

STATE OF UTAH



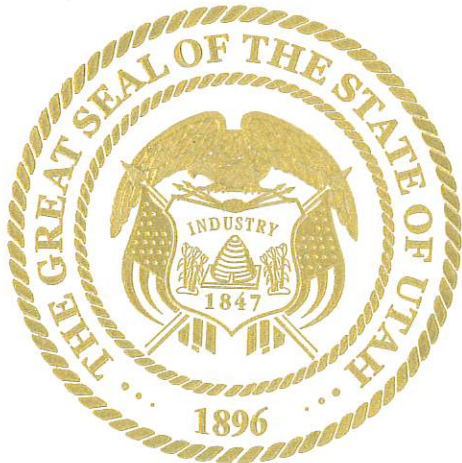
OFFICE OF THE LIEUTENANT GOVERNOR

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 WEST LAKE PHASE 2 ANNEXATION, located in WEST POINT CITY, dated April 7, 2022, complying with Section §67-1a-6.5, 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 WEST LAKE PHASE 2 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 7th day of April, 2022 at Salt Lake City, Utah.



A handwritten signature in cursive script that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON
Lieutenant Governor

**HOOPER WATER IMPROVEMENT DISTRICT
NOTICE OF IMPENDING BOUNDARY ACTION
(Annexation)**

TO: DEIDRE HENDERSON, LIEUTENANT GOVERNOR OF THE STATE OF UTAH

Notice is hereby given that on September 30, 2021, the Board of Trustees of the Hooper Water Improvement District (the "District") adopted Resolution 21-08-01, which Resolution accompanies this Notice. The real property to be annexed into the District is described and depicted in the final local entity plat which accompanies this Notice. It is requested that the Lieutenant Governor issue his certificate of annexation in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

In satisfaction of the requirements of Utah Code Ann. § 67-1a-6.5(3)(e)(i), the Board of Trustees of the Hooper Water Improvement District hereby certifies that all requirements applicable to the annexation have been met.

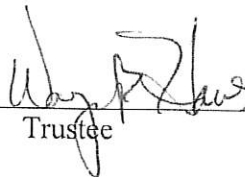
This notice is accompanied by: (a) a copy of Resolution 21-08-01 and (b) an approved final local entity plat as defined in Utah Code Ann. § 67-1a-6.5 and meeting the requirements of Utah Code Ann. § 17-23-20.

The address of the District is as follows:

Hooper Water Improvement District
5555 West 5500 South
Hooper, UT 84315

DATED this 30th day of September, 2021.

**HOOPER WATER IMPROVEMENT DISTRICT
BOARD OF TRUSTEES**

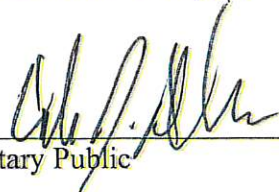
By: 
Trustee

ATTEST:


Trustee

STATE OF UTAH)
 : ss.
COUNTY OF WEBER)

On this 30th day of September, 2021, personally appeared before me Wayne Haws, the signer of the foregoing instrument, who duly acknowledged to me that he/she is the Chair of the Board of Trustees of the Hooper Water Improvement District, duly authorized to execute the same, and who verified under oath the accuracy of the said instrument.



Notary Public

4813-0560-8495, v. 1



NOTICE OF PROPOSED ANNEXATION

HOOPER WATER IMPROVEMENT DISTRICT


Notice is hereby given, pursuant to the requirements of Utah Code Ann. § 17B-1-413 that it is proposed that the real property described in attached Schedule "A" located in West Point City, Davis County, Utah (the "Subject Property") be annexed into and become part of the Hooper Water Improvement District (the "District").

The owner of all of the Subject Property has filed an annexation petition requesting that the Subject Property be annexed into and receive culinary water service from the District. The District owns and operates a culinary water system and delivers culinary water to properties within its service area. Upon being annexed into the District, and after satisfying applicable requirements, the Subject Property may receive culinary water service provided by the District.

Inasmuch as the owner of 100% of the Subject Property signed the annexation petition, a public hearing respecting the proposed annexation is not required. **However, notice is hereby given that a public hearing will be held if a written request to do so is submitted, within 20 days after the date of this notice, to the District Board of Trustees at P.O. Box 217 Hooper, UT 84315 or to the District office located at 5555 West 5500 South, Hooper, UT 84315, by an owner of property that is located within or a registered voter residing within the Subject Property who did not sign the annexation petition.** Otherwise, no public hearing will be held and, after the expiration of the above-referenced 20-day period, the proposed annexation will be presented to the District Board of Trustees for final action.

If additional information concerning the proposed annexation is desired, please telephone (801) 985-1991 and ask for Scott Christiansen.

DATED this 26th day of July 2021.



Scott Christiansen, General Manager
Hooper Water Improvement District

SCHEDULE A

Subject Property

A parcel of land, situate in the Northeast Quarter of Section 36, Township 5 North, Range 3 West, Salt Lake Base and Meridian, said parcel also located in West Point City, Utah. Commonly known as Parcels 14-116-0023 and 14-116-0021 at the Davis County Recorder's Office, being more particularly described as follows:

Beginning at the Northeast Corner of said Parcel 14-116-0023, said point being the intersection of the current Hooper Water Improvement District as described in Entry No. 358650 in Book 473 Page 391 and Line 3 of that certain boundary line agreement described in Entry No. 638849 in Book 940 Page 312 of Davis County Records, said point being South $0^{\circ}04'17''$ West 1408.50 feet along the East Section line and North $89^{\circ}40'29''$ West 667.78 feet along said Line 3 of the boundary line agreement from the Northeast Corner of said Section 36 and running thence:

thence South 628.63 feet along the current Hooper Water Improvement District boundary to the South line of said Parcel 14-116-0021 and the intersection of current Hooper Water Improvement District Boundary and Line 4 of the aforementioned boundary line agreement;

thence along Line 4 of the boundary line agreement the following two (2) courses and distances:

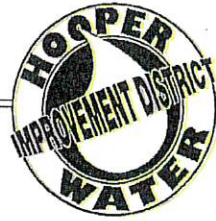
- 1) North $89^{\circ}36'00''$ West 196.80 feet;
- 2) North $89^{\circ}56'10''$ West 420.00 feet to the westerly line of said Parcel 14-116-0021;

thence North $00^{\circ}14'22''$ West 614.71 feet along said westerly line of Parcel 14-116-0021 to and along the westerly line of said Parcel 14-116-0023 to Line 3 of the aforementioned boundary line agreement;

thence along Line 3 of the boundary line agreement the following two (2) courses and distances:

- 1) North $87^{\circ}07'53''$ East 280.00 feet;
- 2) South $89^{\circ}40'29''$ East 339.72 feet to the Point of Beginning.

Contains; 386,654 square feet or 8.876 acres.



HOOPER WATER IMPROVEMENT DISTRICT

P.O. BOX 217 • 5555 W. 5500 S. • Hooper, Utah 84315 • (801) 985-1991

CERTIFICATION OF ANNEXATION PETITION

August 4, 2021

John Nelson
UA FIAU LLC CBA Psion Homes
579 Heritage Park Blvd, Suite 226
Layton, UT 84041

Re: West Lake Estates Annexation

Notice is hereby given that Hooper Water Improvement District has certified the annexation petition for the following parcel: #14-116-0026 and #14-116-0021. The 20-day posting period began on July 27, 2021 and will end on August 16, 2021.

Sincerely,

A handwritten signature in blue ink that reads "Marvin Zaugg".

Marvin Zaugg
Chairman

HOOPER WATER IMPROVEMENT DISTRICT

RESOLUTION 21-08-01

Annexation Approval Resolution West Lake Estates Subdivision (100% landowner petition)

WHEREAS, the Hooper Water Improvement District (the “District”) is a duly organized improvement district primarily located in Weber County, Utah, but also including a relatively small part of Davis County, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the Utah Code and other relevant portions of Title 17B of the Utah Code;

WHEREAS, the District owns and operates a culinary water distribution system which serves a portion of western Weber County and a small portion of Davis County, Utah;

WHEREAS, a Landowner Annexation Petition (the “Petition”) has been filed with the District requesting that the real property identified on Exhibit “A” attached to this Resolution (the, Sunview Estates Subdivision, hereafter referred to as: “Subject Property”) be annexed into the District in order to receive culinary water service from the District (the Landowner, who is Sunview Estates, LLC, is referred to herein as “Applicant”);

WHEREAS, the District requires that Applicant’s property be annexed into the District as a condition to receiving, and continuing to receive, culinary water service;

WHEREAS, on July 16, 2019, the District Board of Trustees adopted an Annexation Policy which requires, as a condition to annexing any area into the District, that the owner or developer of the area to be annexed provide to the District water rights and/or water sources as deemed necessary to serve the area being annexed;

WHEREAS, the Annexation Policy is based upon a Board finding that the District’s water rights and water sources are not sufficient to serve areas that were not included in the District as of the effective date of the Policy and it would be inequitable to the owners of real property or residents already within the District for new areas to be annexed “unless the owners of those areas deliver to the District sufficient water rights and water sources for the District to serve the area being annexed”;

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, Applicant owns 100% of the Subject Property;

WHEREAS, the Petition satisfies the applicable requirements of Utah Code Ann. §§ 17B-1-403 and -404;

WHEREAS, within thirty days after the Petition was filed, at a duly called meeting of the Board of Trustees of the District for which certification of the Petition was listed on the agenda, the Board voted to certify the Petition in accordance with Utah Code Ann. § 17B-1-405;

WHEREAS, the identified contact sponsor was notified, in writing, of the certification of the Petition as required by Utah Code Ann. § 17B-1-405;

WHEREAS, since the Petition has been signed by the sole owners of the Subject Property, pursuant to Utah Code Ann. § 17B-1-413(1), the District Board is not required to hold a public hearing pursuant to Utah Code Ann. §§ 17B-1-409 and -410 and the protest provisions of Utah Code Ann. § 17B-1-412 are not applicable to this annexation proceeding;

WHEREAS, a notice of the proposed annexation was given pursuant to the requirements of Utah Code Ann. § 17B-1-413;

WHEREAS, the written Notice referenced in the immediately preceding paragraph contained a brief explanation of the proposed annexation and included the name of the Hooper Water Improvement District, the services provided by the District, a description and/or map of the area proposed to be annexed, a local district telephone number where additional information about the proposed annexation could be obtained and an explanation of the right of an owner of property located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition to request a public hearing on the proposed annexation in accordance with Utah Code Ann. § 17B-1-413(2)(b)(ii), provided that such request was submitted to the District Board of Trustees within 20 days after the date the Notice was given;

WHEREAS, more than 20 days have passed since the notice was given, no property owner or registered voter having a right to do so has requested a hearing, and the time for submitting a request for a public hearing has passed;

WHEREAS, not more than 30 days have passed since the expiration of the time for submitting a request for a public hearing;

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; and

WHEREAS, the 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 area proposed to be annexed for the requested

annexation to be completed provided that the Applicant first satisfies the requirements of the Annexation Policy by entering into a Development Agreement that is in form and content acceptable to the District within five business days after the adoption of this Resolution or such extended period as may be granted by the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Hooper Water Improvement 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 Hooper Water Improvement 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)(b)(ii), the Subject Property shall be an integral part of the District and, upon the submittal of the original notice of annexation, the original certificate of annexation issued by the Lieutenant Governor, the approved final local entity plat, and a certified copy of this Resolution to the Weber County Recorder for recordation, the taxable property located within the Subject Property shall be subject to taxation for the purposes of the District, 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 Chairman 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 annexation with the Lieutenant Governor of the State of Utah, accompanied by a copy of this Resolution and an approved final local entity plat. The Chairman and/or General Manager are further instructed, upon receipt of the certificate of annexation from the Lieutenant Governor, to submit the documents identified in paragraph 3 above to the Weber County Recorder for recordation.
5. That this Resolution shall take effect immediately upon the Applicant satisfying the requirements of the District's Annexation Policy by entering into a written Development Agreement covering the Annexation Area which is in form and content acceptable to the District, but not otherwise, and the annexation shall not be complete and effective until the date specified in the certificate of annexation issued by the Lt. Governor.

Approved and adopted by the Board of Trustees of the Hooper Water Improvement District this 14th day of September, 2021.

Marvin Zaugg
Chair

STATE OF UTAH)
 :SS.
COUNTY OF WEBER)

The foregoing Resolution was subscribed before me, a notary public, this 14th day of September, 2021, by Marvin Zaugg, Chairman of the Board of Trustees of the Hooper Water Improvement District.

Cole J. Allen
Notary Public



Exhibit A

A parcel of land, situate in the Northeast Quarter of Section 36, Township 5 North, Range 3 West, Salt Lake Base and Meridian, said parcel also located in West Point City, Utah. Commonly known as Parcels 14-116-0023 and 14-116-0021 at the Davis County Recorder's Office, being more particularly described as follows:

Beginning at the Northeast Corner of said Parcel 14-116-0023, said point being the intersection of the current Hooper Water Improvement District as described in Entry No. 358650 in Book 473 Page 391 and Line 3 of that certain boundary line agreement described in Entry No. 638849 in Book 940 Page 312 of Davis County Records, said point being South $0^{\circ}04'17''$ West 1408.50 feet along the East Section line and North $89^{\circ}40'29''$ West 667.78 feet along said Line 3 of the boundary line agreement from the Northeast Corner of said Section 36 and running thence:

thence South 628.63 feet along the current Hooper Water Improvement District boundary to the South line of said Parcel 14-116-0021 and the intersection of current Hooper Water Improvement District Boundary and Line 4 of the aforementioned boundary line agreement;

thence along Line 4 of the boundary line agreement the following two (2) courses and distances:

- 1) North $89^{\circ}36'00''$ West 196.80 feet;
- 2) North $89^{\circ}56'10''$ West 420.00 feet to the westerly line of said Parcel 14-116-0021;

thence North $00^{\circ}14'22''$ West 614.71 feet along said westerly line of Parcel 14-116-0021 to and along the westerly line of said Parcel 14-116-0023 to Line 3 of the aforementioned boundary line agreement;

thence along Line 3 of the boundary line agreement the following two (2) courses and distances:

- 1) North $87^{\circ}07'53''$ East 280.00 feet;
- 2) South $89^{\circ}40'29''$ East 339.72 feet to the Point of Beginning.

Contains; 386,654 square feet or 8.876 acres.

**LANDOWNER ANNEXATION PETITION
HOOPER WATER IMPROVEMENT DISTRICT**

The undersigned represents that UA FIU LLC DBA PSION HOMES owns, in its entirety, the real property located within the boundaries of the area in Davis County, Utah which is described and depicted on Schedule A attached hereto (the "proposed annexation area") and that the proposed annexation area is located, in its entirety, in unincorporated Davis County or in WEST POINT, UT [insert name of municipality]. Each person/entity signing this petition requests annexation of the proposed annexation area into the Hooper Water Improvement District pursuant to Utah Code Ann. § 17B-1-401, et seq.

As required by Utah Code Ann. § 17B-1-404(1)(d), the following signer(s) of this Petition is/are hereby designated as the sponsor(s) (one must be named and no more than three sponsors may be named), with the designated sponsor to serve as the contact sponsor.

CONTACT SPONSOR:

Name: UA FIU LLC DBA PSION HOMES ATTN: JOHN NELSON, MEMBER
Mailing Address: 579 HERITAGE PARK BLVD STE 226 LAYTON, UT 84041
Telephone No. 801-628-2845

Additional Sponsors:

Name: _____
Mailing Address: _____
Telephone No. _____

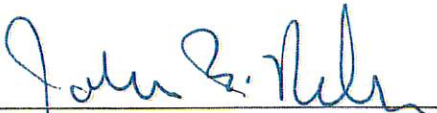
Name: _____
Mailing Address: _____
Telephone No. _____

OWNER(S):

1. UA FIU LLC DBA PSION HOMES
Owner's Name [please print or type]

14-116-0023 and 14-116-0021,
approximately 5000 W 1000 N West Point,
UT 84015

Address of Owner's real property which is included in the proposed annexation area (include Tax ID No. or Nos. if known)


Signature of Owner - [all Owners must sign] [if the Owner is an entity, state the title of the signing authorized representative]

JOHN NELSON, MEMBER
Signer's Name [please print or type]

2362 W 875 S Syracuse, UT 84075
Signer's Current Residence Address

**SCHEDULE A TO LANDOWNER ANNEXATION PETITION
IDENTIFICATION OF PROPOSED ANNEXATION AREA**

The proposed annexation area is located in Davis County, Utah, Tax Id. # 14-116-0023 and 14-116-0021, and is generally bounded as follows: approximately 5000 W 1000 N West Point, UT 84015

_____ which area is depicted in the attachment to this Exhibit "A" and is more particularly described as follows:

[Insert legal description of the proposed annexation area-
Including parcel Tax ID numbers whenever possible and attach
A map of the boundaries of the area proposed to be annexed]

BOUNDARY DESCRIPTION

A parcel of land, situate in the Northeast Quarter of Section 36, Township 5 North, Range 3 West, Salt Lake Base and Meridian, said parcel also located in West Point City, Utah. Commonly known as Parcels 14-116-0023 and 14-116-0021 at the Davis County Recorder's Office, being more particularly described as follows:

Beginning at the Northeast Corner of said Parcel 14-116-0023, said point being the intersection of the current Hooper Water Improvement District as described in Entry No. 358650 in Book 473 Page 391 and Line 3 of that certain boundary line agreement described in Entry No. 638849 in Book 940 Page 312 of Davis County Records, said point being South 0°04'17" West 1408.50 feet along the East Section line and North 89°40'29" West 667.78 feet along said Line 3 of the boundary line agreement from the Northeast Corner of said Section 36 and running thence:

thence South 628.63 feet along the current Hooper Water Improvement District boundary to the South line of said Parcel 14-116-0021 and the intersection of current Hooper Water Improvement District Boundary and Line 4 of the aforementioned boundary line agreement;

thence along Line 4 of the boundary line agreement the following two (2) courses and distances:

- 1) North 89°36'00" West 196.80 feet;
- 2) North 89°56'10" West 420.00 feet to the westerly line of said Parcel 14-116-0021;

thence North 00°14'22" West 614.71 feet along said westerly line of Parcel 14-116-0021 to and along the westerly line of said Parcel 14-116-0023 to Line 3 of the aforementioned boundary line agreement;

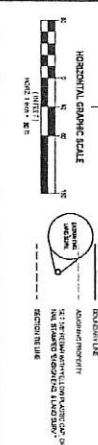
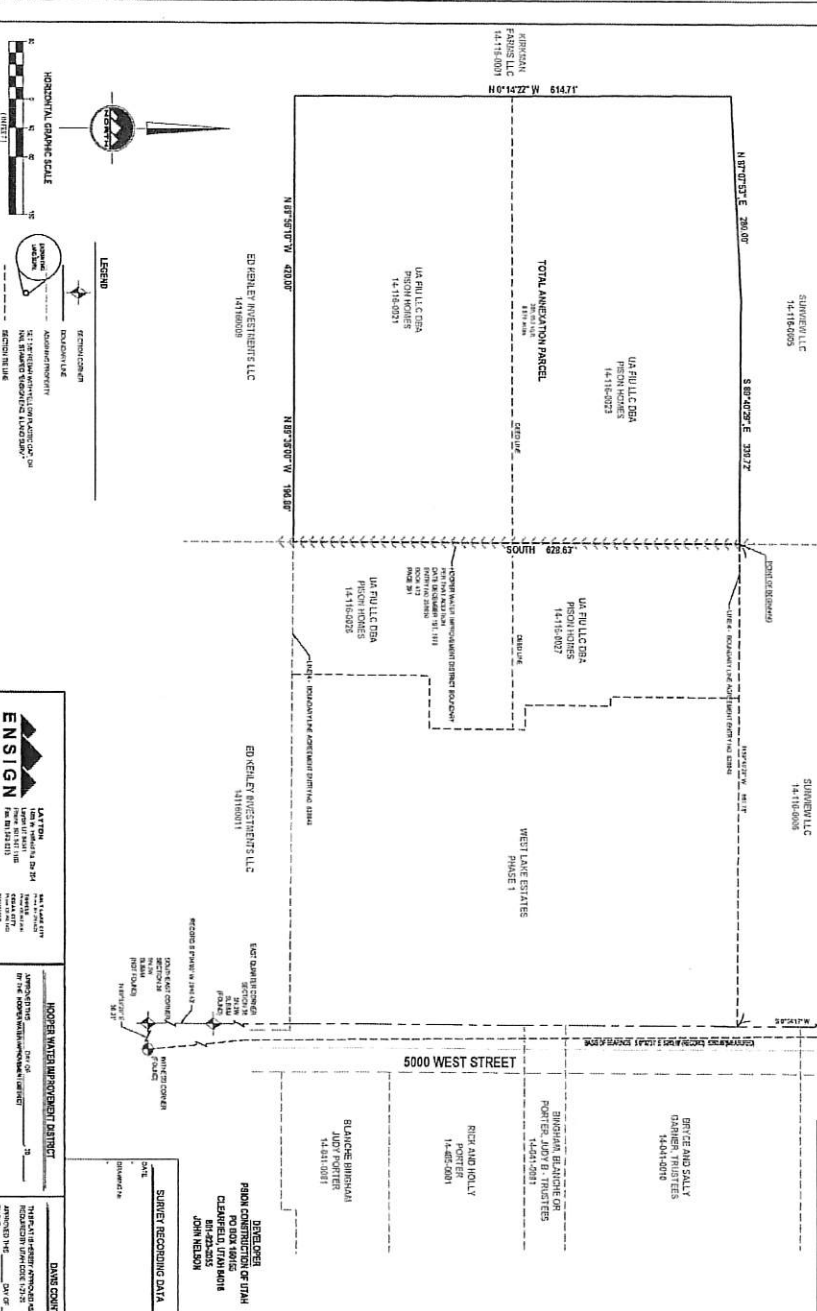
thence along Line 3 of the boundary line agreement the following two (2) courses and distances:

- 1) North 87°07'53" East 280.00 feet;
- 2) South 89°40'29" East 339.72 feet to the Point of Beginning.
- 3)

Contains: 386,654 square feet or 8.876 acres.

ANNEXATION PLAT TO HOOPER WATER IMPROVEMENT DISTRICT

LOCATED IN THE NORTHEAST QUARTER
OF SECTION 36
TOWNSHIP 3 NORTH RANGE WEST
COUNTY OF BOONE COUNTY, IOWA
WEST POINT, IOWA
JUNE 2021



ENSIIGN
LAND SURVEYING & ENGINEERING, INC.
1410 WEST 14TH STREET
DES MOINES, IOWA 50319
PHONE: 515.281.1234
WWW.ENSIGNSURVEYING.COM

HOOPER WATER IMPROVEMENT DISTRICT
1410 WEST 14TH STREET
DES MOINES, IOWA 50319
PHONE: 515.281.1234
WWW.ENSIGNSURVEYING.COM

DAVIS COUNTY REGISTER
1410 WEST 14TH STREET
DES MOINES, IOWA 50319
PHONE: 515.281.1234
WWW.ENSIGNSURVEYING.COM



SUBJECT PROPERTY
The subject property is located in the Northeast Quarter of Section 36, Township 3 North, Range West, Boone County, Iowa. The property is bounded by Ed Ensey Investments LLC to the north and west, and various other owners to the east and south.

BOUNDARY DESCRIPTION
The boundary description is as follows:
1. North 29° 51' 00" East 200.00 feet to the corner of Ed Ensey Investments LLC.
2. East 41° 00' 00" North 140.00 feet to the corner of Ed Ensey Investments LLC.
3. South 41° 00' 00" West 140.00 feet to the corner of Ed Ensey Investments LLC.
4. West 29° 51' 00" South 200.00 feet to the corner of Ed Ensey Investments LLC.



June 22, 2021

ANNEXATION PLAT TO HOOPER WATER IMPROVEMENT DISTRICT

DEVELOPER
PISON CONSTRUCTION OF IOWA
1410 WEST 14TH STREET
DES MOINES, IOWA 50319
JOHN NELSON

DATE
June 22, 2021

DATE
June 22, 2021

PROJECT NUMBER
1410 WEST 14TH STREET

PROJECT LOCATION
1410 WEST 14TH STREET

PROJECT OWNER
PISON CONSTRUCTION OF IOWA

PROJECT ENGINEER
ED ENSEY

PROJECT SURVEYOR
ED ENSEY

PROJECT REGISTER
DAVIS COUNTY REGISTER