

# STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

## CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice for the CHESHAM VILLAGE ANNEXATION, located in Davis County, dated January 13, 2022 complying with Section §17B-1-403, 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 annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the CHESHAM VILLAGE ANNEXATION, located in Davis County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 13<sup>th</sup> day of January, 2022 at Salt Lake City, Utah.

A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON  
Lieutenant Governor



# SOUTH DAVIS WATER DISTRICT

407 WEST 3100 SOUTH, BOUNTIFUL, UTAH 84010 (801) 295-4468  
MAILING ADDRESS: P.O. BOX 140110, SALT LAKE CITY, UTAH 84114-0110  
EMAIL: SDWOFFICE@SOUTHDAVISWATER.US

## CHAIRMAN

Melvin J. Hawley

## TRUSTEES

Jerry W. Lynn  
Ron Mortensen

## GENERAL MANAGER

Jake M. Ferguson

## DISTRICT CLERK

Tracie Gallagher

Lieutenant Governor  
Utah State Capitol Complex  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

November 15, 2021

## Notice of Impending Boundary Action

Dear Lieutenant Governor,

The South Davis Water District is seeking a Certificate of Annexation for the Chesham Village subdivision located in North Salt Lake City in Davis County. The District has provided water to Chesham Village for over 12 months, and the District has therefore followed the following Utah Code:

Resolution Initiating Annexation Proceedings -- Utah Code Ann. § 17B-1-403(3)

Public Hearing Required -- Utah Code Ann. § 17B-1-40917B-1-409


Notice of Public Hearing -- Utah Code Ann. § 17B-1-410

Protest Period and Potential Election -- Utah Code Ann. § 17B-1-412

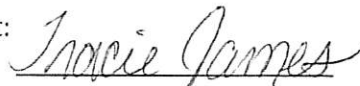
Adoption of Resolution Approving Annexation after Twelve Months Service -- Utah Code Ann. §§ 17B-1-412(3)(c); -414(1)(a)

As per Utah Code 67-1a-6.5(1)(b), the District has included a final local entity plat, as well as a copy of Resolution #67 approving the withdrawal.

I, Melvin J. Hawley, the Chairman of the Board of Trustees of the South Davis Water District, certify that the District has followed all of the withdrawal procedures outlined in Utah Code as outlined above.

  
Chairman of the Board  
Melvin J. Hawley

Attest:

  
Tracie James  
District Clerk

**SOUTH DAVIS WATER DISTRICT**

**RESOLUTION NO. 67**

**Annexation Approval Resolution  
(service for twelve consecutive months)**

WHEREAS, the South Davis Water District (the "District") is a duly organized local district located in Davis County, Utah;

WHEREAS, the District owns and operates a culinary water and irrigation water system that serves a portion of Davis County, Utah;

WHEREAS, the District Board of Trustees (the "Board") has the statutory authority to annex areas into the District pursuant to the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, which outlines the procedure to be followed to accomplish such annexations;

WHEREAS, due to the fact that the District has provided culinary water and irrigation water service to areas lying outside of the District's boundaries, which areas are described and/or otherwise identified in attached Exhibit "A" (the Annexation Area), for a period in excess of twelve consecutive months, the Board adopted a Resolution initiating annexation proceedings for the Annexation Area as authorized by Utah Code Ann. § 17B-1-403(1)(c);

WHEREAS, the Board, with a quorum present, held a public hearing on the proposed annexation of the Annexation Area into the District on September 15, 2021 in accordance with the requirements of Utah Code Ann. § 17B-1-409;

WHEREAS, prior to holding the public hearing, notice of the hearing was issued as required by Utah Code Ann. § 17B-1-410;

WHEREAS, more than 30 days have elapsed since the date of the public hearing and protests have not been filed by the owners of private real property located within the Annexation Area that covers at least 10% of the total private land area within the Annexation Area and is equal in assessed value to at least 10% of the assessed value of all private real property within the Annexation Area or by registered voters residing within the Annexation Area equal in number to at least 10% of the number of votes cast within the Annexation Area for the office of Governor at the last regular general election, and fewer than 30 days have expired since the expiration of the protest period;

WHEREAS, pursuant to Utah Code Ann. § 17B-1-414, the District Board of Trustees is authorized to adopt a resolution approving the annexation of the Annexation Area;

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any local district or special service district which is authorized to perform the same functions

or provide the same services as the District, nor is it located within the boundaries of any municipality or any county that provides the same service that the District provides;

WHEREAS, it is not necessary to provide a notice of the proposed annexation to any county or municipality pursuant to Utah Code Ann. § 17B-1-406 and the provisions of Utah Code Ann. § 17B-1-407 through -408 are not applicable;

WHEREAS, fewer than 90 days having elapsed since the expiration of the protest period, it is timely to adopt this Resolution and the District Board has determined that all applicable statutory requirements have been satisfied and, having considered the proposed annexation, has determined it to be in the best general interest of the District and of the property owners, residents and taxpayers within both the District as presently constituted and the Annexation Area for the proposed annexation to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the South Davis Water District, as follows:

1. That all of the legal requirements stated in Title 17B, Chapter 1, Part 4 of the Utah Code that must be satisfied before the adoption of this Resolution have been satisfied.

2. That, in accordance with Utah Code Ann. § 17B-1-414, the real property described and/or otherwise identified in attached Exhibit "A," which is incorporated by reference as part of this Resolution, shall be and hereby is annexed into and, from the effective date of the annexation, shall be part of the South Davis Water District.

3. That, from and after the issuance by the Lieutenant Governor of a Certificate of Annexation pursuant to Utah Code Ann. §§ 67-1a-6.5 and 17B-1-414(3), the Annexation Area shall be an integral part of the District and the taxable property located within the Annexation Area shall be subject to taxation for the purposes of the District should the District impose a property tax, including the payment of any bonds and other obligations now outstanding or hereafter authorized and issued. All properties within and users of services provided by the District, as enlarged by this annexation, shall be subject to the payment of service and user fees and such other applicable fees and charges as may be assessed from time to time by the District and shall be subject to all rules, regulations, powers and authority of the District and of the Board as provided by law or otherwise.

4. That the Chair and/or General Manager of the District be and are instructed, within 30 days after adoption of this Annexation Resolution, to file a written Notice of Impending Boundary Action with the Lieutenant Governor of the State of Utah, accompanied by a copy of an approved Final Local Entity Plat, and a copy of this Resolution. After recordation as provided in paragraph 6 below, the Certificate of Annexation issued by the Lieutenant Governor shall be maintained with the District's records.

5. That the Chair and/or General Manager of the District be and are instructed, upon the Lieutenant Governor's issuance of a Certificate of Annexation, to file the following documents with the Davis County Recorder: (i) the original Notice of Impending Boundary

Action; (ii) the original Certificate of Annexation; (iii) the original approved Final Local Entity Plat; and (iv) a certified copy of this Resolution.

6. That this Resolution shall take effect immediately upon its approval and adoption, but the annexation shall not be complete until the date on which the Lieutenant Governor issues the Certificate of Annexation.

Approved and adopted by the Board of Trustees of the South Davis Water District this 10<sup>th</sup> day of November, 2021.

  
Chair

ATTEST:

  
Clerk



