MEETINGS</u> | <u>DATE</u> |
|-------------------------|-------------|
| JANUARY | 8 AND 22 |
| FEBRUARY | 5 AND 19 |
| MARCH | 5 AND 19 |
| APRIL | 2 AND 16 |
| MAY | 7 AND 21 |
| JUNE | 4 AND 18 |
| JULY | 2 AND 16 |
| AUGUST | 6 AND 20 |
| SEPTEMBER | 3 AND 17 |
| OCTOBER | 1 AND 15 |
| NOVEMBER | 5 AND 19 |
| DECEMBER | 3 AND 17 |
| JANUARY 1992 | 7 |

REGULAR MEETINGS OF THE COUNCIL ARE HELD AT THE OFFICE OF THE COUNCIL IN THE CIVIC CENTER AT 102 S. TREMONT, TREMONTON, UTAH COMMENCING AT 7:00 PM.

ADOPTED THIS THE 8TH DAY OF JANUARY 1991. POSTED AND DELIVERED TO THE LEADER ON THE 8TH DAY OF JANUARY 1991.

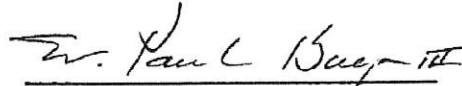


W. PAUL BUYS III, RECORDER

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE TREMONTON CITY COUNCIL, TREMONTON CITY, TREMONTON, UTAH:

NOTICE IS HEREBY GIVEN that a special Council meeting of Tremonton City, Utah, will be held at the Council's regular meeting place at 6:15 on Thursday, the 5th day of December 1991, for the purpose of consideration of a resolution declaring the intent to create within the City, Special Improvement District no. 1; approving the form of the notice of intention to be published; establishing the time within which the City will accept protests against the creation of the district; establishing the date and time for a hearing at which all protests filed shall be considered; establishing the necessary number of protests to cause the abandonment of the district; authorizing the publication of the notice of intention; and all related matters and the transaction of such other business incidental to the foregoing as may come before said meeting.

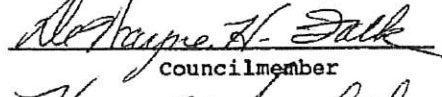

Secretary

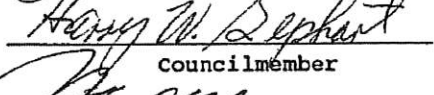
ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

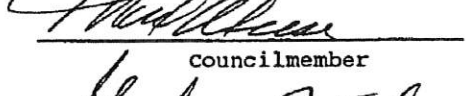
We, the members of the Tremonton City Council, Tremonton City, Utah, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the item and place specified in said notice, and to the transaction of any and all business which may come before said meeting.


chair


councilmember


councilmember


councilmember


councilmember


councilmember

Exhibit "B"

MARIE G. WORTH
BOX ELDER COUNTY, UTAH

DEP *ms* FEE *67⁰⁰*

430151

1992 MAR -9 PM 2:54

RESOLUTION NO. 92-05

Red note VVV
BOOK **516** PAGE **471**

WHEREAS, the City Council of Tremonton, Utah, adopted Resolution No. 91-19 on December 5, 1991 wherein the Council declared its intention to create Special Improvement District No. 1, approved the form of the Notice of Intention to be published, established the time within which the City would accept protests against the creation of the District, established the date and time for a hearing of all protests, established the necessary number of protests to cause the abandonment of the District, and authorized the publication of the Notice of Intention, together with all related matters; and

WHEREAS, the City caused the Notice of Intention to be published in The Leader, a newspaper published on a weekly basis within the City for four (4) consecutive weeks and to be mailed to each owner of property to be assessed in the District as required by law; and

WHEREAS, all protests and objections against the creation of said District and improvements proposed to be constructed therein were to have been submitted by 5:00 p.m., Friday, January 10, 1992, the same to be heard and considered at a public hearing scheduled for 7:30 p.m., Tuesday, January 21, 1992, with said hearing having been held and no protests or objections having been received; and

WHEREAS, there has been no legally sufficient protest to prevent the creation of said District;

NOW, THEREFORE, be it resolved by the City Council of the City of Tremonton, Box Elder County, State of Utah, as follows:

RESOLUTION CREATING TREMONTON CITY SPECIAL IMPROVEMENT DISTRICT NO. 1 AND ESTABLISHING A LIST OF PROPERTIES PROPOSED TO BE ASSESSED WITHIN SAID DISTRICT.

1. The Tremonton City Special Improvement District No. 1 shall be and the same is hereby created. The legal description for the boundaries of Special Improvement District No. 1 are more particularly described as follows:

Commencing at the Northwest corner of Section 5, Township 11 North, Range 3 West, Salt Lake Base and Meridian; thence as follows: North 558.00 feet along the East line of Section 32, Township 12 North, Range 3 West; thence North 89*41' East 2649.84 feet; thence South 591.00 feet along the Quarter section line; thence North 89*48'04" East 1600.00 feet along the South line of 10th North; thence South 200.00 feet along the existing corporate

boundary; thence South 89*48'04" West 450.00 feet along the existing corporate boundary; thence South 89*39' West 1953.80 feet; thence South 278.50 feet; thence North 89*39' West 507.00 feet along the South boundary of the Hiroko Isaki property; thence North 50 feet more or less to the South boundary of the Melvin A. Schneiter property; thence South 69*50' West 394.5 feet along the South boundary of the Melvin A. Schneiter property; thence South 71*20' West 396.17 feet along the South boundary of the Lee D. Fuhriman property; thence North 153.74 feet; thence South 77*15' West 582.20 feet along the South boundary of the Colleen Laws property; thence North 274.00 feet; thence West 210.00 feet; thence North 450.00 feet; thence East 210.00 feet to the point of commencement. Contains 72 acres more or less.

Refer to page 4 for clarification

2. There is attached to this Resolution as Exhibit "A" and incorporated herein by reference a copy of the final approved Notice of Intention relating to the creation of this Special Improvement District No. 1, which Notice of Intention was published in The Leader, a newspaper published on a weekly basis within Tremonton City, said publications having occurred on December 11, 28, 25 and 31, 1991. The attached Notice of Intention sets forth the purposes for the creation of the District, the improvements to be constructed by reason of the District, and the estimated cost and method of assessment.

3. A list of properties proposed to be assessed within the District is attached to this Resolution, marked Exhibit "B" and incorporated by reference and it lists the properties proposed to be assessed by tax identification number and legal description and the lineal front footage of the property to be assessed.

4. This Resolution shall be effective immediately upon adoption by the City Council.

APPROVED AND ADOPTED this 3rd day of March, 1992.

TREMONTON CITY, a Utah Municipal Corporation

ATTEST:

Mr. Paul C. Beyer
City Recorder

By [Signature]
Mayor



CERTIFICATION

STATE OF UTAH)
 : ss.
County of Box Elder)

I, W. PAUL BUYS, III, the City Recorder of Tremonton, Utah, do hereby certify that the above and foregoing is a full and correct copy of Resolution No. 92-05, entitled Resolution Creating Tremonton City Special Improvement District No. 1 And Establishing A List Of Properties Proposed To Be Assessed Within Said District, adopted and passed by the City Council of Tremonton, Utah, at a regular meeting thereof on the 3rd day of March, 1992, which appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 6th day of March, 1992.



W. Paul Buys, III

W. Paul Buys, III
City Recorder

wpd/blj/t/sid.res/T-998.40

4

SURVEYOR'S CERTIFICATE

BOOK 516 PAGE 480

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO TREMONTON CITY, BOX ELDER COUNTY, UTAH

BOUNDARY DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF SECTION 5, T.11.N., R.3 W., S.L.B. & M.; THENCE AS FOLLOWS:

| COURSE | DISTANCE | REMARKS |
|------------------------|------------------|---|
| NORTH | 558.00' | ALONG THE WEST LINE OF SECTION 32, T.12 N., R.3 W.; THENCE |
| N 89° 41' E | 2,649.84' | TO THE EAST LINE OF THE SW 1/4 OF SAID SECTION 32; |
| THENCE SOUTH | 591.00' | ALONG SAID 1/4 SECTION LINE AND EXISTING CORP. LIMIT LINE TO S. LINE OF 10TH NO.; |
| THENCE N 89° 48' 04" E | 1,600.00' | ALONG THE SOUTH LINE OF 10th NORTH ST. AND CORP. LIMIT LINE; THENCE |
| SOUTH | 200.00' | ALONG THE EXISTING CORPORATE BOUNDARY; THENCE |
| S 89° 48' 04" W | 450.00' | ALONG THE EXISTING CORPORATE BOUNDARY; THENCE |
| S 89° 39' W | 1,953.80' | ALONG THE SO. PROP. LINE OF EXIST. LOTS TO THE SW COR. OF THE B. PALMER PROP. |
| THENCE SOUTH | 278.50' | TO THE SO. LINE OF THE H. ISAKI PROP. |
| THENCE N 89° 39' W | 507.00' | ALONG THE SOUTH BOUNDARY OF THE HIROKO ISAKI PROPERTY; THENCE |
| NORTH | 50' MORE OR LESS | TO THE SOUTH BOUNDARY OF THE MELVIN A. SCHNEITER PROPERTY; THENCE |
| S 69° 50' W | 394.5' | ALONG THE SOUTH BOUNDARY OF THE MELVIN A. SCHNEITER PROPERTY; THENCE |
| S 71° 20' W | 396.17' | ALONG THE SOUTH BOUNDARY OF THE LEE D. FUHRIMAN PROPERTY; THENCE |
| NORTH | 153.74' | TO THE SE COR. OF THE COLLEN LAWS PROP.; |
| THENCE S 77° 15' W | 582.20' | ALONG THE SOUTH BOUNDARY OF THE COLLEN LAWS PROPERTY; THENCE |
| NORTH | 274.00' | TO THE SO. LINE OF 10TH NO. ST.; THENCE |
| SOUTHWESTERLY | 210.00' | MORE OR LESS ALONG SAID LINE TO THE WEST LINE OF THE D.E. JONES PROP. PROJECTED; |
| THENCE NORTH | 450.00' | ALONG SAID WEST LINE TO THE NO. LINE OF SECTION 6, T.11N, R.3W; THENCE |
| EAST | 210.00' | TO THE POINT OF COMMENCEMENT |

CONTAINS 72 ACRES MORE OR LESS

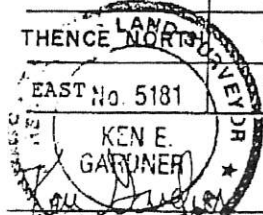


EXHIBIT "B"

BOOK 516 PAGE 481

TREMONTON CITY SPECIAL IMPROVEMENT DISTRICT NO. 1
LIST OF PROPERTIES PROPOSED TO BE ASSESSED

| <u>PROPERTY OWNERS(S)</u> <u>(W/STREET ADDRESSES)</u> | <u>TAX I.D. NO.</u> | <u>FRONTAGE</u> <u>LINEAL FEET</u> |
|--|---------------------|---------------------------------------|
| CLAUDIE H & JUANITA STEVENS 8050 WEST 12000 NORTH TREMONTON, UTAH 84337 | 06-059-007 | 400' |
| TED L & BONNIE R MOWER 8076 WEST 12000 NORTH TREMONTON, UTAH 84337 | 06-059-006 | 165' |
| ROBERT E. & DIANA M. DOUTRE 8096 WEST 12000 NORTH TREMONTON, UTAH 84337 | 06-059-0005 | 248.9' |
| COLLEEN LAWS 9365 WEST HWY 102 TREMONTON, UTAH 84337 | 06-059-0004 | 1879.2' 609.45' |
| BRADLEY J & CHRISTIE PALMER 8113 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0063 | 304.8' |
| ROBERT O & LAURIE T BREMS 8135 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0051 | 121' |
| CHARLES & REBECCA JOHNSON 8155 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-00049 | 121' |
| HIROKO ISAKI P.O. BOX 185 TREMONTON, UTAH 84337 | 05-055-0007 | 145.1' |
| JOEL LUKE & ANGIE H RAMSDELL 8191 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0050 | 121' |
| MELVIN A & RUTH W SCHNEITER 8195 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0037 | 400' |
| LEE D & EVELYN H FUHRIMAN 675 W. MAIN TREMONTON, UTAH 84337 | 05-055-0044 | 397.55' |
| LEE J & NOLA S WOOD * 8055 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0060 | 100' |

| | | |
|--|----------------------------|--------------|
| HEBER A & LORALEE B ANDERSEN 7905 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-55-0017 05-55-0053 | 200' 100' |
| ALICE MAY BUXTON 8019 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0011 05-055-0016 | 100' 200' |
| OLEEN & WALTRAUD M JOHNSON 8029 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0010 | 100' |
| DARYL E & KATHLEEN J ROBBINS 238 NORTH 100 WEST TREMONTON, UTAH 84337 | 05-055-0009 | 100' |
| JEAN C STOKES * 546 NORTH 2300 WEST TREMONTON, UTAH 84337 | 05-055-0036 | 100' |
| CACHE VALLEY BANK 101 NORTH MAIN LOGAN, UTAH 84321 | 05-055-0008 | 89' |
| FOUR M FARM CORP 1117 ALLSTON WAY SAN JOSE, CALIFORNIA 95120 | 05-055-0019 | 510' |
| LAWRENCE L & MARGARET ANN BUXTON 4739 BELLVIEW KANSAS CITY, MISSOURI 64112 | 05-055-0018 | 300' |
| JOSEPH T & KATHY D ALLEN 7965 WEST 12000 NORTH TREMONTON, UTAH 84337 | 05-055-0042 | 100' |
| CARLOS FLORES III 866 SOUTH TREMONT TREMONTON, UTAH 84337 | 05-055-0015 | 100' |
| DAVID E. JONES 84200 W. 12000 NORTH TREMONTON, UTAH 84337 | 05-175-001 | 210' |
| BR RANCH LTD * % GLEN CRUMP 695 W. MAIN TREMONTON, UTAH 84337 | 06-059-0024 | 16.5' |

* INDICATE PARCELS TO BE DIVIDED SEE DEED REVISIONS AS ATTACHED

LEGAL DESCRIPTIONS FOR THE PARCELS LISTED ABOVE:

~~05-055-0073~~ off 0060

~~05-055-0049~~ 101
WOOD, LEE J & NOLA S JT
8005 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT ON S R/W OF CO RD 33 FT
S OF N/4 COR OF SEC 5 T11N R3W SLM.
S 89*39'E 81 FT, S 200 FT, S 89*39'
E 1000 FT, S 459 FT M/L TO N/L OF
BOTHWELL HIGHLINE CANAL, S 68*10'W
ALG SD LINE 1185 FT, N 1099.7 FT TO

05-055-0060 101 # 2

S/L OF 12000 N ST, S 89*39'E 19 FT
TO BEG. BEING LOT 1 OF MT VERNON
ESTATES MINOR SUB. CONT 17.77 ACRES

~~06-059-0032~~ # ✓

~~05-055-0001~~ # ✓

~~05-055-0002~~ # ✓

~~06-059-0034~~ off 0024 ✓

~~05-055-0072~~ off 0048 ✓

~~05-055-0017~~ ✓ 101
ANDERSEN, HEBER A & LORALEE B JT
7905 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT ON S R/W OF CO ROAD 581
FT S 89*39'E ALG SEC LINE & 33 FT S
OF N/4 COR OF SEC 5, TWP 11N, R 3W,
SLM, S 89*39'E ALG SD LINE 200 FT,
S 200 FT, N 89*39'W 200 FT, N 200
FT TO BEG. CONTG .92 AC.

~~05-055-0053~~ ✓ 101
ANDERSEN, HEBER A & LORALEE B JT
7905 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT ON S LINE OF CO RD 33
FT S & 481 FT S 89*39'E FROM NW COR
OF NE/4 OF SEC 5 T11N R3W SLM. S
89*39'E 100 FT, S 200 FT, N 89*39'W
100 FT, N 200 FT TO POB.
CONTG .459 ACRE M/L

~~05-055-0011~~ ✓ 101
BUXTON, ALICE MAY ETAL JT
8019 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT ON CO ROAD R/W LINE 33
FT S & 19 FT N 89*39'W FRM N/4 COR
OF SEC 5, TWP 11N, R 3W, SLM, N 89*
39'E 100 FT, N 200 FT TO BEG. CONTG
.46 AC.

RUXTON, ALICE MAY
8019 WEST 12000 NORTH
TREMONTON, UT 84337

BOOK 516 PAGE 484

✓ NEW DESCRIPTION: BEG AT A PT ON S
LINE OF CO RD 33 FT S & 281 FT S
89*39'E FROM NW COR OF NE/4 OF SEC
5 T11N R3W SLM, S 89*39'E 200 FT,
S 200 FT, N 89*39'W 200 FT, N 200
FT TO POB. CONTG .918 ACRE M/L

05-055-0010 ✓ 101
JOHNSON, OLEEN & WALTRAUD M JT
8029 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT ON CO ROAD R/W LINE 33
FT S & N 89*39'W 119 FT FRM N/4 COR
OF SEC 5, TWP 11N, R 3W, SLM,
RUNNING N 89*39'W 100 FT, S 200 FT,
S 89*39'E 100 FT, N 200 FT TO POB.
CONTG .46 AC. WITH CER WATER RGTS &

05-055-0010 101 # 2

WELL.

05-055-0009 ✓ 101
ROBBINS, DARYL E & KATHLEEN J JT
238 NO 1ST WEST
TREMONTON, UT 84337

✓ BEG ON CO ROAD R/W LINE 33 FT S & N
89*39'W 219 FT FRM N/4 COR OF SEC 5
TWP 11N, R 3W, SLM, N 89*39'W 100
FT, S 200 FT, S 89*39'E 100 FT, N
200 FT TO BEG. CONTG .46 AC.

05-055-0071 off 0036 ✓
~~05-055-0036~~ 101
STOKES, JEAN C
546 NORTH 2300 WEST
TREMONTON, UT 84337

✓ BEG AT A PT 33 FT S & 385 FT N 89*
39'W FRM N/4 COR OF SEC 5, SD PT
BEING ON S R/W OF CO ROAD & S 478.5
FT, N 89*39'W PARA TO N BDRY OF SEC
5, TWP 11N, R 3W, SLM, 427.8 FT, N
278.5 FT, S 89*30'E PARA TO N BDRY

05-055-0036 101 # 2

OF SEC 393.8 FT, N 200 FT TO R/W
LINE OF CO ROAD, S 89*39'E ALG SD
LINE 34 FT TO POB. CONTG 2.89 ACS.

BOOK 516 PAGE 485

~~05-055-0008~~ ✓ 101
CACHE VALLEY BANK
101 NORTH MAIN
LOGAN, UT 84321

✓ BEG AT A PT ON CO ROAD R/W LINE 33 FT S & 419 FT N 89*39'W FRM N/4 COR OF SEC 5, TWP 11N, R 3W, SLM, N 89*39'W 393.8 FT ALG SD R/W LINE, S 200 FT, S 89*39'E 393.8 FT, N 200 FT TO BEG. LESS: W 304.8 FT TO TAX

05-055-0008 101 # 2

SALE. CONT .41 ACRE

~~05-055-0019~~ ✓ 101
FOUR M FARM CORP
1117 ALLSTON WAY
SAN JOSE, CA 95120

✓ BEG AT A PT ON CO ROAD R/W 33 FT S & 1181 FT S 89*39'E FRM N/4 COR OF SEC 5, TWP 11N, R 3W, SLM, S 200 FT S 89*39'E 10 FT, N 200 FT, N 89*39'W 410 FT TO POB. ALSO BEG AT A PT ON CO ROAD R/W LINE 33 FT S & 1081

05-055-0019 101 # 2

FT S 89*39'E FRM N/4 COR OF SD SEC, S 89*39'E 100 FT, S 200 FT, N 89*39'E 100 FT N TO BEG.

~~05-055-0018~~ ✓ 101
BUXTON, LAWRENCE L & MARGARET ANN
% CARL I BOWEN & CO
4739 BELLVIEW
KANSAS CITY, MO 64112

✓ BEG AT A PT ON CO ROAD R/W LINE 33 FT S & 781 FT S 89*39'E FRM N/4 COR OF SEC 5, TWP 11N, R 3W, SLM, S 89*39'E 300 FT, S 200 FT, N 89*39'W 300 FT, N 200 FT O BEG. CONTG 1.38 ACS.

05-059-0042 ~~X~~ ✓ 101
ALLEN, JOSEPH T & KATHY-D -JT-
7965 W 12000 N
TREMONTON, UT 84337

BOOK 516 PAGE 486

✓ BEG AT A PT ON CO RD R/W 33 FT S &
181 FT S 89*38'E FRM N/4 OF SEC 5,
TWP 11N, R 3W, SLM, S 89*39'E 100
FT, S 200 FT, N 89*39'W 100 FT, N
200 FT TO POB. CONTG .459 AC.

05-055-0015 ~~X~~ ✓ 101
FLORES, CARLOS III
866 SOUTH TREMONT
TREMONTON, UT 84337

✓ BEG AT A PT ON CO ROAD R/W 33 FT S
& 81 FT S 89*39'E FRM N/4 COR OF
SEC 5, TWP 11N, R 3W, SLM, S 89*39'
E 100 FT, S 200 FT, N 89*39'W 100
FT, N 200 FT TO BEG.

06-059-0007 ~~X~~ ✓ 114
STEVENS, CLAUDIE H & JUANITA JT
8050 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 2630.5 FT N 89*41' E
ALONG THE SEC LINE AND 33 FT N OF
SW COR OF SEC 32, TWP 12N, R 3W,
SLM. SD PT BEING ON N R/W OF CO RD
AND W LINE OF A FENCED LANE, S 89*
41', W ALONG CO RD R/W 400.0 FT, N

06-059-0007 114 # 2
0*29', W 525.0 FT, N 89*41', E
400.0 FT, TO THE FENCE ON W SIDE OF
LANE, S 0*29', E 525 FT ALONG SD
FENCE TO BEG. CONT 4.8 ACRES.

06-059-0006 ~~X~~ ✓ 114
MOWER, TED L & BONNIE R JT
8076 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 2230.5 FT N, 89*41' E
ALONG SEC LINE AND 33 FT N OF SW
COR SEC 32, TWP 12N, R 3W, SLM. SD
PT BEING ON N R/W OF CO ROAD. S 89*
41', W ALONG CO RD R/W 165 FT, N
0*29', W 525.0 FT, N 89*41', E 165.0

06-059-0006 114 # 2
FT, S 0*29', E 525 FT TO BEG. CONT
2 ACRES.

~~06-059-0005~~ 114
DOUTRE, ROBERT E & DIANA M JT
8096 WEST 12TH NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 1899.6 FT N, 89*41' E
ALONG SEC LINE AND 33 FT N OF SW
COR OF SEC 32, TWP 12N, R 3W, SLM.
SD PT BEING ON N R/W LINE OF CO
ROAD AND RUNNING N 89*41', E ALONG
SD LINE 165.9 FT, N 0*29', W 525 FT

06-059-0005 114 # 2

S 89*41'W 165.9 FT, S 0*29'E 525 FT
TO POB. CONTG 2.00 ACRES.

~~06-059-0004~~ 114
LAWS, COLLEEN TRUSTEE ETAL
9365 WEST HWY 102
TREMONTON, UT 84337

✓ BEG AT THE SW COR OF SEC 32, TWP
12N, R 3W, SLM. AND RUNNING N ALONG
SEC LINE 558 FT, N 89*41', E 2620
FT, S 0*29', E 525 FT, S 89*41', W
1292.3 FT, S 71*29', W 105.2 FT TO
SEC LINE. S 89*41', W 1230.5 FT ALG

06-059-0004 114 # 2

SEC LINE TO THE POB. EXC W 16.5 FT.
LESS TRACTS SOLD TO C. H. STEVENS.
D.L. ANDERSEN. AND DAVID NEELEY.
✓ LESS: LOT 9 OF JOHN G LAWS MINOR
SUB DESC AS FOLLOWS: BEG ON NLY R/W
LINE OF 12000 N ST AT A PT 1816.60
FT N 89*41'E ALG SEC LINE & 33.00
FT N 00*29'W FROM SW COR OF SEC 32
N 00*29'W 525.00 FT, N 89*41'E 83.0

06-059-0004 114 # 3

FT, S 00*29'E 525.00 FT TO N R/W
LINE OF 12000 N ST, S 89*41'W 83.0
FT ALG SD R/W LINE TO POB.
CONT 22.73 ACRES M/L

05-055-0063 X ✓ 101
PALMER, BRADLEY J & CHRISTIE JT
8113 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT ON CO RD R/W LINE 33 FT
S & 508 FT N 89*39'W FROM N/4 COR
OF SEC 5 T11N R3W SLM. N 89*39'W
304.8 FT ALG SD R/W LINE, S 200 FT,
S 89*39'E 304.8 FT, N 200 FT TO BEG
CONT 1.42 ACRES M/L

05-055-0051 X ✓ 101
BREMS, ROBERT O & LAURIE T JT
8135 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 31.83 FT S & 386.0 FT E
OF THE NW COR OF NE/4 OF NW/4 OF
SEC 5, T11N, R3W, SLM. SD PT BEING
ON THE S R/W LINE OF A CO. RD., TH S
360.00 FT, S 89*39'E 121.0 FT, N
360.00 FT, N 89*39'W 121.0 FT TO

05-055-0051 101 # 2

✓ BEG. ALSO KNOWN AS LOT 4, OF NORTH
RIDGE ESTATES MINOR SUB. SUBJECT TO
A 10 FT EASEMENT ON THE N & E. &
A CERTAIN INTEREST IN A WELL.
CONTAINS 1 ACRE

05-055-0049 X ✓ 101
JOHNSON, CHARLES & REBECCA JT
8155 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 32.57 FT S & 265.0 FT E
OF NW COR OF NE/4 OF NW/4 OF SEC 5,
TWP 11N, R 3W, SLM, SD PT EING ON S
R/W LINE OF CO ROAD, TH S 360.0 FT,
TH S 89*39'E 121.0 FT, TH N 360.0
FT, TH N 89*39'W 121.0 FT TO POB.

05-055-0049 101 # 2

✓ ALSO KNOWN AS LOT 3, NORTH RIDGE
ESTATES MINOR SUBD. SUBJECT TO A
PUBLIC UTILITY & WATER LINE EASE-
MENT OVER THE N 10 FT. TOGETHER
WITH 25%INT IN EXISTING 6 INCH
CULINARY WATER WELL. CONTG 1 ACRE.

05-055-0007 101
ISAKI, HIROKO ETAL
PO BOX 185
TREMONTON, UT 84337

BOOK 516 PAGE 489

BEG AT A PT 40.74 FT S & 120.3 FT E
OF NW COR OF NE/4 OF NW/4 OF SEC 5
711N R3W SLM. BEING ON S LINE OF CO
RD, S 362.1 FT, S 83*51'W 121.0 FT,
S 94.54 FT, S 89*39'E 507.0 FT, N
118.5 FT, N 89*39'W 242.0 FT, N 360

05-055-0007 101 # 2

FT, N 89*39'W 73.11 FT, S 83*51'W
72.0 FT TO BEG. RESERVING A 75 FT
SQ AREA IN E END FOR HOLDING POND.
ALSO KNOWN AS LOT 2 NORTH RIDGE EST
MINOR SUB. SUBJECT TO CERTAIN
EASEMENTS. TOGETHER WITH AN INT IN
IN A CERTAIN WELL
CONTG 2.52 ACRES

05-055-0050 101
RAMSDELL, JOEL LUKE & ANGIE H JT
8191 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT 53.70 FT S OF NW COR OF
NE/4 OF NW/4 OF SEC 5, T11N, R3W,
SLM, SD PT BEING ON THE S R/W LINE
OF CO. RD., S 362.1 FT, N 83*51'E
121.0 FT, N 362.1 FT, S 83*51'W
121.0 FT TO PT OF BEG. ALSO KNOWN

05-055-0050 101 # 2

AS LOT 1 OF NORTH RIDGE ESTATES
MINOR SUB. SUBJECT TO PUBLIC
UTILILY & WATERLINE EASEMENT OVER
THE N 10 FT THEREOF.
TOGETHER WITH A CERTAIN INTEREST IN
CULINARY WELL. CONTAINS 1 ACRE

05-055-0037 101
SCHNEITER, MELVIN A & RUTH W JT
8195 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT ON S R/W LINE OF CO
ROAD, SD PT BEING N ALG SEC LINE
4,856 FT & N 71:37'E 993.9 FT FRM
SW COR OF SEC 5, TWP 11N, R 3W, SLM
& RUNNING N 69*50'E ALG SD R/W LINE
400.0 FT, S 0**38'W 46.5 FT, S 69*

05-055-0037 101 # 2

50'W 394.50 FT, N 467.6 FT TO POB.
CONTG 4 ACS.

BOOK 516 PAGE 490

05-055-0044 X ✓ 101
FUHRIMAN, LEE D & EVELYN H -JT --
675 W MAIN
TREMONTON, UT 84337

✓ BEG AT A PT ON S R/W LINE OF CO RD,
SD PT BEING N ALG SEC LINE 4858 FT
& 71*37'E 993.9 FT FRM SW COR OF
SEC 5, TWP 11N, R 3W, SLM, S 467.50
FT, S 71*20'W 396.17 FT, N 463.46
FT TO S R/W LINE OF CO RD, N 71*20'

05-055-0044 101 # 2

E 247.55 FT, N 69*50'E 150.00 FT TO
POB. CONTG 4.00 ACS.

05-175-0001 X ✓ 101
JONES, DAVID E & CAROL ANN JT
8420 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT NE COR OF SEC 6, TWP 11N, R
3W, SLM. W 210 FT, S 450 FT TO CO
ROAD, TH RUNNING E ALONG CO ROAD
210 FT, N 450 FT M/L TO PT OF BEG.
CONT 2.18 ACRES.

The following parcels &
owners are missing from
your list:
05-055-0001 Colleen Laws
05-055-0002 Colleen Laws
06-059-0032 Robert E. Dauter

Northwest Annexation
Deed Revisions reflecting partial annexation

Jean C. Stokes Deed - Warranty Deed dated and recorded May 7, 1979, as Entry No. 70738H, in Book 319 at Page 218, records of Box Elder, County, Utah.

✓ **Portion to be annexed:** Beginning at a point 33 feet South and 385.00 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, said point being on the South right-of-way line of the County Road, and running thence South 200 feet; thence N 89°39' W 34 feet; thence North 200 feet to the South right-of-way line of said County Road; thence S 89° 39' E 34 feet along said right-of-way to the point of beginning.

✓ **Portion remaining:** Beginning at a point 233 feet South and 385 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, and running thence South 278.5 feet; thence N 89°39' W 427.80 feet; thence North 278.5 feet; thence S 89° 39' E 427.80 feet to the point of beginning.

Jean C. Stokes Deed - Warranty Deed dated and recorded April 20, 1984, as Entry No. 72926H, in Book 323 at Page 138, records of Box Elder, County, Utah.

✓ **Portion to be annexed:** Beginning at a point 33 feet South and 319 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, said point being on the South right-of-way line of the County Road, and running thence South 200 feet; thence N 89°39' W 66 feet; thence North 200 feet to the South right-of-way line of said County Road; thence S 89° 39' E 66 feet along said right-of-way to the point of beginning.

✓ **Portion remaining:** Beginning at a point 233 feet South and 319 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, and running thence South 1020 feet more or less to the North right-of-way line of the Bothwell Highline Canal; thence Southwesterly along said right-of-way line 1,075 feet, more or less, to the West line of the East Half of the Northwest Quarter of said Section; thence North along said line 1110 feet, more or less, to a point 511.5 feet South of the North boundary of said Section; thence S 89° 39' E 939.3 feet; thence North 278.5 feet; thence S 89° 39' E 66 feet to the point of beginning.

Exhibit "C"

Attorney Opinion

I, Dustin D. Ericson, City Attorney, for Tremonton City opine as follows:

After a thorough review of the creation resolution of Tremonton "Special Improvement District#1" and the state code, I concluded that, in 1991-1992, the City inaccurately entitled this District a "Special Improvement District" (hereinafter referred to as "SID"). Instead, the District should have been entitled a "Special Service District" (hereinafter referred to as "SSD"). The basis for this conclusion is as follows:

Utah Code Annotated (hereinafter referred to as "UCA") 17B-1-203 explains the process to create an SID, the major requirement being a petition from the private land owners equaling 33% of the total private land within the proposed district and signatures of land owners equaling 25% of the value of all private land within the proposed district. However, Resolution 92-05, which is the creation resolution for the SID, makes no reference to a petition for the creation of an SID. Instead, Resolution 92-05 makes reference to a petition for annexation, which is an entirely different petition process.

Furthermore, UCA 17D-1-201 provides the services for which an SSD may be created to provide. The first of those services listed is water, which is what the creation of the 1991 District was attempting to accomplish. Additionally, UCA 17D-1-203 outlines the creation process for an SSD, with two creation processes being acceptable, one of which is a creation resolution by a municipal government without the need for a petition from the landowners. UCA 17D-1-204 through 17D-1-207 describe the notice, protest, and public hearing requirements for creating an SSD through a resolution, all of which are referenced in the 1991 creation Resolution 92-05. Finally, UCA 17D-1-208 outlines the process by which a resolution or ordinance is used to demonstrate the creation of the SSD has been approved. Again, this process was followed by the 1991 District. As one last note, UCA 17D-1-401 outlines the process of using an SSD to provide a service to an area being annexed into the corporate boundaries of a municipality. Again, this would seem the very intent of the 1991 District.

Perhaps the most telling element that this District was mischaracterized in 1991-1992 by the City, is the requirement in UCA 17B-1-301 for an SID to be governed by a Board of Trustees. However, an SSD, per UCA 17D-1-301 shall be governed by the legislative body of the municipality in which the SSD is created. In the case of the 1991 District, there is no evidence that a Board of Trustees was ever created. Thus, it becomes overwhelmingly conclusive the 1991 District was an SSD as opposed to an SID.

Based on the foregoing, it is my opinion that the 1991 District was mischaracterized as an SID, when in reality, the District was an SSD. Thus, as the City now looks to dissolve the District, I recommend following the procedures outlined for the dissolution of an SSD.

/S/: Dustin D. Ericson
Dustin D. Ericson
Tremonton City Attorney

Exhibit "D"

Tremonton City - Northwest Annexation Culinary Water System Improvements (SID)

| Item # | Quantity | Item Cost |
|--------|---|---------------------|
| 1 | 2,400 6-inch Ductile Iron (Class 50) Pipe | |
| 2 | 4,800 8-inch Ductile Iron (Class 51) Pipe | |
| 3 | 2 6-inch Gate Valve with Box | |
| 4 | 4 8-inch Gate Valve with Box | |
| 5 | 10 Muller Firehydrant w/Aux Gate Valve | |
| 6 | 22 Meters & Service Lines | |
| | | \$125,910.00 |

Exhibit "E"

Commencing at the Northwest corner of Section 5, Township 11 North, Range 3 West, Salt Lake Base and Meridian; thence as follows: North 558.00 feet along the West line of Section 32, Township 12 North, Range 3 West; thence North 89°41' East 2649.84 feet; thence South 591.00 feet along the Quarter section line; thence North 89°48'04" East 1600.00 feet along the South line of 10th North; thence South 200.00 feet along the existing corporate boundary; thence South 89°48'04" West 450.00 feet along the existing corporate boundary; thence South 89°39' West 1953.80 feet; thence South 278.50 feet; thence North 89°39' West 507.00 feet along the South boundary of the Hiroko Isaki property; thence North 50 feet more or less to the South boundary of the Melvin A. Schneider property; thence South 69°50' West 394.5 feet along the South boundary of the Melvin A. Schneider property; thence South 71°20' West 396.17 feet along the South boundary of the Lee D. Fuhriman property; thence North 153.74 feet; thence South 77°15' West 582.20 feet along the South boundary of the Collen Laws property; thence North 274.00 feet; thence Southwesterly 210.00 feet; thence North 450.00 feet; thence East 210.00 feet to the point of commencement. Contains 72 acres more or less.