

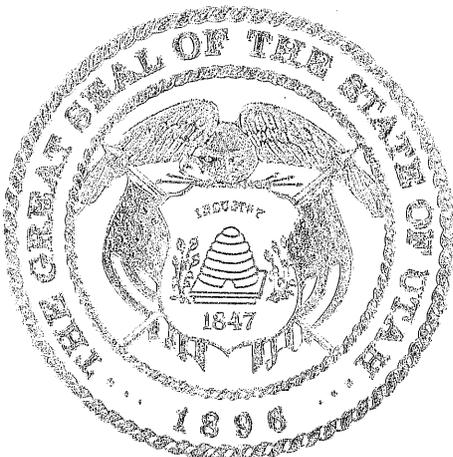
STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR
CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH,
HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from
TOOELE CITY, dated January 5th, 2011, complying with Section 10-2-425, 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 TOOELE CITY, located in
Tooele County, State of Utah.



IN TESTIMONY WHEREOF, I have
hereunto set my hand, and affixed the Great
Seal of the State of Utah this 11th day of
January, 2011 at Salt Lake City, Utah.

A handwritten signature in black ink that reads "Greg Bell".

GREG BELL
Lieutenant Governor



Administration

Notice of Impending Boundary Action: Annexation

January 7, 2011

Lieutenant Governor Greg Bell
State Capitol Complex
PO Box 142325
Salt Lake City, UT 84114-2325

Dear Lieutenant Governor Bell:

This letter constitutes a Notice of Impending Boundary Action pursuant to U.C.A. §67-1a-6.5, indicating that Tooele City Corporation has taken all necessary actions to annex 1,556.89 acres of Tooele City-owned open space property into the Tooele City corporate limits. All annexation requirements have been met, evidenced by the enclosed Tooele City Ordinance 2011-02 and its exhibits. Exhibits to the Ordinance include the Annexation Petition, Plat Map, Survey Map, Resolution 2010-53 (accepting petition), Certification of Annexation Petition, and Notice of Certification. Also enclosed is a copy of the fully-executed Annexation Plat.

Tooele City would appreciate receiving a Certificate of annexation from your office as soon as possible.

Sincerely,

Sharon Dawson
Tooele City Recorder

Received

JAN 11 2011

**Greg Bell
Lieutenant Governor**

Tooele City Hall
90 North Main Street
Tooele, Utah 84074-2191

Phone: (435) 843-2100
Fax: (435) 843-2109
TDD: (435) 843-2108
www.tooelecity.org

TOOELE CITY CORPORATION

ORDINANCE 2011-02

AN ORDINANCE OF THE TOOELE CITY COUNCIL APPROVING THE ANNEXATION PETITION OF MAYOR PATRICK DUNLAVY, ANNEXING THE CITY-OWNED PROPERTY DESCRIBED IN THE PETITION, AND ASSIGNING THE OPEN SPACE (OS) ZONING DISTRICT TO THE ANNEXED PROPERTY.

WHEREAS, on October 6, 2010, the City Council adopted the 2010 Annexation Policy Plan for Tooele City (reference Ordinance 2010-15); and,

WHEREAS, upon recommendation of Mayor Patrick Dunlavy and at the request of the City Council, Mayor Dunlavy filed an Annexation Petition with the City Recorder, in accordance with U.C.A. §10-2-403, seeking to annex approximately 1,600 acres of City-owned open space property into the Tooele City corporate limits (see the Petition, attached as Exhibit A); and,

WHEREAS, on December 9, 2010, the City Council approved Resolution 2010-53, which accepted the Petition for further consideration as prescribed by U.C.A. §10-2-405(1) (see Resolution 2010-53, without exhibits, attached as Exhibit B); and,

WHEREAS, on December 9, 2010, the City Recorder certified the Petition as required by U.C.A. §10-2-405(2) (see the Certification, attached as Exhibit C); and,

WHEREAS, beginning December 14, 2010, the Tooele *Transcript-Bulletin* advertized the Notice of Certification required by U.C.A. §10-4-406 (see text of Notice, attached as Exhibit D); and,

WHEREAS, the Petition and annexation proposed therein do not involve any Affected Entity as defined in U.C.A. §10-2-401. Therefore, no person is entitled by statute to protest the Petition (see U.C.A. §10-2-407(1)(a)); and,

WHEREAS, the City Council convened a duly-noticed public hearing on January 5, 2011;

WHEREAS, the Mayor and City Council find that annexation of the City-owned property identified in the Petition is in the best interest of Tooele City and will further the legitimate public purposes referenced in the 2010 Annexation Policy Plan, the Tooele City General Plan, and various ordinances and resolutions of Tooele City regarding the protection of viewshed, watershed, open space, scenic views, wildlife habitat, and non-motorized recreation:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that:

1. The Annexation Petition (Exhibit A) is hereby approved;
2. No qualifying protests were received;

3. The City Recorder is hereby directed to file with the Utah Lieutenant Governor a Notice of Impending Boundary Action meeting the requirements of U.C.A. §67-1a-6.5(3), together with a copy of the survey map attached to the Petition;
4. The property annexed under this Ordinance, as described in the Petition, shall receive the Open Space (OS) land use plan and zoning designations under authority of Tooele City Code §7-24-2;
5. For purposes of Tooele City Code §7-13a-13, the property annexed under this Ordinance is maintained for viewshed, scenic vista, open space, watershed, and wildlife habitat protection;
6. The annexation approved by this Ordinance shall take effect, according to U.C.A. §10-2-425(4), on the date of the Lieutenant Governor's issuance of a Certificate of Annexation; and,
7. All aspects of this Ordinance, with the exception of the effective date of the annexation for State of Utah purposes under U.C.A. §10-2-425(4), shall take effect immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council
this 5 day of January, 2011.

TOOELE CITY COUNCIL

(For)

(Against)

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

ABSTAINING: _____

MAYOR OF TOOELE CITY

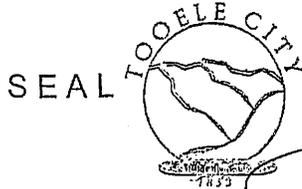
(Approved)

(Disapproved)

[Signature]

ATTEST:

[Signature]
 Sharon Dawson, City Recorder



Approved as to Form:

[Signature]
 Roger Baker, City Attorney

Exhibit A

Annexation Petition

ANNEXATION PETITION

Filed With: Sharon Dawson, Tooele City Recorder

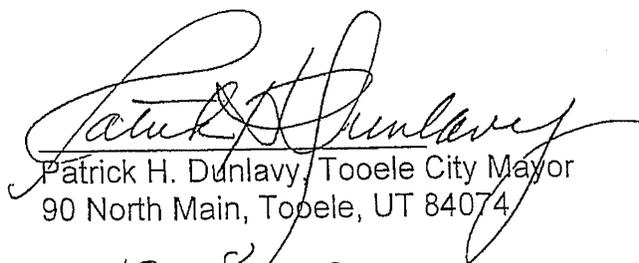
Filed on: 12/8/10 SD

I, Patrick H. Dunlavy, Mayor of Tooele City, being authorized to act on behalf of Tooele City Corporation as its chief executive and administrative officer, hereby petition the Tooele City Council to annex the following City-owned parcels (the "Property"), comprising approximately 1,600 acres and identified by their tax identification numbers—6-6-2, 6-6-3, 6-6-4, 6-5-3, 6-5-4, 6-5-6, 6-5-12, 6-6-9—and by the plat map and survey map attached hereto.

The Property is included in the 2010 Annexation Policy Plan for Tooele City, duly adopted by Ordinance 2010-15 on October 6, 2010 (see U.C.A. §10-2-401.5). The Property is contiguous to the existing Tooele City corporate boundary (see U.C.A. §10-2-402(1)). The boundaries of the Property have been drawn as required by statute (see U.C.A. §10-2-403(6)). The Property is owned entirely by Tooele City. This Petition does not include property owned by anyone other than Tooele City. My signature, below, satisfies the signature requirements of U.C.A. §10-2-403(3). The purpose for annexing the Property is not solely to acquire municipal revenue or to retard the capacity of another municipality to annex it (see U.C.A. §10-2-402(4)), but rather to further the legitimate public purposes referenced in the 2010 Annexation Policy Plan, the Tooele City General Plan, and the various ordinances and resolutions of Tooele City regarding the protection of viewshed, watershed, open space, scenic views, wildlife habitat, and non-motorized recreation. The Property is not located within a township, another municipality, another county, the expansion area of another municipality, or the project area plan of a military installation development authority (see U.C.A. §10-2-402(5)-(9)). I am both the sole sponsor and the contact sponsor for purposes of this Petition (see U.C.A. §10-2-403(6)). The Property does not include residents or commercial or industrial development, and the Petition creates no "affected entity" (see U.C.A. §10-2-401).

I request immediate certification of this Petition by the City Recorder and City Attorney, and immediate consideration of this Petition by the Tooele City Council.

Signed:


Patrick H. Dunlavy, Tooele City Mayor
90 North Main, Tooele, UT 84074

Date:

12-8-10

cc: Marilyn Gillette, Tooele County Clerk (see U.C.A. 10-2-403(7))

Exhibits:

Plat Map of Property
Survey Map of Property

THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE LAND, AND THE RECORDER ASSUMES NO LIABILITY FOR ERRORS OR OMISSIONS, IF ANY, WITH AN ACTUAL SURVEY.

SECTION 1, 2, 11, 12 T 4 S R 4 W S.L.B.&M.

38 37

(SEE BK 3 PG 37)

THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE LAND, AND THE RECORDER ASSUMES NO LIABILITY FOR ERRORS OR OMISSIONS, IF ANY, WITH AN ACTUAL SURVEY.

SECTION 3, 4, 9, 10 T 4 S R 4 W S.L.B.&M.

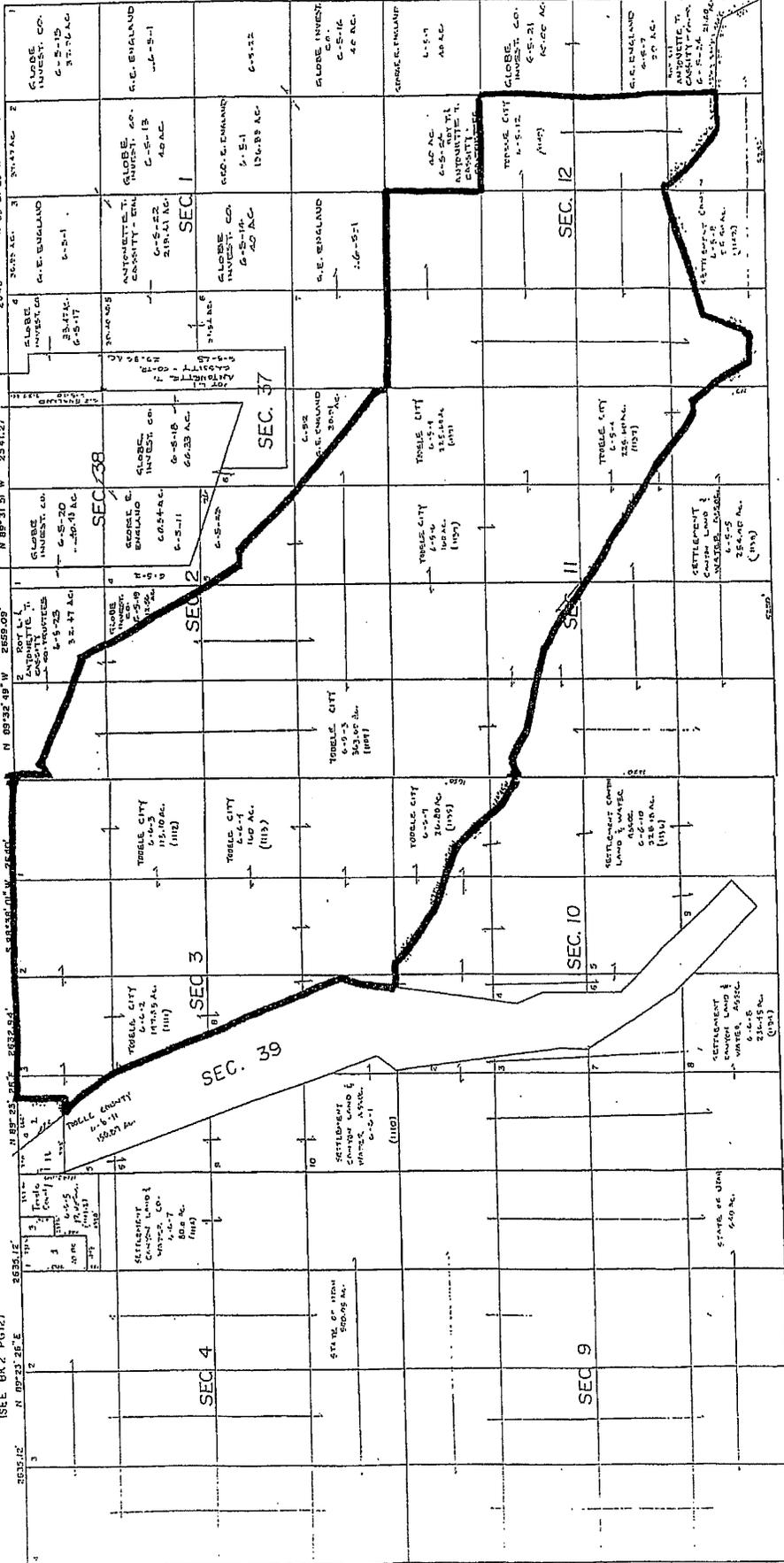
38

(SEE BK 2 PG 12)

(SEE BK 2 PG 16)

(SEE BK 2 PG 16)

(SEE BK 2 PG 16)



(SEE BK 6 PG 11)

Exhibit B

Resolution 2010-53

12-9-10
4-0 (Johnson
by phone)

TOOELE CITY CORPORATION

RESOLUTION 2010-53

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING FOR FURTHER CONSIDERATION THE ANNEXATION PETITION OF MAYOR PATRICK DUNLAVY.

WHEREAS, upon recommendation of Mayor Patrick Dunlavy and at the request of the City Council, Mayor Dunlavy has filed an Annexation Petition with the City Recorder, in accordance with U.C.A. §10-2-401 et seq. (see copy of Petition attached as Exhibit 1), seeking to annex approximately 1,600 acres of City-owned open space property into the Tooele City corporate limits; and,

WHEREAS, the Mayor and City Council find that annexation of the City-owned property identified in the Petition is in the best interest of Tooele City and will further the legitimate public purposes referenced in the 2010 Annexation Policy Plan, the Tooele City General Plan, and various ordinances and resolutions of Tooele City regarding the protection of viewshed, watershed, open space, scenic views, wildlife habitat, and non-motorized recreation:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that:

1. The Annexation Petition is hereby accepted for further consideration;
2. The City Recorder is hereby directed to prepare the certification required by U.C.A. §10-2-405(2)(c);
3. The City Recorder is hereby directed to deliver notice of the certification as required by U.C.A. §10-2-405(2)(c);
4. The City Recorder is hereby directed to publish the notice required by U.C.A. §10-2-406; and,
5. The City Attorney is hereby directed to prepare an annexation approval resolution.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2010.

Exhibit C

Certification of Annexation Petition

CERTIFICATION OF ANNEXATION PETITION

To: Patrick H. Dunlavy, Tooele City Mayor and Petition Contact Sponsor
Tooele City Council
Tooele County Commission

I, Sharon Dawson, Tooele City Recorder, have received a copy of the attached Annexation Petition, which was accepted for further consideration by Tooele City Resolution 2010-53, and have reviewed the same with Roger Baker, Tooele City Attorney. I hereby certify that the Petition meets the requirements of U.C.A. §10-2-403(3), (4), and (5).

Signed: Sharon Dawson 12/9/10

Seal:

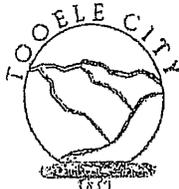


Exhibit D

Notice of Certification

NOTICE

To be published in the Tooele *Transcript-Bulletin* once per week for three successive weeks beginning December 14, 2010.

Tooele City has initiated a petition to annex into Tooele City approximately 1,600 acres of City-owned property located adjacent to the southern city boundary. The petition was certified on December 9, 2010, by the City Recorder, and a notice of certification was delivered to the City Council and Mayor. The complete petition is available for inspection and copying in the office of the City Recorder. The City Council may grant the petition and annex the city-owned property unless a written protest is filed by an Affected Entity no later than January 4, 2011, with the Local Boundary Commission and County Clerk at 47 South Main Street, Tooele. A copy of any protest shall be delivered to the City Recorder at 90 North Main Street, Tooele. The property proposed for annexation is not located within any local district providing fire protection, paramedic, emergency, or law enforcement service.

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR
CERTIFICATE OF DISCONNECTION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH,
HEREBY CERTIFY THAT there has been filed in my office a notice of disconnection
from TOOELE CITY, dated July 6th, 2011, complying with Section 10-2-507, 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 disconnection, referred to above, on
file with the Office of the Lieutenant Governor pertaining to TOOELE CITY, located in
Tooele County, State of Utah.



IN TESTIMONY WHEREOF, I have
hereunto set my hand, and affixed the Great
Seal of the State of Utah this 13th day of
December, 2011 at Salt Lake City, Utah.

GREG BELL
Lieutenant Governor



Legal

July 8, 2011

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

RE: Municipal Disconnection

Dear Lt. Governor Bell:

On July 6, 2011, pursuant to Utah Code Chapter 10-2 Part 5, the Tooele City Council passed Ordinance 2011-13 approving the disconnection of 0.956 acres of land from the Tooele City corporate limits. A copy of the signed Ordinance is enclosed, together with the Request for Municipal Disconnection, survey maps, and legal descriptions. Tooele City would appreciate receiving from your office a Certificate of Disconnection to record in the office of the Tooele County Recorder (see U.C.A. §10-2-507(2)(b)). Because Utah statutes require of a municipality only the approval of the Ordinance, Tooele City did not prepare a notice of impending boundary action or a final local entity plat.

Sincerely,

Roger Baker
Tooele City Attorney

enclosure

Tooele City Hall
90 North Main Street
Tooele, Utah 84074-2191

Phone: (435) 843-2120
Fax: (435) 843-2129
TDD: (435) 843-2108
www.tooelecity.org

TOOELE CITY CORPORATION

ORDINANCE 2011-13

AN ORDINANCE OF THE TOOELE CITY COUNCIL APPROVING THE DISCONNECTION OF PROPERTY FROM THE TOOELE CITY CORPORATE LIMITS.

WHEREAS, in February 2011, Tooele County, along with Jay Harwood and John Giles, filed a Request for Municipal Disconnection (the "Original Request"), under which a strip of property along Tooele City's northernmost boundary, comprising about 50 acres, would be removed from the Tooele City corporate limits (see the Original Request attached as Exhibit A); and,

WHEREAS, upon receiving the City's opposing comments, the County withdrew ceased to pursue the Original Request. The City's main concerns with the Original Request were (1) to maintain control over the design of roadways within and affecting the City, and (2) to not encourage economic development in areas of the County that would adversely affect economic development in the City; and,

WHEREAS, in April 2011, Harwood and Giles, this time without Tooele County, filed a new Request for Municipal Disconnection (the "New Request"), under which two small slivers of property comprising only 0.956 acres (the "Disconnection Area") would be removed from the Tooele City corporate limits (see the New Request attached as Exhibit B); and,

WHEREAS, the Disconnection Area within the City's limits came about by Tooele County realigning a future parkway and trading small slivers of property with Harwood, Giles, and Home Credit Corp.; and,

WHEREAS, matters of municipal disconnection (commonly called "de-annexation") are governed by U.C.A. §10-2-501 *et seq.* and the Utah Supreme Court opinion in the case of *Bluffdale Mountain Homes, LC v. Bluffdale City* 167 P.2d 1016 (Utah 2007) (see the *Bluffdale City* opinion attached as Exhibit C); and,

WHEREAS, the City Administration believes that approving the New Request will not materially adversely affect Tooele City, and, following the guidance of the *Bluffdale City* case, recommends approval of the New Request; and,

WHEREAS, Harwood and Giles have caused notice of the New Request to be published once a week for three consecutive weeks in the Tooele *Transcript-Bulletin*, newspaper of general circulation within the City; and,

WHEREAS, on July 6, 2011, the City Council convened a duly-noticed public hearing regarding the New Request:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that

1. the City Council makes the following findings of fact:
 - a. the disconnection is viable: due to its location and size, the Disconnection Area has not required municipal services and likely will not require municipal after its disconnection; tax differences are anticipated to be negligible and accepted by implication by Harwood and Giles;
 - b. justice and equity require the disconnection: consistent with the *Bluffdale* case, justice and equity favor the New Request because the Disconnection Area is adjacent to larger parcels owned by Harwood and Giles located outside the City;
 - c. the disconnection would not materially increase the City's burdens of providing municipal services to areas remaining in the City;
 - d. the disconnection would not make it economically unfeasible for the City to continue to function;
 - e. the disconnection would not create an island or peninsula of unincorporated territory;
 - f. it appears that the County would be able to provide municipal services to the Disconnected Area: this is implied by the County's signature on the Original Request and apparent due to the size and location of the Disconnection Area;
 - g. any adverse effect of the disconnection on the City would appear to be *de minimus* and speculative;
 - h. the disconnection would appear to have no adverse effect on adjoining property owners: Harwood, Giles, UDOT, and Home Credit Corp., which agreed to the trade creating the disconnection situation;
 - i. the disconnection would appear to have no adverse effect on existing or future streets, water lines, sewer lines, law enforcement, zoning, or other municipal services; and,
2. the Request for Municipal Disconnection filed by Harwood and Giles (Exhibit B) is hereby approved.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council
this 10th day of July, 2011.

TOOELE CITY COUNCIL

(For)

(Against)

Scott Nason

Debra McCall

[Signature]

[Signature]

[Signature]

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

[Signature]

ATTEST:

Michelle Pitt
Michelle Pitt, City Recorder

SEAL

Approved as to Form:

[Signature]
Roger Baker, City Attorney

PETITION
REQUEST FOR MUNICIPAL DISCONNECTION

Pursuant to §10-2-501, Utah Code, the undersigned hereby petition the Tooele City legislative body to disconnect certain real property, as defined within this petition, from the municipal boundaries.

Reasons for disconnection:

1. Parcels proposed for disconnection are on the northern municipal boundary and are separated by a future county roadway called the "Parkway"; and
2. The new parcels were created due to the result of a realignment of the "Parkway"; and
3. The parcels once disconnected would not create an island, peninsula, or the like, creating a break in Tooele City's municipal boundary; and
4. Disconnecting the parcels (Disconnect 1 & 2) would allow the remaining parcels (See Exhibit A) owned by the property owners to be placed under one jurisdictional authority simplifying its implementation, construction, and maintenance.

Parcel Numbers and Descriptions:

Disconnect 1: 02-141-0-0030 (See Exhibit B1 & B2)

Disconnect 2: 02-141-0-0032 (See Exhibit C1 & C2)

Plat Map Provided:

A plat map and aerial map have been included identifying the proposed parcels for disconnection (Exhibit D & F).

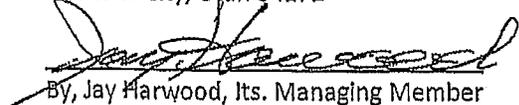
Designated Person with Authority to Act on Behalf of the Petitioners:

The Undersigned hereby designate the following individuals to act on behalf of all the owners signing this petition for the purposes of this petition.

Jay Harwood
1515 West 2200 S., Ste. C
Salt Lake City, UT 84119
801-580-4113

Property Owners within the petitioned area:

Cimmarron Investments, LLC
P.O. Box 711820
Salt Lake City, Utah 84171


By, Jay Harwood, Its. Managing Member

John K. Giles
224 East Cimmarron Way
Erda, Utah 84074

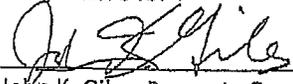

John K. Giles, Property Owner

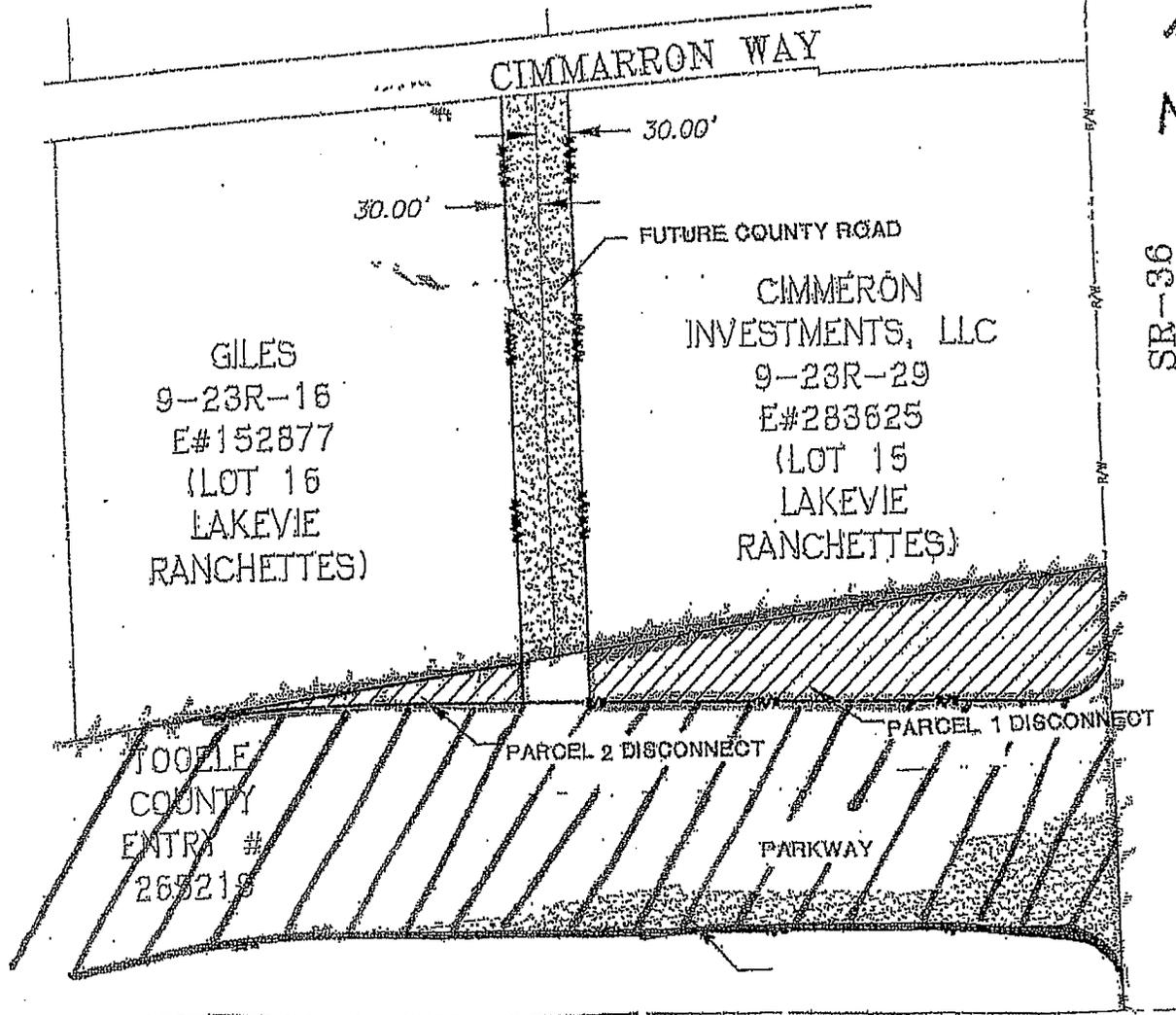
EXHIBIT A

SR 36/3400 N INTERSECTION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 4 &
THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN

S89°41'08"W
68.88'

FOI
COI
9.8
NO.
OF



TOOELE CITY BOUNDARY

EXHIBIT 'B-1'

Being a portion of the Tooele County right of way recorded as Entry No. 265219, Tooele County Recorder's office, located in the Northeast Quarter of Section 4 Township 3 South, Range 4 West, Salt Lake Base and Meridian, County of Tooele, State of Utah, being described as follows:

COMMENCING at the Northeast Corner of said Section 4, said corner bears NORTH 89°39'20" EAST 9.83 feet from a found Tooele County Witness Monument for said Northeast Corner; thence SOUTH 89°41'08" WEST 68.88 feet to a highway right of way marker on the westerly right of way of SR-36; thence along said right of way, SOUTH 00°25'13" EAST 975.44 feet to the intersection of said right of way with the north line of said Tooele County right of way, being the southeast corner of Lot 15 of the Lakeview Ranchettes Subdivision as recorded in the Tooele County Recorder's office, the **POINT OF BEGINNING**; thence along said Westerly right-of-way SOUTH 00°25'13" EAST 67.60 feet; thence along a tangent curve to the right, having a radius of 50.00 feet through a central angle of 91°25'00" an arc distance of 79.78 feet; thence NORTH 89°00'14" WEST 409.94 feet; thence NORTH 00°28'03" WEST 45.27 feet to the northerly line of said county right of way; thence along said northerly line NORTH 81°53'39" EAST 465.26 feet to the **POINT OF BEGINNING**.

Contains 37,269 square feet or 0.856 acres

The Basis of Bearing for this description is the bearing of SOUTH 00°25'43" EAST between the East Quarter Corner and Northeast Corner of said Section 4.

The attached exhibit drawing (Exhibit 'B-2') is made a part hereof and is to be recorded with this description.

This real property description has been prepared at Ward Engineering Group, by me or under my direction, in conformance with the laws of the State of Utah.

Bryan D. Westover
PLS 6638145

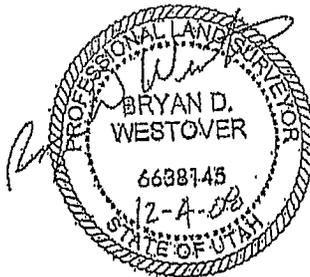
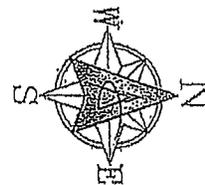


EXHIBIT "B-2"



GRAPHIC SCALE



(IN FEET)
1 Inch = 100 Ft.

NOTES:

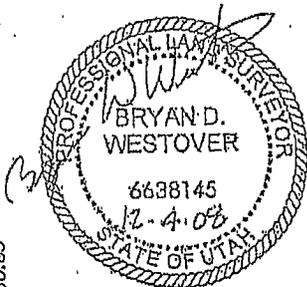
1) THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. ANY ERRORS OR OMISSIONS SHALL NOT EFFECT THE DEED DESCRIPTION.

2) THIS EXHIBIT IS TO BE ATTACHED TO AND MADE APART OF THE WRITTEN DESCRIPTION.

TOOELE COUNTY ENTRY # 265219

GILES 9-23R-16 E#152877 (LOT 16 LAKEVIEW RANCHETTES SUBDIVISION)

BLUEWATER CO. LLC 9-23R-29 E#272665



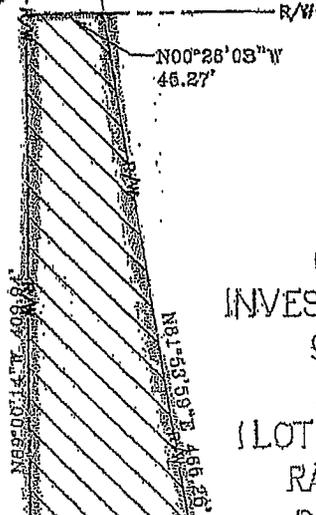
FOUND WITNESS CORNER N89°41'27"E 30.65' FROM THE EAST QUARTER CORNER OF S.4, T3S, R4W

SR-36

$\Delta = 91^{\circ}25'00''$
R = 50.00
L = 79.78

BASIS OF BEARING
S00°25'43"E 2850.59' (R)

CIMMERON INVESTMENTS, LLC 9-23R-29 E#283625 (LOT 15 LAKEVIEW RANCHETTES SUBDIVISION)



S00°25'18"E 975.44'

FOUND WITNESS CORNER S89°39'20"W 9.83' FROM THE NORTHEAST CORNER OF S.4, T3S, R4W

DRAWN BY: JEM
DESIGN BY: JEM
CHECKED BY: JEM
DATE: 12/8/08

ELUCHE Jay Headhead
9902 Laurel Road, Suite 100
200 West PAC-017



Ward Engineering Group
Planning • Engineering • Surveying
Salt Lake City Office
231 West 800 South, Suite A
Salt Lake City, Utah 84119
801-487-5449
801-487-5248

LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, T3S, R4W SALT LAKE BASE AND MERIDIAN

SHEET: 1 OF 1

EXHIBIT 'C-1'

Being a portion of a Tooele County right of way recorded as Entry No. 265219, Tooele County Recorder's Office, located in the Northeast Quarter of Section 4 Township 3 South, Range 4 West, Salt Lake Base and Meridian, County of Tooele, State of Utah, being described as follows:

COMMENCING at the Northeast Corner of said Section 4, said corner bears NORTH 89°39'20" EAST 9.83 feet from a found Tooele County Witness Monument for said Northeast Corner; thence SOUTH 89°41'08" WEST 68.88 feet to a highway right of way marker on the westerly right of way of SR-36; thence along said right of way, SOUTH 00°25'13" EAST 975.44 feet to the intersection of said right of way with the north line of said Tooele County right of way; thence along said north right of way SOUTH 81°53'59" WEST 525.79 feet to a point SOUTH 81°53'59" WEST 30.27 feet from the southeast corner of Lot 16 of the Lakeview Ranchettes Subdivision as recorded in the Tooele County Recorder's office, the **POINT OF BEGINNING**; thence SOUTH 00°28'03" EAST 35.70 feet; thence NORTH 89°00'14" WEST 108.14 feet; thence along a tangent curve to the left having a radius of 1454.00 feet through a central angle of 09°05'47" an arc distance of 230.84 feet to said north right of way; thence along said right of way NORTH 81°53'59" EAST 341.40 feet to the **POINT OF BEGINNING**.

Contains 4,347 square feet or 0.100 acres

The Basis of Bearing for this description is the bearing of SOUTH 00°25'43" EAST between the East Quarter Corner and Northeast Corner of said Section 4.

The attached exhibit drawing (Exhibit 'C-2') is made a part hereof and is to be recorded with this description.

This real property description has been prepared at Ward Engineering Group, by me or under my direction, in conformance with the laws of the State of Utah.

Bryan D. Westover
PLS-6638145

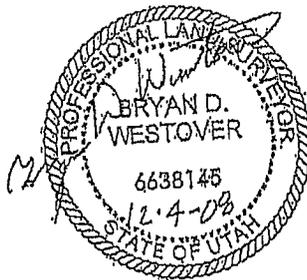
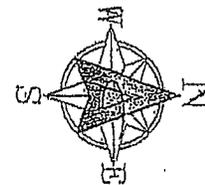
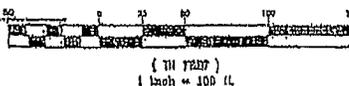


EXHIBIT "C-2"



GRAPHIC SCALE



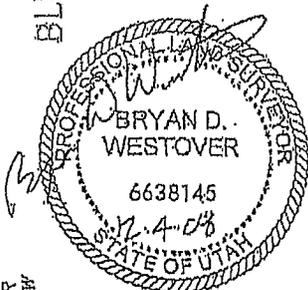
NOTES:

- 1) THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. ANY ERRORS OR OMISSIONS SHALL NOT EFFECT THE DEED DESCRIPTION.
- 2) THIS EXHIBIT IS TO BE ATTACHED TO AND MADE APART OF THE WRITTEN DESCRIPTION.

TOOELE COUNTY
ENTRY #
265219

GILES
9-23R-16
E#152877
(LOT 16 LAKEVIEW
RANCHETTES
SUBDIVISION)

BLUEWATER CO. LLC
9-23R-29
E#272655



FOUND WITNESS
CORNER N89°41'27"E 30.65'
FROM THE EAST
QUARTER CORNER
OF S.4. T3S. R4W

PROPOSED
RIGHT-OF-WAY

EXISTING
RIGHT-OF-WAY

P.O.H.

S00°28'08"E
36.70'

S01°50'59"W
30.27'

CIMMERON
INVESTMENTS, LLC
9-23R-29
E#283625
(LOT 15 LAKEVIEW
RANCHETTES
SUBDIVISION)

S00°25'13"E 976.44'

S89°41'08"W
68.88'

SR-36

BASIS OF BEARING
S00°26'45"E 2560.59' (R)

FOUND WITNESS CORNER S89°39'20"W
9.83' FROM THE NORTHEAST CORNER
OF S.4. T3S. R4W

DRAWN BY: JAI
CHECKED BY: JAI
DATE: 12/11/11

OWNER: Bluewater Co. LLC
PROJECT: SR-36
DATE: 12/11/11



Ward Engineering Group
Planning • Engineering • Surveying

341 Lake City Office
231 West 800 South, Suite 202
Salt Lake City, Utah 84119
Tel: (313) 447-6911
Fax: (313) 447-4728

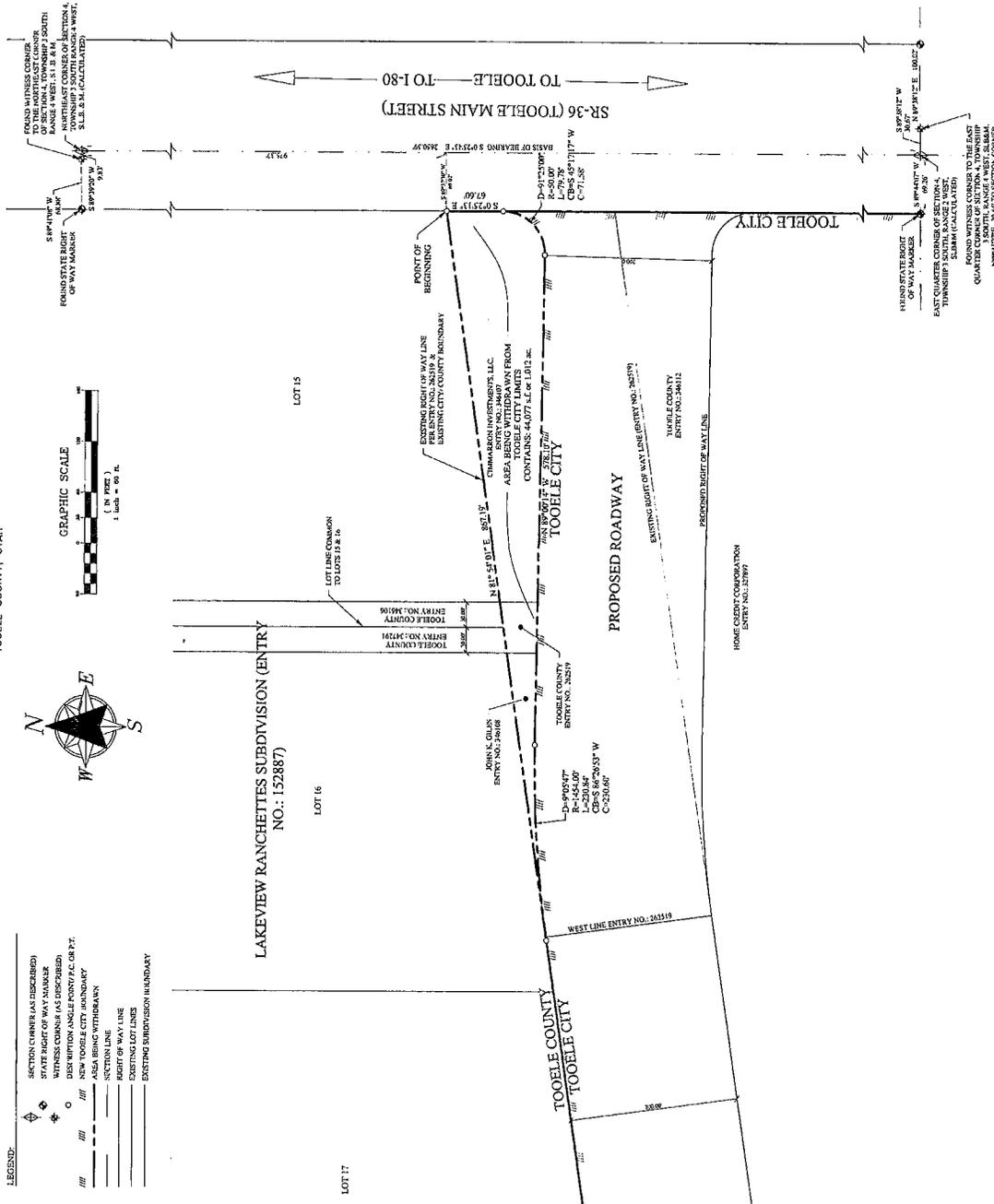
LOCATED IN THE NORTHEAST QUARTER OF
SECTION 4, T3S. R4W
SALT LAKE BASE AND MERIDIAN

SHEET
1 OF 1

CIMMARRON INVESTMENTS WITHDRAWAL

WITHDRAWING A PORTION OF LAND FROM TOOELE CITY CORPORATE LIMITS
SITUATE IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH,
RANGE 4 WEST, SALT LAKE MERIDIAN,
TOOELE COUNTY, UTAH

- LEGEND:
- SECTION CORNER (AS DESCRIBED)
 - STATE SURVEY MARK (AS DESCRIBED)
 - WITNESS CORNER (AS DESCRIBED)
 - DESK WITH AN ANGLE POINT (A OR B)
 - NEW TOOELE CITY BOUNDARY
 - AREA BEING WITHDRAWN
 - SECTION LINE
 - WAY LINE
 - EXISTING ROADWAY
 - EXISTING SUBDIVISION BOUNDARY



SURVEYOR'S CERTIFICATE

I, DENNIS K. WITHERS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, HOLDING LICENSE NUMBER 6330, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYING ACT, CHAPTER 36, UTAH CODE ANNOTATED.

1" = 1" = 4'

Dennis K. WITHERS
DENNIS K. WITHERS, P.E.
UTAH LICENSE NO.: 6330

LEGAL DESCRIPTION (BEING WITHDRAWN FROM TOOELE CITY)

A parcel of land situated in the Northeast Quarter of Section 4, Township 3 South, Range 4 West, Salt Lake Meridian, located in Tooele County, State of Utah, containing approximately 14.077 Acres, more or less, as shown on the attached plat. The parcel is bounded on the north by the Tooele City boundary, on the east by the Tooele City boundary, on the south by the Tooele City boundary, and on the west by the Tooele City boundary. The parcel is situated in the Northeast Quarter of Section 4, Township 3 South, Range 4 West, Salt Lake Meridian, located in Tooele County, State of Utah, containing approximately 14.077 Acres, more or less, as shown on the attached plat. The parcel is bounded on the north by the Tooele City boundary, on the east by the Tooele City boundary, on the south by the Tooele City boundary, and on the west by the Tooele City boundary.

ACCEPTANCE BY THE LEGISLATIVE BODY

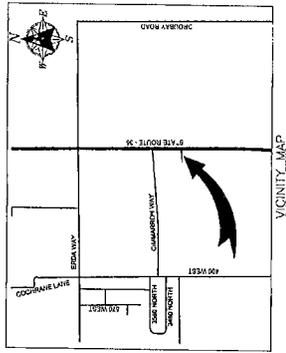
THIS IS TO CERTIFY THAT THE UNDERSIGNED TOOELE CITY COUNCIL HAVE ADOPTED A RESOLUTION OF THIS DATE TO APPROVE THE WITHDRAWAL OF THE ABOVE DESCRIBED PORTION OF LAND FROM THE TOOELE CITY CORPORATE LIMITS. A COPY OF THE ORDINANCE HAS BEEN FILED WITH THE CLERK OF THE TOOELE CITY COUNCIL AND A COPY OF THE ORDINANCE HAS BEEN FORWARDED TO THE CLERK OF THE UTAH STATE LEGISLATURE. THE WITHDRAWAL OF THE ABOVE DESCRIBED PORTION OF LAND FROM THE TOOELE CITY CORPORATE LIMITS IS HEREBY APPROVED AND ACCEPTED. THE WITHDRAWAL OF THE ABOVE DESCRIBED PORTION OF LAND FROM THE TOOELE CITY CORPORATE LIMITS IS HEREBY APPROVED AND ACCEPTED.

CIMMARRON INVESTMENTS WITHDRAWAL

[Signature]
CITY MANAGER

GENERAL NOTES

1. THIS MAP WAS PREPARED BASED UPON RECORD INFORMATION, TOGETHER WITH INFORMATION WITHIN OUR OFFICE. NO FIELD WORK WAS CONDUCTED AS PART OF THE PREPARATION OF THIS MAP.
2. THE BASIS OF BEARING FOR THIS MAP IS SOUTH BY WEST EAST ALONG THE CALCULATED SECTION LINE, FROM THE INTERSECTION OF THE CALCULATED SECTION LINE AND THE CALCULATED SECTION LINE.
3. WEST SALT LAKE BASE AND MERIDIAN. POINT CORNER OF RECORD PREPARED BY WARD ENGINEERING GROUP AS ENTRY NO. 30251, AND AS SHOWN HEREON.



CIMMARRON INVESTMENTS WITHDRAWAL
WITHDRAWING A PORTION OF LAND FROM TOOELE CITY CORPORATE LIMITS
SITUATE IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH,
RANGE 4 WEST, SALT LAKE BASE & MERIDIAN,
TOOELE COUNTY, UTAH

TOOELE CITY ENGINEER
APPROVED THIS 02ND DAY OF _____, A.D., BY _____, TOOELE COUNTY SURVEYOR
RECORD OF SURVEY REF # _____
TOOELE COUNTY SURVEYOR

TOOELE CITY ATTORNEY
APPROVED AS TO FORM ON THIS 2ND DAY OF _____, A.D. BY _____, TOOELE CITY ATTORNEY
TOOELE CITY ATTORNEY

TOOELE CITY PLANNING COMMISSION
APPROVED AS TO FORM ON THIS 2ND DAY OF _____, A.D. BY _____, TOOELE CITY PLANNING COMMISSION
TOOELE CITY PLANNING COMMISSION

TOOELE COUNTY SURVEYOR
APPROVED THIS 02ND DAY OF _____, A.D. BY _____, TOOELE COUNTY SURVEYOR
RECORD OF SURVEY REF # _____
TOOELE COUNTY SURVEYOR

TOOELE COUNTY RECORDER
NO. _____
STATUTORY COUNTY OF TOOELE, UTAH
DATE _____ TIME _____
FELS _____ TOOELE COUNTY RECORDER

FINAL LOCAL ENTRY PLAT
TOOELE COUNTY, UTAH
JESSE LASSLEY
CLERK

Ward Engineering Group
1375 South Third Street, Suite 100, Provo, UT 84601
Phone: (801) 433-8800
Fax: (801) 433-8800
www.wardeng.com

DATE: _____ BY: _____
SCALE: _____
REVISIONS: