

RESOLUTION NO. 2001- 21

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY
TO THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT
(Silver Springs)**

WHEREAS, the Utah Special Service District Act (the "Act"), §17A-2-1327, Utah Code Annotated (1997), as amended, provides that additional land from that specified in the resolution establishing a special service district may be annexed to the district in conformance with the applicable procedures set forth in the Act; and

WHEREAS, pursuant to Resolution No. 2001-02, adopted on February 12, 2001, the Commission gave notice of its intention (the "Notice of Intention"), to annex certain real property into the boundaries of the Mountain Regional Water Special Service District (the "District"), including property generally described as those properties receiving water service from Silver Springs Water Company, as more particularly described in Section 2 hereof (the "Property"), and ordered that a public hearing be held on March 22, 2001, at 6:30 p.m., at Parley's Park Elementary School, 4600 North Silver Springs Drive, concerning the annexation of the Property; and

WHEREAS, the Notice of Intention, including the date, time and place of the public hearing with respect to the proposed annexation was given by the County Clerk through the publication of an appropriate notice in *The Park Record*, a newspaper of general circulation in Summit County, once a week during three consecutive weeks prior to the public hearing, the first publication having been not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date of the public hearing; and

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ALAN SPRIGGS, SUMMIT CO RECORDER
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REQUEST: SUMMIT COUNTY CLERK

WHEREAS, said public hearing has been held at the time and place as set forth in the Notice of Intention and the Commission has considered all protests filed and has heard and considered all interested persons desiring to be heard with respect to the matter, and the time for filing protests as provided in Section 17A-2-1309, Utah Code Annotated (1990) has expired;

NOW, THEREFORE, be it hereby resolved by the Commission as follows:

Section 1. Findings. The Commission finds that:

a. Public notice of the intention of the Commission to annex the Property as described in the Notice of Intention and the date, time and place of the public hearing was duly given by the County Clerk through the publication of an appropriate notice in *The Park Record*, a newspaper of general circulation in Summit County, once a week during three consecutive weeks prior to the public hearing, the first publication having been not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date of the public hearing;

b. Protests sufficient in number to prevent the annexation of the Property as defined in Section 17A-2-1327 Utah Code Annotated (1997), have not been made;

c. No changes were made or considered to be necessary with respect to the proposed annexation from that set forth in the Notice of Intention; and

d. The annexation of the Property to the District is in the interest of Summit County and the District, and the Property, upon annexation, will be benefitted by its inclusion in the District.

Section 2. Annexation. The Property, more particularly described in EXHIBIT "A" attached hereto and incorporated by reference herein. The Property hereby annexed shall be governed by and become an integral part of the District. Pursuant to this annexation, the owners

of the Property shall be entitled to receive the benefit of commodities, facilities and services provided by the District, and shall be subject to the rights, powers and authority of the District as set forth in the Act, including, without limitation, the right, power and authority to promulgate rules and regulations for the operation of the District, to levy of ad valorem taxes on the Property, and to impose such fees and charges as shall be necessary to pay for all or part of the commodities, facilities and services to be provided by the District and for the payment of the District's bonds and other obligations.

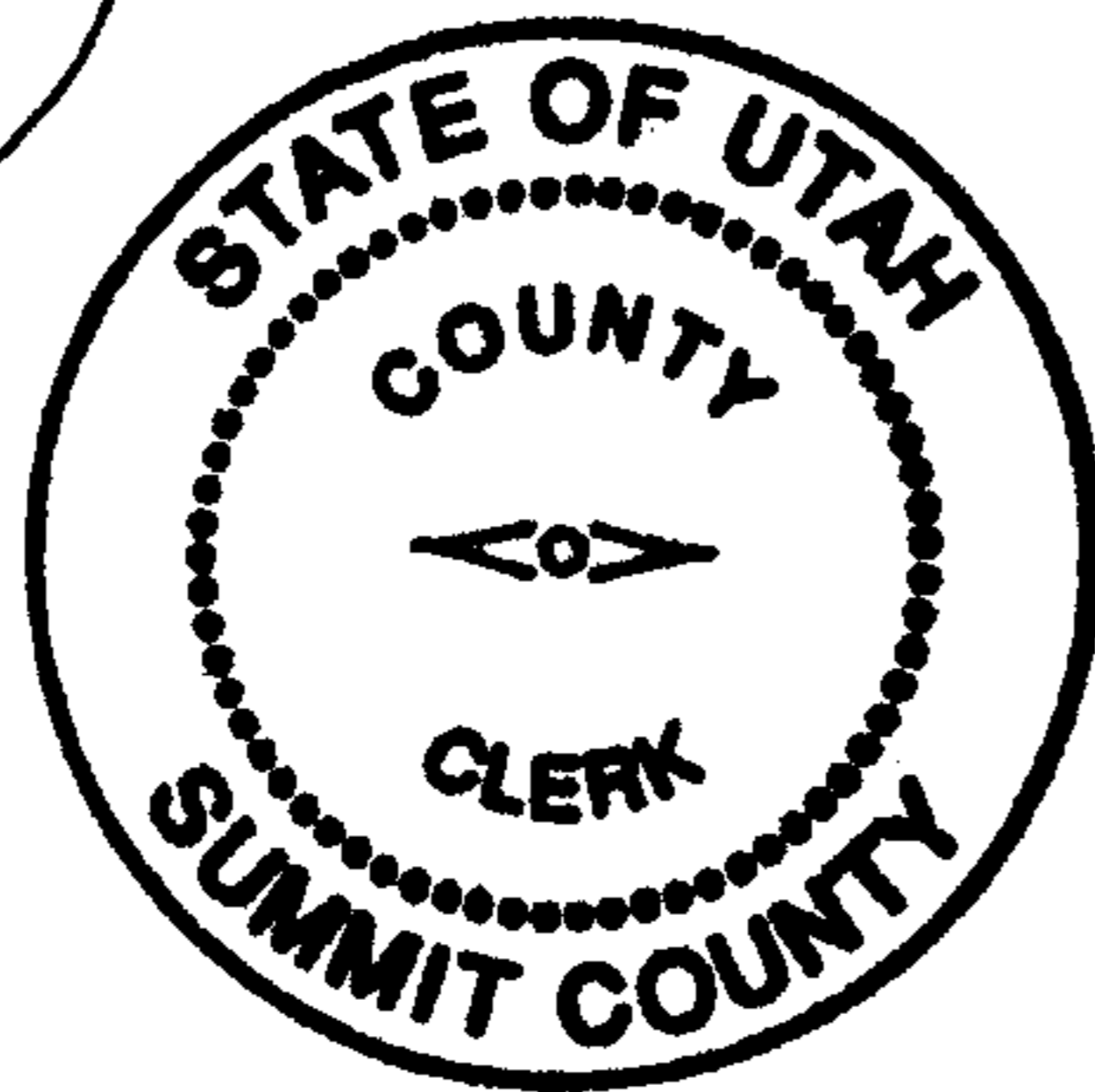
Section 3. Direction. All officers and employees of Summit County are hereby directed to take such action as shall be necessary and appropriate to effectuate the provisions of this Resolution and the intent expressed herein.

Section 4. Effective Date. This Resolution shall take effect immediately upon its approval and adoption by the Commission.

APPROVED AND ADOPTED this 31st day of May, 2001.

ATTEST:


County Clerk



BOARD OF COUNTY COMMISSIONERS
SUMMIT COUNTY, UTAH


Eric Shifferli, Chair

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CERTIFICATE

The Board of County Commissioners (the "Commission") of Summit County, Utah, (the "County"), met in regular public session at the regular meeting place of the Commission in Coalville, Utah, on May 31, 2001.

On roll call, the following members of the Commission were determined to be present:

Eric Shifferli	Chair
Patrick Cone	Commissioner
Shauna Kerr	Commissioner

There were also present:

Kent Jones	County Clerk
David Thomas	Deputy County Attorney

After the meeting had been duly called to order, the County Clerk presented evidence to the Commission of the giving of not less than twenty-four (24) hours public notice of the agenda, date, time and place of the meeting in compliance with the requirements of §52-4-6(2), Utah Code Annotated (1953), as amended, by (1) posting written notice of the meeting at the principal office of the Commission, and (2) providing notice to at least one newspaper of general circulation within the geographic jurisdiction of the County, or to a local media correspondent. The affidavit was ordered recorded in the minutes of the meeting and is as follows:

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STATE OF UTAH)
 : ss.
County of Summit)

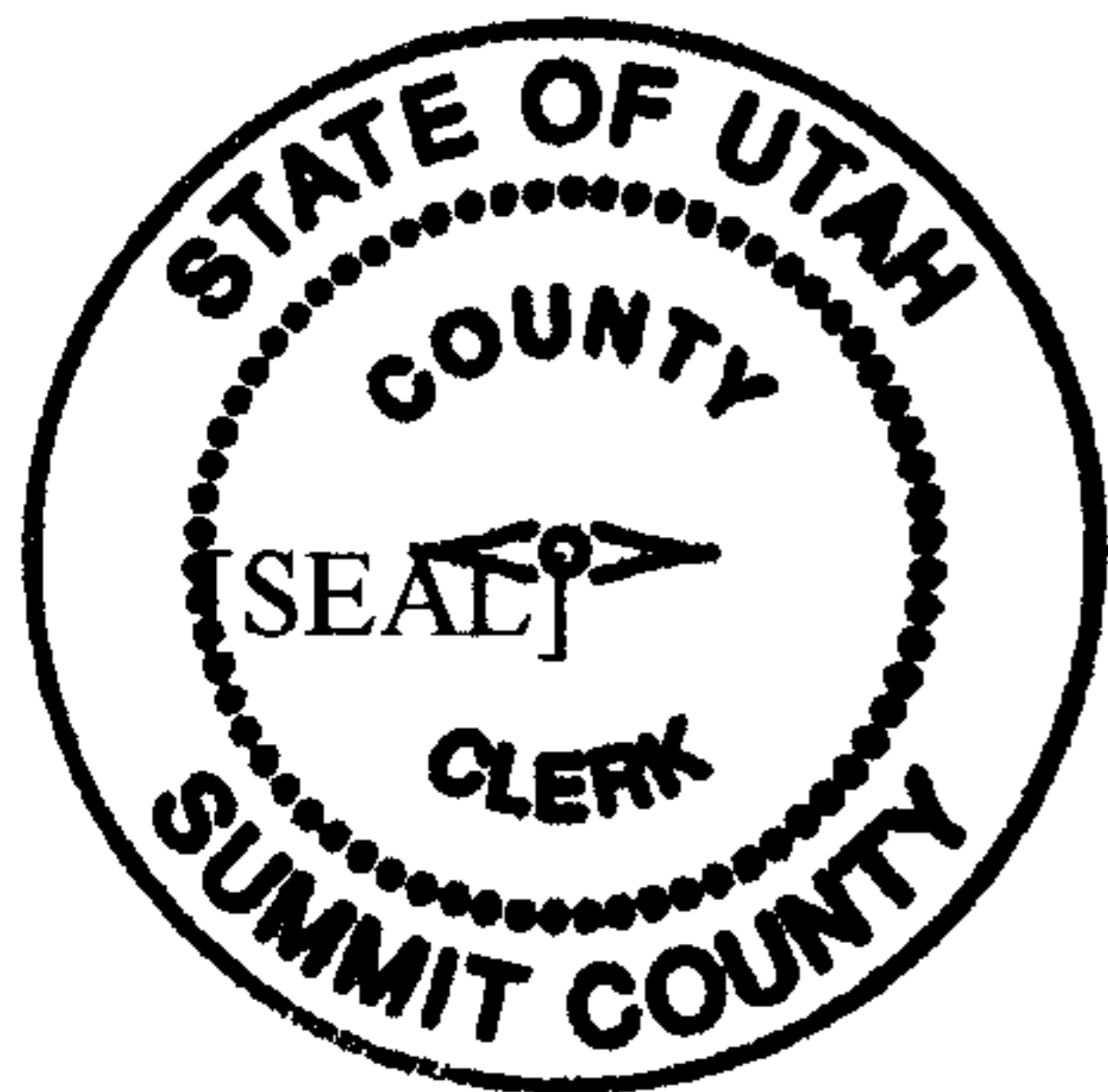
AFFIDAVIT

I, the undersigned, the duly qualified and acting County Clerk of Summit County, Utah, do hereby certify, according to the records of the Commission in my possession, and upon my own knowledge and belief, that in accordance with the requirements of §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 May 31, 2001, public meeting held by the Commission of Summit County, Utah, by:

(a) causing a Notice of Public Meeting to be posted at the principal office of the Commission at Coalville, Utah, on or before May 29, 2001, at least twenty-four (24) hours before the convening of the meeting, in the form attached hereto as Exhibit "B"; said Notice of Public Meeting having continuously remained so posted and available for public inspection for the regular office hours of the Commission until the convening of the meeting; and

(b) causing a copy of the Notice of Public Meeting in a form attached hereto as Exhibit "B" to be provided on or before May 29, 2001, at least twenty-four (24) hours before the convening of the meeting, to the *Park Record*, a newspaper of general circulation, within the geographical jurisdiction of Summit County, and to any other local media, correspondent, newspaper, radio station or television station which has requested notification of meetings of the Commission.

IN WITNESS WHEREOF, I have hereunto subscribed by official signature and impressed the official seal of Summit County, Utah, this 31 day of May, 2001.



[Handwritten Signature]

County Clerk
Summit County, Utah

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After the conduct of other business, the foregoing resolution was introduced in written form by Commissioner Kerr, was read and discussed, and pursuant to motion made by Commissioner Kerr, and seconded by Commissioner Cone, was adopted by the following vote:

Aye: Commissioner Cone
Commissioner Kerr
Commissioner Schifferli

Nay: none

EXHIBIT A

DESCRIPTION:

BEGINNING AT A POINT SOUTH 00°03'43" EAST 1351.71 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SAID POINT BEING THE NORTHWEST CORNER OF THE COVE AT SUN PEAK SUBDIVISION AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY NO. 456153 AND RUNNING THENCE EAST 869.68 FEET ALONG THE NORTH LINE OF SAID COVE AT SUN PEAK SUBDIVISION; THENCE SOUTH 88°15'43" EAST 196.31 FEET TO THE NORTHWEST CORNER OF NORTHSORE SILVER SPRINGS SUBDIVISION NO. 1-G PLAT B AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY NO. 326685; THENCE SOUTH 89°08'27" EAST 2264.17 FEET ALONG SAID NORTHSORE SILVER SPRINGS SUBDIVISION NO. 1-G PLAT B, TO AND ALONG THE NORTH LINE OF SILVER SPRINGS SUBDIVISION PHASE 1B AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY NO. 169204; THENCE SOUTH 03°05'00" EAST 1289.24 FEET ALONG THE EAST LINE OF SAID SILVER SPRINGS SUBDIVISION PHASE 1B; THENCE SOUTH 89°53'00" EAST 99.11 FEET ALONG THE NORTH LINE OF SAID SILVER SPRINGS SUBDIVISION PHASE 1B; THENCE SOUTH 03°10'02" EAST 2661.83 FEET ALONG THE EAST LINE SAID SILVER SPRINGS SUBDIVISION PHASE 1B TO AND ALONG THE EAST LINE OF A DEED OWNED BY DAN C. HUNTER INC RECORDED AS SUMMIT COUNTY DOCUMENT NO. PP-91-5 TO THE SOUTH LINE OF SAID SECTION 30; THENCE SOUTH 89°15'54" WEST 984.38 FEET ALONG SAID SOUTH LINE OF SECTION 30 TO THE EAST LINE OF A DEED RECORDED IN BOOK 764 PAGE 503; THENCE SOUTH 00°26'46" EAST 441.41 FEET ALONG SAID EAST LINE; THENCE SOUTH 89°19'53" WEST 1262.72 FEET ALONG SAID DEED TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROUTE 224 HIGHWAY KNOWN AS PROJECT NO. 060; THENCE SOUTH 00°20'19" EAST 2349.93 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF A DEED AS RECORDED IN BOOK 664 PAGE 012; THENCE SOUTH 200.00 FEET ALONG THE EAST LINE OF SAID DEED; THENCE WEST 511.00 FEET ALONG THE SOUTH LINE OF SAID DEED; THENCE NORTH 01°35'01" WEST 150.48 FEET ALONG THE WEST LINE OF SAID DEED TO THE SOUTHEAST CORNER OF FROSTWOOD A PLANNED COMMUNITY AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY NO. 573023; THENCE ALONG THE BOUNDARY OF SAID FROSTWOOD A PLANNED COMMUNITY THE FOLLOWING 9 COURSES: (SOUTH 89°55'10" WEST 312.12 FEET; THENCE NORTH 1240.08 FEET; THENCE NORTH 68°49'08" WEST 210.07 FEET; THENCE NORTH 41°58'44" EAST 60.00 FEET; THENCE NORTH 61°04'36" WEST 187.87 FEET; THENCE NORTH 89°30'00" WEST 263.88 FEET TO THE WEST LINE OF SECTION 31; THENCE NORTH 00°00'06" WEST 74.06 FEET ALONG SAID WEST SECTION LINE; THENCE NORTH 88°57'12" WEST 1341.75 FEET; THENCE SOUTH 00°06'36" EAST 1354.90 FEET); THENCE NORTH 89°15'57" WEST 4015.05 FEET LEAVING SAID FROSTWOOD A PLANNED COMMUNITY TO AND ALONG A DEED AS RECORDED IN BOOK 1102 PAGE 492 TO THE WEST QUARTER CORNER OF SECTION 36; THENCE NORTH 00°09'21" WEST 4072.64 ALONG THE WEST LINE OF SAID DEED TO THE SOUTHEAST CORNER OF A DEED AS RECORDED IN BOOK 1285 PAGE 1227; THENCE NORTH 89°47'29" WEST 1338.79 FEET ALONG SAID DEED; THENCE NORTH 00°20'06" WEST 4068.54 FEET ALONG THE WEST LINE OF SAID DEED; THENCE NORTH 89°47'04" EAST 1339.22 FEET TO THE NORTHEAST CORNER OF SECTION 26; THENCE SOUTH 01°31'52" WEST 179.08 FEET TO THE NORTHWEST CORNER OF SECTION 25; THENCE SOUTH 89°50'18" EAST 493.59 FEET ALONG THE NORTH LINE OF SAID SECTION 25 TO THE WEST LINE OF A DEED AS RECORDED IN BOOK 1285 PAGE 1227; THENCE NORTH 14°56'15" EAST 193.16 FEET ALONG SAID WEST DEED LINE; THENCE SOUTH 79°30'11" EAST 377.31 FEET ALONG SAID DEED LINE; THENCE EAST 193.68 FEET ALONG SAID DEED LINE; THENCE SOUTH 20°04'23" EAST 127.50 FEET ALONG SAID DEED LINE; THENCE SOUTH 89°40'02" EAST 1278.42 FEET TO THE SOUTHWEST CORNER OF A DEED AS RECORDED IN BOOK 1285 PAGE 1227; THENCE NORTH 00°04'26" WEST 100.00 FEET ALONG SAID DEED; THENCE SOUTH 89°54'43" EAST 1306.80 FEET ALONG SAID DEED; THENCE SOUTH 00°00'16" EAST 1747.87 FEET ALONG THE EAST DEED LINE OF A DEED AS RECORDED IN BOOK 1285 PAGE 1227; THENCE EAST 1651.77 FEET ALONG SAID DEED TO THE WEST LINE OF SECTION 30; THENCE NORTH 00°03'43" WEST 293.61 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

EXHIBIT "B"

[ATTACH NOTICE OF MAY 31, 2001 PUBLIC MEETING]



Kent H. Jones
Clerk

**AMENDED AGENDA
SUMMIT COUNTY BOARD OF COMMISSIONERS
May 31, 2001**

NOTICE is hereby given that the Board of County Commissioners of Summit County will meet in regular session May 31, 2001 at its usual place of meeting in the Commission Chambers of the Summit County Courthouse, Coalville, Utah, at 9:00AM. The following is the agenda for said session:

9:00AM – Work Session: Commission Reports, Agenda, Minutes

10:00AM – Department Business, Consideration of Recommended Approvals:

1. Travel Request, Clerk/Auditor Summer Workshop
2. Change Order #1, Jeremy Ranch Median Landscaping Project
3. Escrow Reduction Request #2, Cherry Canyon Estates
4. Escrow Reduction Request #3, Cherry Canyon Estates
5. Change Order #22, Courts Facility Project
6. Finalization of Development Improvements Agreement for Redstone Village
7. Cleaning Contract for Courts Facility Area, Debra Johnson
8. Agreement authorizing Veterinarians to act as dog licensing agents
9. Personnel Change Recommendations
10. Kimball Area Transportation Special Service District Advisory Board Appointments
11. Execution of the Splendor Valley Settlement Agreement
12. Certified Emergency Manager Award, LaMar Richins

1:30PM – Public Input Session

2:00PM – Public Hearing – Consideration of request for approval of the Governing Authority of the Mountain Regional Water Special Service District to increase its budget for 2001, Consideration of a Resolution to adopt Rules, Regulations, and Construction Standards for the Mountain Regional Water Special Service District: Doug Evans

3:00PM – Consideration of Execution of Contracts – Larson Surplus Water, SCSC Inc., MJM Surplus Water, Basin Pipeline, Silver Springs Water Company: John Mabey

3:30PM – Consideration of Adoption of a Resolution Annexing Certain Real Property to the Mountain Regional Water Special Service District, said property being generally described as those properties historically receiving water service from Silver Springs Water Company: Brent Rose, Marti Gee, Doug Evans

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Kent H. Jones, Summit County Clerk, prior to the meeting.

Distribution A: Posted, Faxed, Mailed, May 29, 2001

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