

OFFICE OF THE LIEUTENANT GOVERNOR <u>CERTIFICATE OF ANNEXATION</u>

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from the JORDAN VALLEY WATER CONSERVANCY DISTRICT, dated June 18, 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 the JORDAN VALLEY WATER CONSERVANCY DISTRICT located in Salt Lake County, State of Utah.

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IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 5th day of July 2019 at Salt Lake City, Utah.

SPENCER J. COX Lieutenant Governor 8215 South 1300 West • West Jordan, UT 84088 • Ph: 801.565.4300 • www.jvwcd.org

Richard P. Bay, General Manager/CEO Barton A. Forsyth, Assistant General Manager Alan E. Packard, Assistant General Manager Board of Trustees
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June 24, 2019

Mr. Spencer J. Cox, Lieutenant Governor Utah State Capitol Complex, Suite 220 P.O. Box 142325 Salt Lake City, UT 84114

Subject:

Notice of Impending Boundary Action

Dear Lieutenant Governor Cox:

Jordan Valley Water Conservancy District (Jordan Valley) was established in 1951 to develop and deliver water supplies to those residing within its service area. Periodically, Jordan Valley verifies that property which has been annexed into any of Jordan Valley's Member Agencies is annexed into our boundaries, too. A development that was annexed last December into the Kearns Improvement District, a Member Agency of the District, needs to be annexed into Jordan Valley. Accordingly, the following documents are enclosed:

- Letter from Jordan Valley to the U.S. Bureau of Reclamation (BOR) requesting annexation of property
- 2. Letter from the BOR to Jordan Valley approving the annexation
- 3. Resolution 19-10: "Approving Annexation of Lands into the Jordan Valley Water Conservancy District"
- 4. Petition Certification
- 5. Notice of Proposed Annexation/Certificate of Notice
- 6. Final Local Entity Plat signed by Jordan Valley and the Salt Lake County Surveyor

I hereby verify, on behalf of Jordan Valley, that all requirements applicable to the annexation and to the boundary action have been met. Thank you for your assistance with this matter. Please call me at 801-565-4300 if you have any questions.

Best Regards,

Richard P. Bay

General Manager/CEO



Resolution of the Board of Trustees

RESOLUTION NO. 19-10

APPROVING ANNEXATION OF LANDS INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

WHEREAS, a written "Petition for Inclusion of Lands Within the Boundaries of the Jordan Valley Water Conservancy District" (the "Petition") was filed with the Board of Trustees on March 20, 2019, by G & N Wood Properties, L.L.C., a Utah limited liability company ("Landowner"), asking that certain real property it owns in Salt Lake County (the "Lands") be annexed into the Jordan Valley Water Conservancy District;

WHEREAS, a copy of the Petition, including a description and map of the Lands, is attached as Exhibit A;

WHEREAS, the Petition was certified by the Board of Trustees on April 10, 2019, in the "Petition Certification" in accordance with Utah law, and written notice of the "Petition Certification" was given to the Contact Sponsor identified in the Petition in accordance with Utah law;

WHEREAS, written notice of the Petition and of the proposed annexation was properly and timely given in accordance with Utah law;

WHEREAS, a public hearing is not required by law and one has not been requested for the Petition or the proposed annexation;

WHEREAS, no objection or protest has been made either to the Petition or to the proposed annexation;

WHEREAS, all relevant statutory requirements under Utah law have been satisfied for approval of the Petition and for annexation of the Lands into the District;

WHEREAS, Kearns Improvement District ("KID") is a wholesale customer and member agency of the District; and,

WHEREAS, KID annexed the Lands into its geographical boundaries on December 11, 2018;

NOW, THEREFORE BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

- 1. The Board of Trustees of the Jordan Valley Water Conservancy District ("District") finds that the District is a water conservancy district organized in 1951 and existing under the Utah Water Conservancy District Act, Utah Code Ann. §§ 17B-2a-1001 et seq.;
- 2. The Board finds that the District provides both wholesale and retail culinary water service within its geographical service area situated in parts of Salt Lake and Utah Counties;
- 3. The Board finds that the District provides wholesale culinary water service to KID pursuant to a written agreement between the parties, and that KID acquires the wholesale water service from the District and, in turn, provides it as a retail service;
 - The Board finds that KID is now located at least partly within the District;
- 5. The Board finds that KID intends to provide to the Lands the same retail water service that the District provides to KID as a wholesale service;
 - 6. The Board finds that the Lands are now outside the District's boundaries;
- 7. The Board finds that no part of the Lands is within the boundaries of another local district that provides the same wholesale service as the District;
- 8. The Board finds that the Lands may be benefited by annexation into the District in that over time they will have access to the District's water supply, facilities, and services;
- 9. The Board finds that annexation of the Lands into the District will not impair or adversely affect: (a) the District's organization; (b) the District's rights in or to property; (c) any of the District's other rights or privileges; or, (d) any contract, obligation, lien, or charge for or upon which the District might be liable or chargeable had the proposed annexation not been made;
- 10. The Board finds that the proposed annexation does not jeopardize the prompt payment of principal and interest on the bonds of the District now outstanding or of the payment by the District of installments of indebtedness or obligations under any contract;

- 11. The District has entered into an agreement with the United States that requires the consent of the United States for annexation of the Lands into the District. Prior to the adoption of this Resolution, the Board received the formal, written approval of the Bureau of Reclamation to the annexation of the Lands into the District on the terms set forth in this Resolution;
- 12. The Board shall file a notice with the Lieutenant Governor of the State of Utah, accompanied by a copy of this Resolution and either an accurate map depicting the boundaries of the Lands or a legal description of the Lands, adequate for purposes of the Salt Lake County Assessor and Recorder, and a certification by the Board that all requirements for annexation of the Lands have been complied with;
- 13. The Board determines that the proposed annexation shall be complete and effective upon the Lieutenant Governor's issuance to the Board of the certificate of annexation pursuant to Utah law, with copies sent as required by law, at which time:
- (a) The Lands, as described in Exhibit A, shall be annexed into the District;
- (b) The Lands shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as adopted and/or amended from time to time; and,
 - (c) The Lands shall be assigned to the Second Division of the District.
- 14. This Resolution shall take effect immediately upon execution by an authorized member of the Board.

PASSED, ADOPTED, and APPROVED this 5th day of June, 2019.

Corey L. Rushton

Chair of the Board of Trustees

ATTEST:

Richard P. Bay, Clerk

FINAL LOCAL ENTITY PLAT SURVEYOR'S CERTIFICATE KAREN F. WHITE , a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional ANNEXATION OF THE PROPERTY WITHIN THE GLENWOOD DEVELOPMENT INTO Engineers and Land Surveyors Act, holding License No. 191326 do hereby certify that a Final Local Entity Plat, in accordance with Section 17-23-20 of Utah State Code, was made by me, or under my direction, and shown hereon is a true and correct representation of said Final Local Entity Plat. I further certify that by authority of the Owners, I have prepared this plat for the THE JORDAN VALLEY WATER CONSERVANCY DISTRICT purpose of depicting those properties within Salt Lake County to be annexed into the Jordan Valley Water Conservancy District. **JUNE 2019 BOUNDARY DESCRIPTION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21** A parcel of land situate in the Southeast Quarter of Section 21, Township 2 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows: TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN Beginning at an existing stone with a rivet being the Southwest Corner of Section 22, Township 2 South, Range 2 West, Salt Lake Base SALT LAKE COUNTY, UTAH and Meridian; and running thence North 61°02'53" West 238.74 feet to a stone monument being the Southeast Corner of Section 21, Township 2 South, **VICINITY MAP** NORTH 1/4 COR. NOT TO SCALE NORTHWEST COR. NORTHEAST COR. thence North 89°56'32" West 1,331.32 feet along the South Section line to an aluminum cap stamped "United States Public SEC. 21, T2S, R2W SEC. 22, T2S, R2W BASIS OF BEARING SEC. 22, T2S, R2W FOUND PUBLIC LANDS SURVEY Lands" representing the Southeast 1/16 Corner of said Section 21, said point also being the Southwest Corner of Government Lot 8 of FOUND NAIL IN FOUND NAIL & STRADDLES IN PIPE AND 2.5" ALUM. CAP N 89°38'20" EAST 5483.34' (RECORD - ARP - MON TO MON) CONCRETE MONUMENT NORTHWEST COR. N 89°38'20" EAST 5484.45' (MEASURED - MON TO MON) ASPHALT @ RECORD LOCATION thence North 00°05'54" East 2,592.25 feet along the Westerly line of said Government Lot 8 and Government Lot 1 of said SEC. 21, T2S, R2W N 89°26'48" W 2648.16' (MEASURED) Section 21 to the northwesterly corner of said Lot 1 and a southwesterly corner of the Jordan Valley Water Conservancy District; FOUND 2" PIPE WITH CAP thence South 89°04'10" East 1,432.62 feet along the northerly line of said Lot 1 and the Southerly line of said Jordan Valley Water N 89°27'28" W 2648.20' (MEASURED) NEAR STONE WITH RIVET N 89°38'20" E 2742.23' (CALCULATED) NORTH 1/4 COR. N 89°38'20" EAST 2742.23' (CALCULATED) Conservancy District boundary to a brass cap monument being the West Quarter Corner of said Section 22; N 89°38'20" E 2741.67' (ARP) SEC. 22, T2S, R2W thence South 02°12'13" East 2,687.88 feet along the West Section line and the Westerly line of said Jordan Valley Water Conservancy N 89°38'20" EAST 2741.67' (ARP) NOT FOUND District boundary to the point of beginning. Contains 3,842,277 Square Feet or 88.206 Acres 20-21-276-003 20-22-151-006 SUNSET HILLS P.U.D. ALMA E & ETHEL B. RUSHTON ARBOR, GARDNER, PLUM, PHASE 1 AMENDED FAMILY PARTNERSHIP SUNSET HILLS, LLC WEST 1/4 COR. - WEST 1/4 COR. EAST 1/4 COR.-SEC. 21, T2S, R2W SEC. 22, T2S, R2W SEC. 21, T2S, R2W FOUND 2" PIPE WITH CAP FOUND 2.5" SLCO N 89°45'19" W 5408.49' (MEASURED) N 89°51'21" W 5392.30' (MEASURED) BRASS CAP MONUMENT (MON TO MON) N 89°50'34" W 5393.07' (RECORD - ARP) S 89°04'10" E 1432.62' N 89°45'19" W 2653.47' (CALCULATED) (MON TO MON) 6600 SUVIESTREET EAST 1/4 COR. SEC. 22, T2S, R2W FOUND UDOT 2.5" 20-22-300-001 **BRASS CAP MONUMENT G & N WOOD PROPERTIES LLC** GLENWOOD DEVELOPMENT -AT RECORD LOCATION ANNEXATION BOUNDARY LINE 20-22-400-014 ELVA RUPP RUSHTO 20-21-300-003 20-21-400-002 PROPERTIES LLC KENNECOTT UTAH G & N WOOD PROPERTIES LLC 20-22-300-002 COPPER CORPORATION **GOVERNMENT LOT 1** G & N WOOD PROPERTIES LLC 20-22-300-006 U-111 HILLTOP LLC N 89°28'51" E 1329.34' (CALCULATED) 20-21-300-002 20-21-400-002 G & N WOOD PROPERTIES LLC G & N WOOD PROPERTIES LLC -EXISTING JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY 20-21-400-001 ELVA RUPP RUSHTON KENNECOTT UTAH FOUND STAMPED ALUMINUM CAP-PROPERTIES LLC COPPER CORPORATION "UNITED STATES PUBLIC LANDS" SOUTHEAST 1/4 COR., SECTION 21 SALT LAKE BASE AND MERIDIAN 20-22-300-005 LS #4854(NO RECORD OF SURVEY FOUND) SURVEYOR'S NARRATIVE - A. LAURENCE RUSHTON ORIGINÀL CORNER ESTABLISHED IN 1899 20-22-300-001 & ELVA J. FAMILY G & N WOOD PROPERTIES LLC THE OVERALL BOUNDARY DESCRIPTION IS A BEST FIT SCENARIO OF THE SUBJECT PROPERTY TAKING INTO ACCOUNT PARTNERSHIP ET. AL. FOUND MONUMENT PERPETUATED AND RECORDED SUBDIVISION PLATS, RECORDED SURVEYS, AND RECORDED DEEDS SURROUNDING THE SUBJECT PARCEL ACCEPTED AS BEST AVAILABLE EVIDENCE TO THE ORIGINAL STONE LOCATION OF THE SOUTHEAST ONE-QUARTER POSITION LAKE COUNTY SURVEYOR'S OFFICE IN COMBINATION WITH THE PLATS. SURVEYS, AND DEEDS RECORDED THAT WERE N 89°55'42" W 1331.10' RECORDED BY JOHN STAHL AS SURVEY PLAT # S89-01-0017 AND FURTHER EXPANDED UPON BY WARD ENGINEERING N 89°56'19" W 2641.90' (MEASURED) SOUTH 1/4 COR. SEC. 21, T2S, R2W FOUND STAMPED ALUMINUM CAP-FOUND STONE SOUTHWEST COR. N 89°58'52" W 2634.33' (MEASURED) FOUND STONE WITH "X" THE STAHL SURVEY. SPECIFICALLY, THE SOUTHERLY BOUNDARIES OF SUNSET HILLS P.U.D. PHASE 1 AMENDED, PARCEL "UNITED STATES PUBLIC LANDS" WITH GROOVES & N 89°58'58" W 2656.23' (RECORD - ARP) (MON TO STONE) SEC. 21, T2S, R2W N 89°59'58" W 2634.0' (RECORD - ARP) 20-22-151-006, PARCEL 20-21-276-003, AND PARCEL 20-21-201-005 ARE HONORED AS THE NORTHERLY BOUNDARY OF THE SOUTHEAST 16 COR., SECTION 21 NOTCHES ORIGIN SOUTHEAST COR. FOUND STONE WITH RIVET OVERALL SURVEYED PARCEL. THE EASTERLY, SOUTHERLY, AND WESTERLY BOUNDARIES OF THE OVERALL SURVEYED SALT LAKE BASE AND MERIDIAN UNKNOWN SEC. 22, T2S, R2W SOUTHWEST COR. SEC. 22, T2S, R2W PARCEL HAVE BEEN DETERMINED BY HONORING CORNER POSITIONS REPRESENTED BY FOUND SALT LAKE COUNTY LS #4854(NO RECORD OF SURVEY FOUND) 20-27-100-004 FOUND 2.5" SLCO SEC. 22, T2S, R2W N 61°02'53" W-ORIGINAL CORNER ESTABLISHED IN 1899 20-28-200-005 FOUND 2.5" SLCO MONUMENTS AND STONES AS DOCUMENTED AND ACCEPTED PER SALT LAKE COUNTY AREA REFERENCE PLATS. BRASS CAP MONUMENT G&N WOOD PER SLCO ARP BRASS CAP MONUMENT G & N WOOD 238.74 PROPERTIES LC FOUND NOTCHED STONE FOUND MONUMENT PERPETUATED AND THE BASIS OF BEARING IS THE LINE BETWEEN THE NORTHWEST CORNER AND THE NORTHEAST CORNER OF SECTION 22, PROPERTIES LC ACCEPTED AS BEST AVAILABLE EVIDENCE N 84°04'52" W-TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN MEASURING SOUTH 89°38'20" EAST 5484.45 FEET. TO THE ORIGINAL 16 POSITION 186.58' (Measured) FINAL LOCAL ENTITY PLAT EXISTING JORDAN VALLEY WATER CONSERVANCY ANNEXATION OF THE PROPERTY WITHIN THE GLENWOOD DISTRICT BOUNDARY **DEVELOPMENT INTO THE JORDAN VALLEY WATER** CONSERVANCY DISTRICT DEVELOPER GLENWOOD **LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21 TOWNSHIP 2 SOUTH, RANGE 2 WEST,** SALT LAKE BASE AND MERIDIAN SALT LAKE COUNTY, UTAH SHEET 1 OF 1 RECORDED# **LEGEND GLENWOOD ANNEXATION PARCEL** JORDAN VALLEY WATER CONSERVANCY DISTRICT SALT LAKE COUNTY SURVEYOR PROJECT NUMBER: 5339 **LAYTON** Phone:801.547.1100 PPROVED THIS 18th DAY OF JUNE, 2019, Y THE SALT LAKE COUNTY SURVEYOR. THIS PLAT HAS BEEN REVIEWED HORIZONTAL GRAPHIC SCALE SALT LAKE CITY APPROVED THIS 12 DAY OF JUNE BY THE JORDAN VALLEY WATER CONSERVANCY DISTRICT. STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE BOUNDARY LINE G & N WOOD PROPERTIES LLC 45 W. 10000 S., Suite 500 **TOOELE** Phone: 435.843.3590 MANAGER: RQE BY THE COUNTY SURVEYOR AND IS HERE BY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO SECTION 17-23-20 OF UTAH STATE CODE. Sandy, UT. 84070 — — — SECTION LINE **ENSIGN** Phone: 801.255.0529 Fax: 801.255.4449 Phone: 801.255.0529 **CEDAR CITY** Phone: 435,865,1453 DRAWN BY: KFW ADJACENT PROPERTY LINE CHECKED BY: PMH WWW.ENSIGNENG.COM Phone: 435.896.2983 A . alluma ///// EXISTING DISTRICT BOUNDARY LINE DATE: 5/1/19 HORZ: 1 inch = 400 ft. DEPUTY SALT LAKE COUNTY RECORDER SST-GENERAL MANAGER