

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  
NORTH OGDEN CITY, dated October 11<sup>th</sup>, 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 NORTH OGDEN CITY, located  
in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have  
hereunto set my hand, and affixed the Great  
Seal of the State of Utah this 17<sup>th</sup> day of  
November, 2011 at Salt Lake City, Utah.

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GREG BELL  
Lieutenant Governor

**ORDINANCE NO. 2011-19**

**AN ORDINANCE DECLARING THE ANNEXATION OF TERRITORY TO THE MUNICIPALITY OF NORTH OGDEN CITY. THE PROPERTY IS TWO PARCELS TOTALING 40.61 ACRES OWNED BY DOUBLE OTT RANCH, LLC A UTAH LIMITED LIABILITY COMPANY AND ROB AND MARION CHAMBERS LOCATED AT APPROXIMATELY 175 EAST 2550 N, NORTH OGDEN.**

**WHEREAS,** Double Ott Ranch, LLC and Rob and Marion Chambers own property located within the North Ogden City annexation policy plan; and

**WHEREAS,** Double Ott Ranch, LLC and Rob and Marion Chambers desire to have their property annexed into the corporate limits of North Ogden City; and

**WHEREAS,** Double Ott Ranch, LLC submitted a petition with an accurate plat or map of the territory to be annexed prepared under the supervision of the city engineer or a competent surveyor and certified by the engineer or surveyor; and

**WHEREAS,** Double Ott Ranch, LLC and Rob and Marion Chambers own the land petitioned to be annexed into the City; and

**WHEREAS,** The Chairman of the planning commission of the township where Double Ott Ranch, LLC and Rob and Marion Chambers' property is located has been notified of this annexation petition and has recommended to the City Council that it be annexed; and

**WHEREAS,** The Weber County Clerk/Auditor was notified on July 28, 2011 of the Double Ott Ranch, LLC annexation petition;

**IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF NORTH OGDEN CITY:**

**SECTION 1. TERRITORY ANNEXED.** The following territory, legally described as follows, is hereby annexed into the corporate limits of North Ogden City, Utah:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER, SOUTHEAST QUARTER, SOUTHWEST QUARTER AND NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, AND A PART OF LOTS 50, 51, 52 AND 53, PLAT B, NORTH OGDEN SURVEY, WEBER COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE WEST BOUNDARY LINE OF THE RANCHES SUBDIVISION PHASE 1, NORTH OGDEN, WEBER COUNTY, UTAH

SURVEY ALSO BEING A POINT ON THE NORTH OGDEN CITY CORPORATE BOUNDARY LINE LOCATED SOUTH 89°55'37" EAST 383.28 FEET ALONG SAID SOUTH LINE FROM THE CENTER OF SAID SECTION 32 BEING A WEBER COUNTY BRASS CAP MONUMENT; RUNNING THENCE SOUTH 01°09'36" WEST 276.78 FEET ALONG SAID WEST BOUNDARY LINE OF THE RANCHES SUBDIVISION PHASE 1 AND SAID NORTH OGDEN CITY CORPORATE BOUNDARY LINE TO THE SOUTHWEST CORNER OF THE RANCHES SUBDIVISION PHASE 1 BEING A POINT ON THE NORTH BOUNDARY LINE OF ANTHONY J. BOWN PROPERTY ENTRY NO. 1394383 IN BOOK 1796 AT PAGE 2895 AS DESCRIBED IN THE RECORDS OF THE WEBER COUNTY RECORDER; THENCE NORTH 88°55'51" WEST 715.89 FEET ALONG SAID NORTH BOUNDARY LINE TO AN EXISTING FENCE LINE BEING A POINT ON THE EAST BOUNDARY LINE OF JED McCORMICK PROPERTY ENTRY NO. 1778019 IN BOOK 2148 AT PAGE 21 AS DESCRIBED IN THE RECORDS OF THE WEBER COUNTY RECORDER; THENCE ALONG SAID JED McCORMICK BOUNDARY LINE THE FOLLOWING THREE COURSES; (1) NORTH 01°47'31" WEST (NORTH 02°21'30" WEST BY RECORD) 382.58 FEET ALONG SAID FENCE LINE; (2) NORTH 01°06'01" WEST 271.88 FEET (NORTH 01°40' WEST 270.10 FEET BY RECORD) ALONG SAID FENCE LINE TO A POINT ON THE PROJECTION OF THE SOUTH BOUNDARY LINE OF NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 4, HARRISVILLE CITY, WEBER COUNTY, UTAH SURVEY; AND (3) NORTH 88°54'16" WEST 233.67 FEET (NORTH 89°09'33" WEST 174.59 FEET BY RECORD) ALONG SAID SOUTH BOUNDARY LINE PROJECTION TO THE SOUTHEAST CORNER OF SAID NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 4 BEING A POINT ON THE HARRISVILLE CITY CORPORATE BOUNDARY LINE; THENCE ALONG THE EAST BOUNDARY LINE OF SAID NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 4 THEN THE NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 5 AND THEN THE GEORGIAN AT COLONIAL SPRINGS A CONDOMINIUM PLAT AND SAID HARRISVILLE CITY CORPORATE BOUNDARY LINE NORTH 02°06'45" EAST 1332.21 FEET (1350.51 FEET BY RECORD) TO THE SOUTH RIGHT-OF-WAY LINE OF 2550 NORTH STREET BEING ON THE NORTH OGDEN CITY CORPORATE BOUNDARY LINE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE AND SAID NORTH OGDEN CITY CORPORATE BOUNDARY LINE THE FOLLOWING TWO (2) COURSES; (1) SOUTH 89°06'35" EAST 166.13 FEET ON THE PROJECTION OF SAID SOUTH RIGHT-OF-WAY LINE AS SHOWN ON SAID THE GEORGIAN AT COLONIAL SPRINGS A CONDOMINIUM PLAT; (2) SOUTH 88°46'54" EAST 791.71 FEET ON THE PROJECTION OF SAID SOUTH RIGHT-OF-WAY LINE AS SHOWN ON SAID THE RANCHES SUBDIVISION PHASE 1 TO THE NORTHEAST CORNER OF THE ROB CHAMBERS' PROPERTY ENTRY NO. 1755666 IN BOOK 2120 AT PAGE 2465 AS DESCRIBED IN THE RECORDS OF THE WEBER COUNTY RECORDER, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID THE RANCHES SUBDIVISION PHASE 1 AND ALSO BEING A POINT ON SAID NORTH OGDEN CITY CORPORATE BOUNDARY LINE; THENCE SOUTH 01°09'36" WEST 1707.57 FEET ALONG SAID RANCHES SUBDIVISION PHASE 1 WEST BOUNDARY LINE AND SAID NORTH OGDEN CITY CORPORATE

BOUNDARY LINE TO THE POINT OF BEGINNING. INCLUDES PARCELS WITH TAX IDENTIFICATION NUMBERS 180560060 AND 180560056.

CONTAINING 40.61 ACRES.

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 87°39'06" WEST UTAH NORTH NAD 83 STATE PLANE GRID BEARING.

**SECTION 2. Zoning Classification:**

All the area being annexed is zoned RE -20.

**SECTION 3. Effective date:**

This ordinance shall take effect upon the recording of the Annexation plat.

**PASSED AND ADOPTED** this 11<sup>th</sup> day of October, 2011.

FOR NORTH OGDEN CITY

*Richard G. Harris*  
Richard G. Harris, Mayor

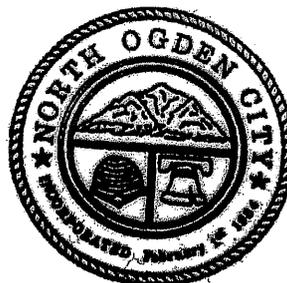
**CITY COUNCIL VOTE AS RECORDED:**

Council Member Bigler:  
Council Member Flamm:  
Council Member Harris:  
Council Member Hulme:  
Council Member Turner:  
(In event of a tie vote of the Council):  
Mayor Harris:

	Aye	Nay
	✓	—
	✓	—
	✓	—
	✓	—
	✓	—
	✓	—

**ATTEST:**

*S. Annette Spendlove*  
S. Annette Spendlove, MMC  
City Recorder



**SURVEYOR'S CERTIFICATE**  
 I, K. GREG HANSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT AND THAT I HOLD CERTIFICATE NO. 167819 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO NORTH OGDEN CITY, WEBER COUNTY, UTAH.

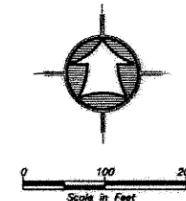
**ANNEXATION BOUNDARY DESCRIPTION**  
 A TRACT OF LAND SITUATE IN THE NORTHEAST QUARTER, SOUTHWEST QUARTER AND NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, AND A PART OF LOTS 50, 51, 52 AND 53, PLAT B, NORTH OGDEN SURVEY, WEBER COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE WEST BOUNDARY LINE OF THE RANCHES SUBDIVISION PHASE 1, NORTH OGDEN, WEBER COUNTY, UTAH SURVEY ALSO BEING A POINT ON THE NORTH OGDEN CITY CORPORATE BOUNDARY LINE LOCATED SOUTH 89°55'37" EAST 383.28 FEET ALONG SAID SOUTH LINE FROM THE CENTER OF SAID SECTION 32 BEING A WEBER COUNTY BRASS CAP MONUMENT; RUNNING THENCE SOUTH 01°09'36" WEST 276.78 FEET ALONG SAID WEST BOUNDARY LINE OF THE RANCHES SUBDIVISION PHASE 1 AND SAID NORTH OGDEN CITY CORPORATE BOUNDARY LINE TO THE SOUTHWEST CORNER OF THE RANCHES SUBDIVISION PHASE 1 BEING A POINT ON THE NORTH BOUNDARY LINE OF ANTHONY J. BOWN PROPERTY ENTRY NO. 1334363 IN BOOK 1795 AT PAGE 2895 AS DESCRIBED IN THE RECORDS OF THE WEBER COUNTY RECORDER; THENCE NORTH 88°55'51" WEST 715.89 FEET ALONG SAID NORTH BOUNDARY LINE TO AN EXISTING FENCE LINE BEING A POINT ON THE EAST BOUNDARY LINE OF JED MCCORMICK PROPERTY ENTRY NO. 1778019 IN BOOK 2148 AT PAGE 21 AS DESCRIBED IN THE RECORDS OF THE WEBER COUNTY RECORDER; THENCE ALONG SAID JED MCCORMICK BOUNDARY LINE THE FOLLOWING THREE COURSES; (1) NORTH 01°47'31" WEST (NORTH 02°21'30" WEST BY RECORD) 382.58 FEET ALONG SAID FENCE LINE; (2) NORTH 01°06'01" WEST 271.88 FEET (NORTH 01°40' WEST 270.10 FEET BY RECORD) ALONG SAID FENCE LINE TO A POINT ON THE PROJECTION OF THE SOUTH BOUNDARY LINE OF NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 4; HARRISVILLE CITY, WEBER COUNTY, UTAH SURVEY; AND (3) NORTH 88°54'16" WEST 233.67 FEET (NORTH 89°08'33" WEST 174.59 FEET BY RECORD) ALONG SAID SOUTH BOUNDARY LINE PROJECTION TO THE SOUTHWEST CORNER OF SAID NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 4 BEING A POINT ON THE HARRISVILLE CITY CORPORATE BOUNDARY LINE; THENCE ALONG THE EAST BOUNDARY LINE OF SAID NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 4 THEN THE NEW TOWNE SQUARE AT COLONIAL SPRINGS S.A.P. PHASE 5 AND THEN THE GEORGIAN AT COLONIAL SPRINGS A CONDOMINIUM PLAT AND SAID HARRISVILLE CITY CORPORATE BOUNDARY LINE NORTH 02°06'45" EAST 1332.21 FEET (1350.51 FEET BY RECORD) TO THE SOUTH RIGHT-OF-WAY LINE OF 2550 NORTH STREET BEING ON THE NORTH OGDEN CITY CORPORATE BOUNDARY LINE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE AND SAID NORTH OGDEN CITY CORPORATE BOUNDARY LINE THE FOLLOWING TWO (2) COURSES; (1) SOUTH 89°08'35" EAST 186.13 FEET ON THE PROJECTION OF SAID SOUTH RIGHT-OF-WAY LINE AS SHOWN ON SAID THE GEORGIAN AT COLONIAL SPRINGS A CONDOMINIUM PLAT; (2) SOUTH 88°46'54" EAST 291.71 FEET ON THE PROJECTION OF SAID SOUTH RIGHT-OF-WAY LINE AS SHOWN ON SAID THE RANCHES SUBDIVISION PHASE 1 TO THE NORTHEAST CORNER OF THE ROB CHAMBER'S PROPERTY ENTRY NO. 1755666 IN BOOK 2120 AT PAGE 2465 AS DESCRIBED IN THE RECORDS OF THE WEBER COUNTY RECORDER, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID THE RANCHES SUBDIVISION PHASE 1 AND ALSO BEING A POINT ON SAID NORTH OGDEN CITY CORPORATE BOUNDARY LINE; THENCE SOUTH 01°09'36" WEST 1707.57 FEET ALONG SAID RANCHES SUBDIVISION PHASE 1 WEST BOUNDARY LINE AND SAID NORTH OGDEN CITY CORPORATE BOUNDARY LINE TO THE POINT OF BEGINNING. CONTAINING 40.61 ACRES.

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 87°39'06" WEST UTAH NORTH NAD 83 STATE PLANE GRID BEARING.

STATE OF UTAH )  
 COUNTY OF WEBER ) ss  
 I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE DOCUMENT THAT APPEARS ON FILE IN MY OFFICE.  
 WITNESS MY HAND AND SEAL  
 THIS 3<sup>RD</sup> DAY OF NOVEMBER 2011  
 ERNEST D. ROWLEY, WEBER COUNTY SURVEYOR  
 BY *[Signature]* DEPUTY

- LEGEND:**
- SUBJECT PROPERTY LINE
  - ADJOINER PROPERTY LINE
  - CENTERLINE
  - FENCE LINE
  - SECTION CORNER
  - EXISTING CITY LIMITS
  - PROPOSED CORPORATE BOUNDARY
  - SET 5/8" REBAR W/ CAP
  - FOUND REBAR AND CAP



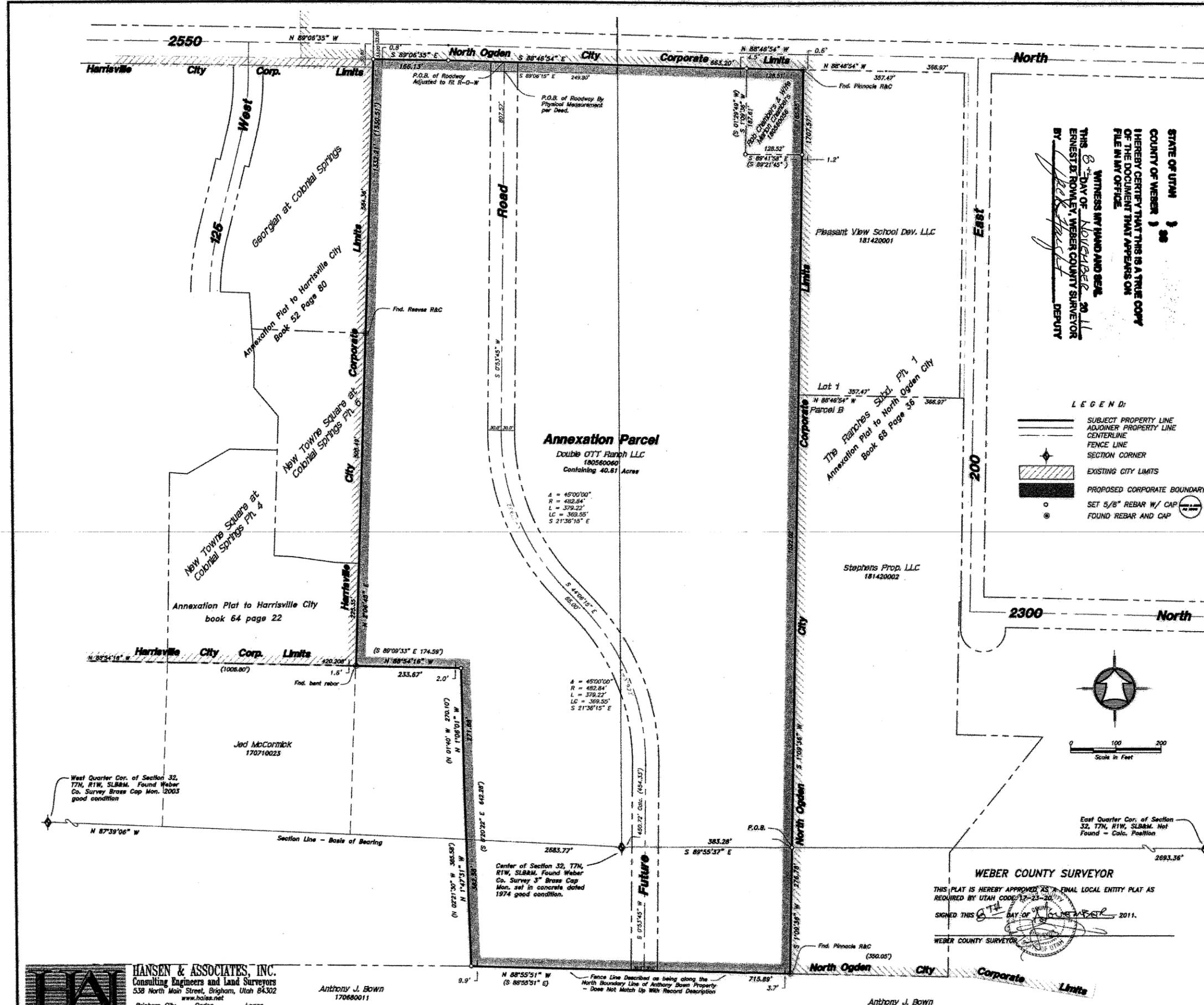
SIGNATURE: *[Signature]* DATE: OCTOBER 6, 2011

**ACCEPTANCE BY LEGISLATIVE BODY**  
 THIS IS TO CERTIFY THAT WE, THE CITY COUNCIL OF NORTH OGDEN CITY, WEBER COUNTY, UTAH HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS AND THE OWNERS OF AT LEAST ONE THIRD IN VALUE OF REAL PROPERTY SHOWN, REQUESTING THAT SAID AREAS BE ANNEXED TO THE CITY OF NORTH OGDEN, UTAH AND THAT A COPY OF THE ORDINANCE OR RESOLUTION HAS BEEN PREPARED FOR FILING HERewith IN ACCORDANCE WITH THE PROVISIONS OF UTAH CODE ANNOTATED SEC. 10-2-426 AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE AREAS AS SHOWN ON THIS FINAL LOCAL ENTITY PLAT AS PART OF SAID CITY.

WITNESS MY HAND AND OFFICIAL SEAL THIS 3<sup>RD</sup> DAY OF NOVEMBER 2011  
 APPROVED: *[Signature]* S. Annette S. Annette, Mayor  
 CITY RECORDER

**ANNEXATION PLAT**  
**ORDINANCE NO. 2011-19**  
 PLAT OF ADDITION TO  
 THE CORPORATE LIMITS OF  
**NORTH OGDEN CITY WEBER COUNTY, UTAH**  
 AUGUST, 2011  
 A PART OF THE NORTHEAST QUARTER, SOUTHWEST QUARTER, SOUTHWEST QUARTER AND NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, AND A PART OF LOTS 50, 51, 52 AND 53, PLAT B, NORTH OGDEN SURVEY, WEBER COUNTY, UTAH

**WEBER COUNTY RECORDER**  
 Entry No. \_\_\_\_\_  
 Fee Paid: \_\_\_\_\_  
 Filed for Record and Recorded: \_\_\_\_\_ 2011.  
 At \_\_\_\_\_ In Book \_\_\_\_\_ of the Official Records,  
 Page \_\_\_\_\_  
 Recorded For: \_\_\_\_\_ TIME: \_\_\_\_\_  
 Weber County Recorder  
 Deputy



**HANSEN & ASSOCIATES, INC.**  
 Consulting Engineers and Land Surveyors  
 538 North Main Street, Brigham, Utah 84302  
 www.haia.net  
 Brigham City Ogden Logan  
 (435) 723-3481 (801) 389-4805 (435) 782-8272

Anthony J. Bown  
 170680011

Anthony J. Bown  
 170680011

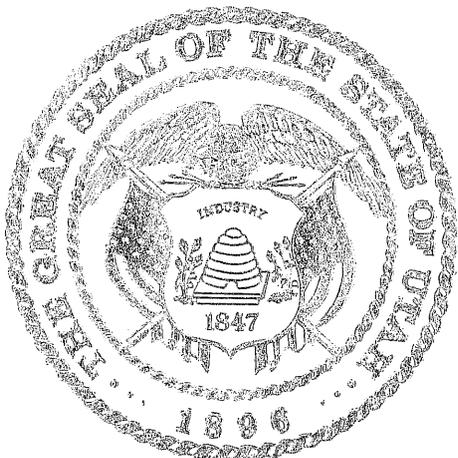
# STATE OF UTAH



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  
NORTH OGDEN CITY, dated December 14<sup>th</sup>, 2010, 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 NORTH OGDEN CITY, located  
in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have  
hereunto set my hand, and affixed the Great  
Seal of the State of Utah this 10<sup>th</sup> day of  
February, 2011 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "G Bell", written over a horizontal line.

GREG BELL  
Lieutenant Governor

**ORDINANCE NO. 2010-19**

**AN ORDINANCE DECLARING THE ANNEXATION OF TERRITORY TO THE MUNICIPALITY OF NORTH OGDEN CITY. THE PROPERTY IS TWO PARCELS TOTALING 5,380 SQ. FT., MORE OR LESS, OWNED BY STEVEN TOBIAS, HIGHLY PROFITABLE PROPERTIES AND DALE RINDLISBACHER, BACH SELF STORAGE AND IS LOCATED AT APPROXIMATELY 2197 N. 400 E.**

- WHEREAS,** Steven Tobias, Highly Profitable Properties and Dale Rindlisbacher, Bach Self Storage, own property within the North Ogden City limits; and
- WHEREAS,** Steven Tobias, Highly Profitable Properties and Dale Rindlisbacher, Bach Self Storage, desire to have their property annexed into the corporate limits of North Ogden City; and
- WHEREAS,** Steven Tobias, Highly Profitable Properties and Dale Rindlisbacher, Bach Self Storage, submitted a petition with an accurate plat or map of the territory to be annexed prepared under the supervision of the city engineer or a competent surveyor and certifies by the engineer or surveyor; and
- WHEREAS,** Steven Tobias, Highly Profitable Properties and Dale Rindlisbacher, Bach Self Storage, own the land petitioned to be annexed into the City; and
- WHEREAS,** The planning commission of the township where Steven Tobias, Highly Profitable Properties and Dale Rindlisbacher, Bach Self Storage, has been notified of this annexation petition; and recommend a C2 and MP1 zone.
- WHEREAS,** The Weber County Clerk/Auditor was notified on November 12, 2010 of the Steven Tobias, Highly Profitable Properties and Dale Rindlisbacher, Bach Self Storage, annexation petition;

**IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF NORTH CITY:**

**SECTION 1. TERRITORY ANNEXED.** The following legally described

**PARCEL 1**

**BACH SELF STORAGE NORTH OGDEN LLC (A PORTION OF LOT 1)**

**COPY**

THAT PORTION OF LOT 1 OF THE SENTINEL STORAGE SUBDIVISION IN THE CITY OF NORTH OGDEN, COUNTY OF WEBER, STATE OF UTAH, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 32, THENCE NORTH  $89^{\circ}55'37''$  WEST 622.09 FEET ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER TO THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD; THENCE SOUTH  $01^{\circ}09'29''$  WEST 395.83 FEET ALONG SAID RIGHT-OF-WAY; THENCE NORTH  $90^{\circ}00'00''$  WEST 223.94 FEET TO THE INTERSECTION OF THE CURRENT (SEPTEMBER 1, 2010) NORTH OGDEN CITY CORPORATION LINE AND THE BOUNDARY LINE COMMON TO LOTS 1 AND 2 OF SAID SENTINEL STORAGE SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH  $80^{\circ}56'54''$  EAST 7.40 FEET ALONG SAID CORPORATION LINE;

THENCE SOUTH  $03^{\circ}48'24''$  WEST 5.22 FEET CONTINUING ALONG SAID CORPORATION LINE;

THENCE NORTH  $47^{\circ}31'13''$  WEST 9.43 FEET ALONG SAID LINE COMMON TO LOTS 1 AND 2 TO THE POINT OF BEGINNING;

CONTAINING: 19 SQ. FT., MORE OR LESS.

## **PARCEL 2**

### **HIGHLY PROFITABLE PROPERTIES (A PORTION OF LOT 2)**

THAT PORTION OF LOT 2 OF THE SENTINEL STORAGE SUBDIVISION IN THE CITY OF NORTH OGDEN, COUNTY OF WEBER, STATE OF UTAH, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 32, THENCE NORTH  $89^{\circ}55'37''$  WEST 622.09 FEET ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER TO THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD; THENCE SOUTH  $01^{\circ}09'29''$  WEST 394.43 FEET ALONG SAID RIGHT-OF-WAY; THENCE NORTH  $90^{\circ}00'00''$  WEST 232.74 FEET TO THE WESTERLY MOST CORNER COMMON TO LOTS 1 AND 2 OF SAID SENTINEL STORAGE SUBDIVISION AND THE POINT OF BEGINNING;

THENCE SOUTH  $80^{\circ}56'54''$  EAST 8.88 FEET ALONG THE CURRENT NORTH OGDEN CITY CORPORATION LINE;

THENCE SOUTH  $47^{\circ}31'13''$  EAST 9.43 FEET ALONG THE BOUNDARY LINE COMMON TO LOTS 1 AND 2 OF SAID SENTINEL STORAGE SUBDIVISION;

THENCE SOUTH  $03^{\circ}48'24''$  WEST 53.61 FEET ALONG SAID CORPORATION LINE;

THENCE SOUTH  $89^{\circ}06'21''$  EAST 18.60 FEET CONTINUING ALONG SAID CORPORATION LINE;

THENCE SOUTH 00°53'39" WEST 128.05 FEET CONTINUING ALONG SAID CORPORATION LINE;  
TO THE SOUTHERLY LINE OF SAID LOT 2;

THENCE NORTH 69°22'12" WEST 41.13 FEET ALONG SAID SOUTHERLY LINE TO A  
SOUTHWESTERLY CORNER OF SAID LOT 2;

THENCE NORTH 03°10'41" EAST 175.37 FEET ALONG THE WESTERLY LINE OF LOT 2 TO THE  
POINT OF BEGINNING;

CONTAINING: 5,361 SQ. FT., MORE OR LESS.

**SECTION 2. Zoning Classification:**

All the area being annexed is zoned C2 and MP1.

**SECTION 3. Effective date:**

This ordinance shall take effect upon the recording of the  
Annexation plat.

**COPY**

**PASSED AND ADOPTED** this 14<sup>th</sup> day of December, 2010.

**FOR NORTH OGDEN CITY:**

  
Richard G. Harris, Mayor

**CITY COUNCIL VOTE AS RECORDED:**

	Aye	Nay
<b>Council Member Bigler:</b>	<u>X</u>	___
<b>Council Member Flamm:</b>	<u>X</u>	___
<b>Council Member Harris:</b>	<u>X</u>	___
<b>Council Member Taylor:</b>	<u>X</u>	___

Council Member Turner:   X   \_\_\_\_\_

(In the event of a tie vote of the Council):

Mayor Harris: \_\_\_\_\_

ATTEST:

  
*S. Annette Spendlove*

\_\_\_\_\_  
S. Annette Spendlove, CMC  
City Recorder

Each petition must be accompanied by:

- (7) accurate Plat Maps - Paper 11x17, prepared and stamped by a certified surveyor.
- Electronic legal description and the PDF Map of the property being considered emailed to aspendlove@northogdencity.com
- Proper signatures of all owners of the proposed annexation.
- Copy of receipt of payment to the Weber County Surveyor showing a 11x17 paper map has been submitted to him.
- \$200.00 deposit required. (You will be assessed a fee for the cost of the publication & engineering fees before final approval.)
- Designated contact person. Steve Tobias 801-381-9103  
(Please print and phone number)
- Alta title report.

Requested zone. 19 sq ft of Lot 1 zoned MP-1 ; 5361 sq. ft of Lot 2 (Retail PAD) C-2 zone

Signatures and date of all petitioners:

Highly Profitable Properties LLC  
by: Steven D Tobias Sept 2, 2010 801-381-9103

Bach Self Storage North Ogden Utah, LLC  
by: Dale Rindfleisch 9-2-2010

PLEASE NOTE THAT AN ANNEXATION TAKES APPROXIMATELY 3 MONTHS AFTER ALL DOCUMENTATION IS RECEIVED.

Date received with all proper documents Oct. 12, 2010

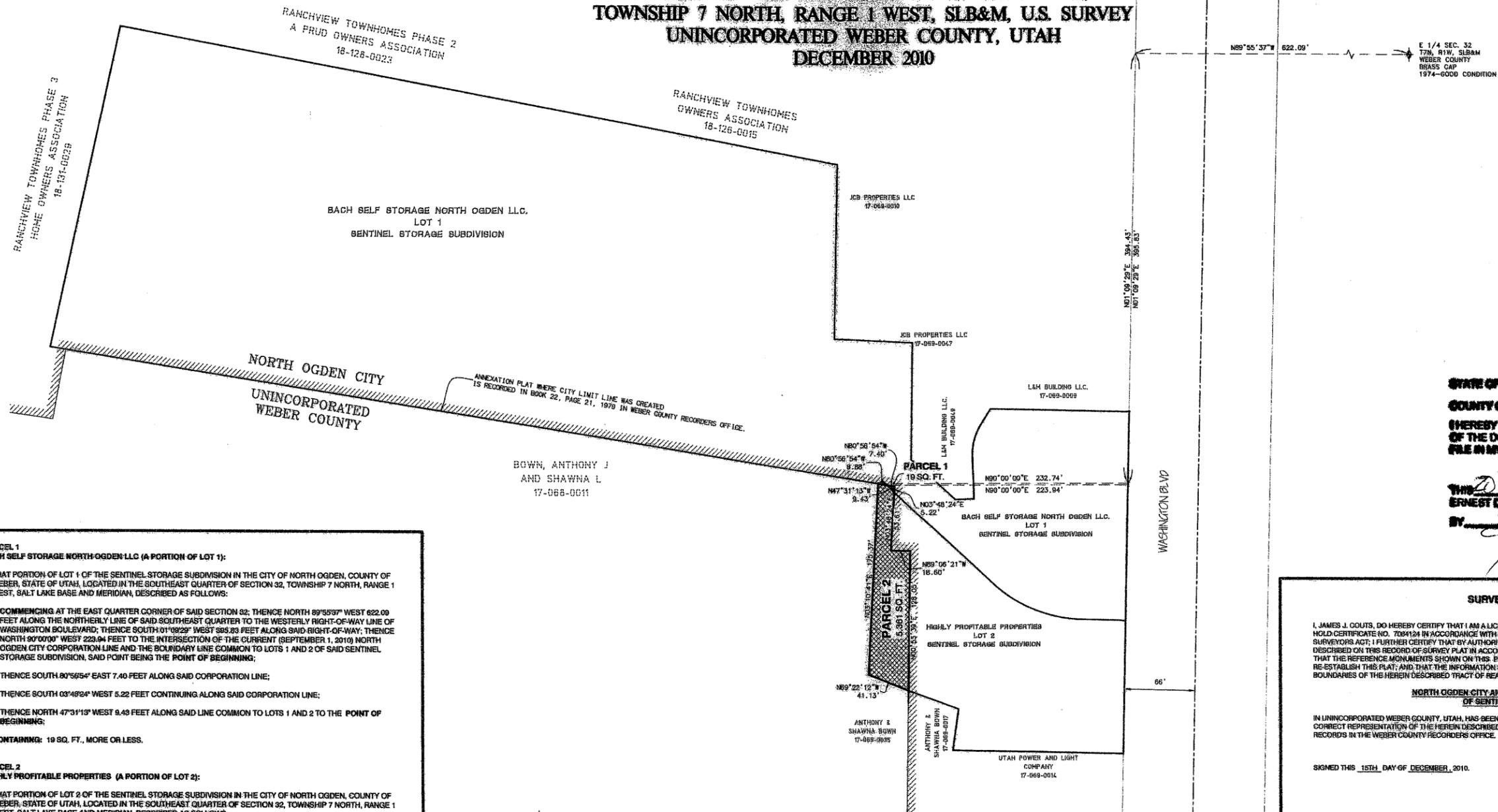
# NORTH OGDEN CITY ANNEXATION

OF

## SENTINEL STORAGE SUBDIVISION

### ORDINANCE NUMBER 2010-19

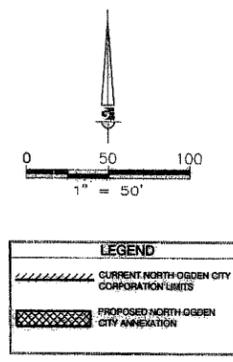
A PART OF THE SOUTHEAST 1/4 OF SECTION 32,  
TOWNSHIP 7 NORTH, RANGE 1 WEST, SLB&M, U.S. SURVEY  
UNINCORPORATED WEBER COUNTY, UTAH  
DECEMBER 2010



STATE OF UTAH )  
COUNTY OF WEBER )  
I HEREBY CERTIFY THAT THIS IS A TRUE COPY  
OF THE DOCUMENT THAT APPEARS ON  
FILE IN MY OFFICE.  
WITNESS MY HAND AND SEAL  
THIS 20 DAY OF DECEMBER 2010  
ERNEST D. ROWLEY, WEBER COUNTY SURVEYOR  
BY \_\_\_\_\_ DEPUTY

**PARCEL 1**  
BACH SELF STORAGE NORTH OGDEN LLC (A PORTION OF LOT 1):  
THAT PORTION OF LOT 1 OF THE SENTINEL STORAGE SUBDIVISION IN THE CITY OF NORTH OGDEN, COUNTY OF WEBER, STATE OF UTAH, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 32; THENCE NORTH 89°55'37" WEST 622.09 FEET ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER TO THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD; THENCE SOUTH 01°09'29" WEST 394.43 FEET ALONG SAID RIGHT-OF-WAY; THENCE NORTH 90°00'00" WEST 223.94 FEET TO THE INTERSECTION OF THE CURRENT (SEPTEMBER 1, 2010) NORTH OGDEN CITY CORPORATION LINE AND THE BOUNDARY LINE COMMON TO LOTS 1 AND 2 OF SAID SENTINEL STORAGE SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING;  
THENCE SOUTH 80°56'54" EAST 7.40 FEET ALONG SAID CORPORATION LINE;  
THENCE SOUTH 03°48'24" WEST 5.22 FEET CONTINUING ALONG SAID CORPORATION LINE;  
THENCE NORTH 47°31'19" WEST 9.49 FEET ALONG SAID LINE COMMON TO LOTS 1 AND 2 TO THE POINT OF BEGINNING;  
CONTAINING: 19 SQ. FT., MORE OR LESS.

**PARCEL 2**  
HIGHLY PROFITABLE PROPERTIES (A PORTION OF LOT 2):  
THAT PORTION OF LOT 2 OF THE SENTINEL STORAGE SUBDIVISION IN THE CITY OF NORTH OGDEN, COUNTY OF WEBER, STATE OF UTAH, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 32; THENCE NORTH 89°55'37" WEST 622.09 FEET ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER TO THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD; THENCE SOUTH 01°09'29" WEST 394.43 FEET ALONG SAID RIGHT-OF-WAY; THENCE NORTH 90°00'00" WEST 232.74 FEET TO THE WESTERLY MOST CORNER COMMON TO LOTS 1 AND 2 OF SAID SENTINEL STORAGE SUBDIVISION AND THE POINT OF BEGINNING;  
THENCE SOUTH 80°56'54" EAST 8.89 FEET ALONG THE CURRENT NORTH OGDEN CITY CORPORATION LINE;  
THENCE SOUTH 47°31'19" EAST 9.49 FEET ALONG THE BOUNDARY LINE COMMON TO LOTS 1 AND 2 OF SAID SENTINEL STORAGE SUBDIVISION;  
THENCE SOUTH 03°48'24" WEST 53.81 FEET ALONG SAID CORPORATION LINE;  
THENCE SOUTH 89°06'21" EAST 18.60 FEET CONTINUING ALONG SAID CORPORATION LINE;  
THENCE SOUTH 00°53'36" WEST 128.05 FEET CONTINUING ALONG SAID CORPORATION LINE; TO THE SOUTHERLY LINE OF SAID LOT 2;  
THENCE NORTH 69°22'12" WEST 41.13 FEET ALONG SAID SOUTHERLY LINE TO A SOUTH-WESTERLY CORNER OF SAID LOT 2;  
THENCE NORTH 03°10'41" EAST 175.37 FEET ALONG THE WESTERLY LINE OF LOT 2 TO THE POINT OF BEGINNING;  
CONTAINING: 5,381 SQ. FT., MORE OR LESS.

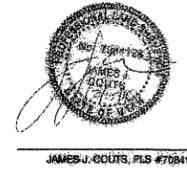


**PINE VIEW WATER**  
THIS IS TO CERTIFY THAT THIS ANNEXATION PLAT TO THE CORPORATE LIMITS OF NORTH OGDEN CITY HAS BEEN APPROVED AND ACCEPTED BY PINE VIEW WATER  
SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**WEBER COUNTY SURVEYOR**  
THIS PLAT IS HEREBY APPROVED AS A FINAL LOCAL EVIDENCE PLAT AS PROVIDED BY UTAH CODE 73-2-201  
DATE: 12-20-2010

**NORTH OGDEN CITY APPROVAL AND ACCEPTANCE**  
THIS IS TO CERTIFY THAT THIS PLAT OF ADDITION TO THE CORPORATE LIMITS OF NORTH OGDEN CITY IS DULY ACCEPTED AND APPROVED BY THE MAYOR, THE PUBLIC WORKS DIRECTOR, AND THE CITY COUNCIL OF NORTH OGDEN CITY, WEBER COUNTY, UTAH BY AN ORDINANCE PASSED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2010.  
IN WITNESS WHEREOF I HER UNTO SET MY HAND AND AFFIX THE CORPORATE SEAL OF WASHINGTON TERRACE CITY  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.  
ATTEST: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
Mayor

**SURVEYOR'S CERTIFICATE**  
I, JAMES J. COULTS, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 7034124 IN ACCORDANCE WITH TITLE 36, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS RECORD OF SURVEY PLAT IN ACCORDANCE WITH SECTION 17-29-11 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR RE-ESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND THAT THIS PLAT OF  
**NORTH OGDEN CITY ANNEXATION ORDINANCE NUMBER 2010-19 OF SENTINEL STORAGE SUBDIVISION**  
IN UNINCORPORATED WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID ANNEXATION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDERS OFFICE.  
SIGNED THIS 15TH DAY OF DECEMBER, 2010.



Prepared By: **Gardner Engineering**  
5875 South Adams Ave. Parkway, Suite 200 • Ogden, UT 84405 • Phone (801) 474-9202 • Fax (801) 474-0086  
www.gardnerengineering.net

**COUNTY RECORDER**  
ENTRY NO. \_\_\_\_\_  
FEE PAID \_\_\_\_\_ FILED FOR  
RECORD & RECORDED \_\_\_\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_  
OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR \_\_\_\_\_  
COUNTY RECORDER  
BY: \_\_\_\_\_ DEPUTY.

STATE OF UTAH

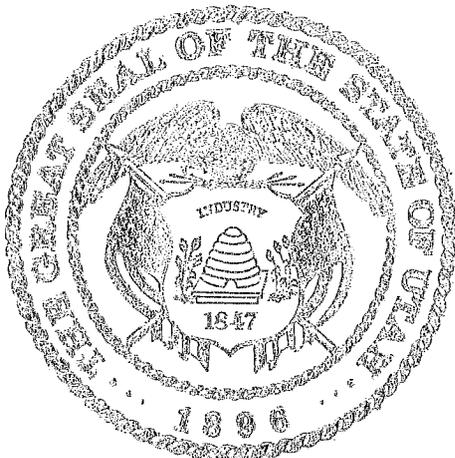


OFFICE OF THE LIEUTENANT GOVERNOR

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 of  
the CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, dated March 21<sup>st</sup>, 2011,  
complying with Section 17D-1-401, Utah Code Annotated, 1953, as amended.

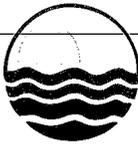
NOW, THEREFORE, notice is hereby given to all whom it may concern that the  
attached is a true and correct copy of the notice of annexation, referred to above, on file  
with the Office of the Lieutenant Governor pertaining to the CENTRAL WEBER  
SEWER IMPROVEMENT DISTRICT, located in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I  
have hereunto set my hand and  
affixed the Great Seal of the State of  
Utah at Salt Lake City, this 24<sup>th</sup> day  
of March, 2011.

A handwritten signature in black ink, appearing to read "G Bell".

GREG BELL  
Lieutenant Governor



# Central Weber Sewer Improvement District

March 22, 2011

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

SUBJECT: Notice of Annexation

Dear Lieutenant Governor Bell:

We are submitting to you a Notice of Annexation for parcels of property in Weber County to be annexed into the Central Weber Sewer Improvement District. Enclosed please find the following three items:

- A Notice of Impending Boundary Action (Annexation);
- A copy of Resolution 2011-01; and,
- 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.

It is requested that a certificate of annexation in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

Lance L Wood, P.E.  
General Manager

Enclosures

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT  
NOTICE OF IMPENDING BOUNDARY ACTION  
(Annexation)**

TO: LIEUTENANT GOVERNOR OF THE STATE OF UTAH

Notice is hereby given that on February 28, 2011, the Board of Trustees of the Central Weber Sewer Improvement District (the "District") adopted Resolution 2011-01, 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)(d)(i), the Board of Trustees of the Central Weber Sewer Improvement District hereby certifies that all requirements applicable to the annexation have been met.**

This notice is accompanied by: (a) a copy of Resolution 2011-01 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:

Central Weber Sewer Improvement District  
2618 West Pioneer Road  
Marriott-Slaterville, Utah 84404

DATED this 21 day of March, 2011.

**CENTRAL WEBER SEWER  
IMPROVEMENT DISTRICT  
BOARD OF TRUSTEES**

By: Mark C. Allen  
Mark C. Allen, Chairman

ATTEST:

John E. Cardon  
John E. Cardon, Clerk

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

**RESOLUTION 2011-01**

**Annexation Approval Resolution**

WHEREAS, the Central Weber Sewer 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 sanitary sewer outfall collection and treatment facilities which serve much of Weber County and a small portion of Davis County, Utah;

WHEREAS, one or more Landowner Annexation Petitions (the "Petition") have been filed with the District requesting that the real property identified on Exhibit "A" attached to this Resolution (the "Subject Property") be annexed into the District in order to receive sanitary sewer service treatment and disposal services from the District (the landowners are referred to herein collectively and individually as "Applicant");

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

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(s) were 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 100% of the 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 description of the proposed annexation and included the name of the Central Weber Sewer 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)(a)(ii)(B), 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 has 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Central Weber Sewer 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 Central Weber Sewer Improvement District.

3. That, from and after the issuance by the Lt. Governor of a Certificate of Annexation pursuant to Utah Code Ann. §§ 67-1a-6.5(2) and 17B-1-414(3)(b)(ii), once the original Notice of Impending Boundary Action, the original Certificate of Annexation issued by the Lt. Governor, the original approved Final Local Entity Plat, and a certified copy of this Resolution have been recorded in the office of the Weber County Recorder as provided in Utah Code Ann. § 59-2-305.5(2), 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 Impending Boundary Action and a copy of the approved Final Local Entity Plat for the annexed area (the Subject Property) with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution.

5. 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 Lt. Governor issues the certificate of boundary change and the documents referenced in paragraph 3 above have been recorded with the Weber County Recorder.

Approved and adopted by the Board of Trustees of the Central Weber Sewer Improvement District this 28th day of February, 2011.

Mark C. Allen

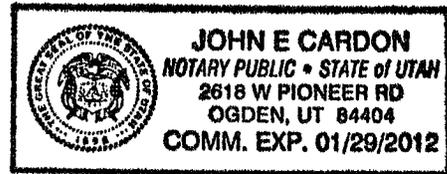
Mark C. Allen, Board Chair

STATE OF UTAH            )  
  :SS.  
COUNTY OF WEBER        )

The foregoing Resolution was subscribed before me, a notary public, this 28 day of February, 2011 by Mark C. Allen, Chairman of the Board of Trustees of the Central Weber Sewer Improvement District.

John E. Cardon

Notary Public



**EXHIBIT A**  
**Subject Property**

**Poplar Stake Subdivision**

~~That parcel of land located in Plain City, Weber County, Utah, being a portion of the~~  
Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base &  
Meridian, U.S. Survey and described as follows:

Commencing at the Northeast Corner of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian; thence South  $00^{\circ}04'28''$  West (Basis of Bearing) 2686.53 feet along the Easterly Section Line of said Section 34 to the East Quarter Corner of said Section 34; thence North  $88^{\circ}36'18''$  West 148.04 feet along the Southern most boundary of the Miya West Subdivision to the West property line of said Miya West Subdivision to the true point of beginning; thence departing said Westerly property line North  $88^{\circ}36'18''$  West 301.53 feet; thence North  $00^{\circ}41'07''$  East 137.63 feet to the Southern right-of-way line of 2325 North Street; thence North  $89^{\circ}18'53''$  West 20.02 feet along said right-of-way line; thence North  $00^{\circ}04'28''$  East 532.03 feet; thence South  $89^{\circ}18'53''$  East 320.02 feet to the Westerly property line of the Miya West Subdivision; thence South  $00^{\circ}04'28''$  West 673.40 feet along said Westerly property line to the true point of beginning.

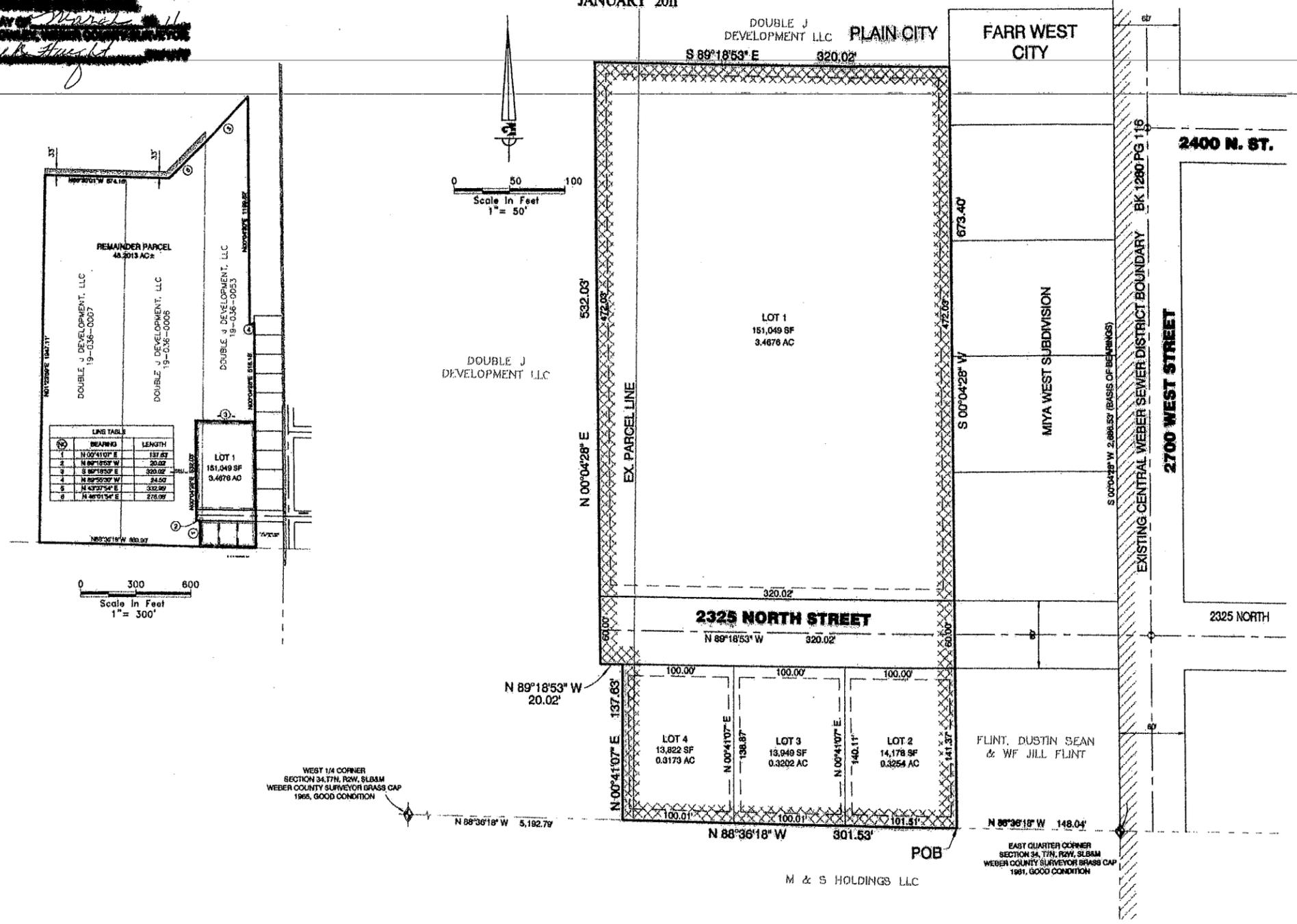
Contains: 212,203 sq. ft. or 4.8715 Acres, more or less

# ANNEXATION PLAT TO THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT 2011-01

A PART OF THE NORTHEAST 1/4 OF SECTION 34,  
TOWNSHIP 7 NORTH, RANGE 2 WEST, S&R&M, U.S. SURVEY  
PLAIN CITY, WEBER COUNTY, UTAH  
JANUARY 2011

**STATE OF UTAH**  
**COUNTY OF WEBER**  
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE DOCUMENT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF WEBER, UTAH.

*James J. Coutts*  
James J. Coutts, Surveyor



### ANNEXATION BOUNDARY DESCRIPTION

That parcel of land located in Plain City, Weber County, Utah, being a portion of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base & Meridian, U.S. Survey and described as follows:

Commencing at the Northeast Corner of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, thence South 00°04'28" West (Basis of Bearing) 266.63 feet along the Eastern Section Line of said Section 34 to the East Quarter Corner of said Section 34; thence North 89°36'18" West 148.04 feet along the Southern most boundary of the Miya West Subdivision to the West property line of said Miya West Subdivision to the true point of beginning; thence departing said Western property line North 89°18'53" West 307.58 feet; thence North 00°41'07" East 137.63 feet to the Southern Quarter Corner of said Section 34; thence South 89°18'53" West 20.02 feet along said right of way line; thence North 00°41'07" East 332.99 feet; thence South 89°18'53" East 300.02 feet to the Western property line of the Miya West Subdivision; thence South 00°04'28" West 673.40 feet along said Western property line to the true point of beginning.

Contains: 212,203 sq. ft. or 4.8715 Acres, more or less.

### SURVEYOR'S CERTIFICATE

I, JAMES J. COUTS, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 7084124 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS ANNEXATION PLAT IN ACCORDANCE WITH SECTION 17-23-20 AND HAVE VERIFIED ALL MEASUREMENTS THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR RE-ESTABLISH THE BOUNDARIES OF THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND THAT THIS

ANNEXATION PLAT TO THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT IN PLAIN CITY, WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID ANNEXATION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDERS OFFICE.

SIGNED THIS 27<sup>TH</sup> DAY OF JANUARY, 2011

*James J. Coutts*  
JAMES J. COUTS, PLS #7084124



### LEGEND

- ⊕ FOUND GARDNER ENGINEERING REBAR AND CAP.
- ⊙ STREET MONUMENT
- - - 10' PUBLIC UTILITY EASEMENT (PUE)
- - - EXISTING CENTRAL WEBER SEWER IMPROVEMENT DISTRICT (CWSID) BOUNDARY
- XXXXXX PROPOSED CWSID BOUNDARY
- ADJACENT PARCEL
- RIGHT OF WAY
- SECTION LINE
- CENTERLINE ROAD

**WEBER COUNTY SURVEYOR**

THIS PLAT IS HEREBY APPROVED AS A FINAL LOCAL ENTITY PLAT AS REQUIRED BY UTAH CODE 17-23-20.

APPROVED THIS 28<sup>TH</sup> DAY OF February, 2011

*Mark P. Allen*  
WEBER COUNTY SURVEYOR

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

THIS PLAT IS APPROVED AS TO FORM, APPROVED THIS 28<sup>TH</sup> DAY OF February, 2011

*Mark P. Allen*  
CHAIRMAN

Prepared By:

**Gardner Engineering**

1876 South Adams Ave. Parkway, Suite 200 • Ogden, UT 84406 • Phone (801) 478-6202 • Fax (801) 478-6008

www.gardnerengineering.net

**COUNTY RECORDER**

ENTRY NO. \_\_\_\_\_

FEB PAID \_\_\_\_\_ FILED FOR \_\_\_\_\_

RECORD & RECORDED \_\_\_\_\_

AT \_\_\_\_\_ IN BOOK \_\_\_\_\_

OF OFFICIAL RECORDS, PAGE \_\_\_\_\_

RECORDED FOR \_\_\_\_\_

COUNTY RECORDER \_\_\_\_\_

BY: \_\_\_\_\_ DEPUTY.

NOTE: THIS PLAT DOES NOT INTEND TO SUBDIVIDE THE PROPERTY SHOWN

STATE OF UTAH

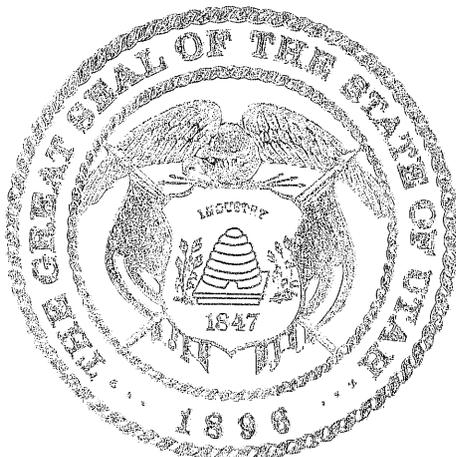


OFFICE OF THE LIEUTENANT GOVERNOR

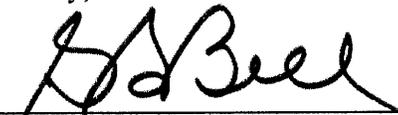
CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation of the CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, dated May 16<sup>th</sup>, 2011, complying with Section 17D-1-401, 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 CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, located in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 19<sup>th</sup> day of May, 2011.

  
\_\_\_\_\_  
GREG BELL  
Lieutenant Governor



## Central Weber Sewer Improvement District

May 18, 2011

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

SUBJECT: Notice of Annexation

Dear Lieutenant Governor Bell:

We are submitting to you a Notice of Annexation for parcels of property in Weber County to be annexed into the Central Weber Sewer Improvement District. Enclosed please find the following three items:

- A copy of Resolution No. 2011-02 Initiating Annexation Proceedings (twelve months continuous service)
- A copy of Notice of Public hearing on Proposed Annexation
- A copy of Resolution No. 2011-03 Annexation Approval Resolution; and,
- 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.

It is requested that a certificate of annexation in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

Lance L Wood, P.E.  
General Manager

Enclosures

**Received**

MAY 18 2011

Greg Bell  
Lieutenant Governor

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

**RESOLUTION NO. 2011-02**

**RESOLUTION INITIATING ANNEXATION PROCEEDINGS  
(twelve months continuous service)**

WHEREAS, the Central Weber Sewer Improvement District (the "District"), owns and operates a regional sewage treatment plant ("POTW" or "Publicly Operated Treatment Works") and related sewer main lines.

WHEREAS, for a period in excess of the last twelve consecutive months, the District has provided sewage treatment service through its POTW to the real property located in Weber County, Utah (the "Annexation Area") which is described and identified more particularly in attached Exhibit "A" which is incorporated herein by this reference;

WHEREAS, the Annexation Area is not located within the boundaries of any municipality or other governmental entity that provides sewage treatment service and, consequently, no notice is required to be delivered to any county or municipality pursuant to Utah Code Ann. §17B-1-406;

WHEREAS, even though the Annexation Area is receiving sewage treatment service from the District, the property within the Annexation Area is not subject to the payment of property taxes to the District while properties served by the District that are located within the District do pay property taxes;

WHEREAS, because the District has provided sanitary sewer treatment service to the Annexation Area for at least the past twelve consecutive months, Utah Code Ann. § 17B-1-403(1)(c) allows the annexation proceedings to be initiated by a resolution adopted by the Board of Trustees of the District in lieu of requiring a petition signed by either landowners or registered voters within the Annexation Area;

WHEREAS, the District office is reasonably accessible to the Annexation Area and, therefore, may be the site of the public hearing that will be held on the proposed annexation as provided in this Resolution; and

WHEREAS, the Board of Trustees of the District desires, through the passage of this Resolution and in accordance with the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, to initiate annexation proceedings for the Annexation Area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Central Weber Sewer Improvement District as follows:

1. That, for the reasons stated in the foregoing recitals, it is proposed that the real property described and otherwise identified in attached Exhibit "A", which is incorporated herein by this reference, be annexed into and become part of the District.

2. That a public hearing shall be held in the District's office at 2618 West Pioneer Road, Marriott-Slaterville, Utah on a weekday evening which is not a holiday commencing no earlier than 6:00 p.m., not later than 45 days after the adoption of this Resolution, for the purpose of allowing the public to ask questions and obtain further information about the proposed annexation and related issues and to allow any interested person to address the Board concerning the proposed annexation.

3. That a notice of the public hearing and of the proposed annexation shall be issued in accordance with the requirements of Utah Code Ann. § 17B-1-410.

4. That, provided sufficient protests to require an election are not timely filed as required by Utah Code Ann. § 17B-1-412, within 30 days after expiration of the protest period the Board shall adopt a resolution approving the annexation of some or all of the proposed Annexation Area into the District or rejecting the annexation in accordance with the requirements of Utah Code Ann. § 17B-1-414 and shall follow all other procedural requirements of Title 17B, Chapter 1, Part 4 of the Utah Code in processing the proposed annexation that is initiated by this Resolution.

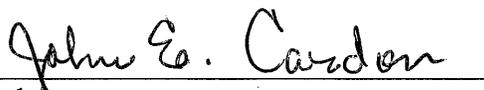
5. That all resolutions, policies, procedures, rules and regulations of the District, or parts thereof, in conflict with this Resolution are, to the extent of such conflict, hereby repealed.

6. That this Resolution shall take effect immediately upon its passage.

Passed by the Board of Trustees of the Central Weber Improvement District this 28th day of February, 2011.

  
Chairman

ATTEST:

  
Clerk

**EXHIBIT "A"**

**ANNEXATION BOUNDARY DESCRIPTION**

The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:

Beginning at the East Quarter Corner of said Section 34; thence North  $88^{\circ}36'18''$  West 148.04 feet along the southerly line of said Northeast Quarter; thence North  $00^{\circ}04'28''$  East 1247.17 feet; thence South  $89^{\circ}55'32''$  East 148.00 feet to the easterly line of said Section 34; thence South  $00^{\circ}04'28''$  East 1250.59 feet along said easterly line to the point of beginning.

Contains: 184,833 sq. ft. or 4.243 Acres, more or less.

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT  
NOTICE OF PUBLIC HEARING ON PROPOSED ANNEXATION**

**To: All registered voters residing within the proposed annexation area and all other interested parties:**

Notice is hereby given that the area located in Weber County, Utah which is described and/or identified in attached Exhibit "A" (the "Annexation Area") is proposed to be annexed into the Central Weber Sewer Improvement District (the "District"). The District provides sanitary sewage treatment service, and has been serving the Annexation Area for more than the past twelve consecutive months.

**A public hearing on the proposed annexation at which members of the public may ask questions and obtain more information about the proposed annexation and any interested person will be allowed to speak will be held at the District's office located at 2618 West Pioneer Road, Mariott-Slaterville, Utah on March 21, 2011 at 6:00 p.m.**

You are welcome to attend the public hearing and express your feelings. You may also submit comments in writing to the District Office at the above address during normal business hours at any time prior to the public hearing.

**Property owners and registered voters within the Annexation Area may protest the annexation by filing a written protest with the Central Weber Sewer Improvement District Board of Trustees within 30 days after the public hearing.**

Once the annexation is completed, the Annexation Area will be subject to user fees or charges imposed by and property taxes levied by or for the benefit of the District. Since the Annexation Area is already receiving sewage treatment service from the District, there will be no new or additional impact on fees as a result of this annexation. However, once annexed into the District, the Annexation Area will be subject to the payment of property taxes to the District. A typical owner occupied home located within the District with an assessed valuation of \$200,000 (taxable value of \$110,000) will, based upon the District's current tax rate of 0.000833, pay property taxes in the amount of \$91.63 annually. If the Annexation Area is not annexed, the District may consider increasing fees for extra-territorial service to compensate for lost property tax revenues.

This notice is being mailed to each registered voter residing within the proposed annexation area as provided by Utah Code. Ann. §17B-1-410(1)(a)(ii) and is being posted in at least four conspicuous places within the proposed annexation area no less than 10 and no more than 30 days before the public hearing.

**Additional information concerning the proposed annexation may be obtained at the District office or by calling (801) 731-3011.**

DATED this 2nd day of March, 2011.

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

By   
Lance L. Wood, General Manager

**EXHIBIT "A"**

**ANNEXATION BOUNDARY DESCRIPTION**

The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:

Beginning at the East Quarter Corner of said Section 34; thence North  $88^{\circ}36'18''$  West 148.04 feet along the southerly line of said Northeast Quarter; thence North  $00^{\circ}04'28''$  East 1247.17 feet; thence South  $89^{\circ}55'32''$  East 148.00 feet to the easterly line of said Section 34; thence South  $00^{\circ}04'28''$  East 1250.59 feet along said easterly line to the point of beginning.

Contains: 184,833 sq. ft. or 4.243 Acres, more or less.

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

**RESOLUTION 2011-03**

**Annexation Approval Resolution**

WHEREAS, the Central Weber Sewer Improvement District (the "District") is a duly organized improvement district located in Weber and Davis Counties, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the **UTAH CODE** and relevant portions of Title 17B, Chapter 1 of the **UTAH CODE**;

WHEREAS, the District owns and operates sanitary sewage treatment and transportation facilities which serve significant portions of Weber County and a small 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 had provided sanitary sewage treatment service to areas lying outside of the District's boundaries, which areas are described 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, even though the Annexation Area is receiving sewer treatment services from the District, the property within the Annexation Area is not subject to the payment of property taxes to the District while properties served by the District that are located within the District do pay property taxes;

WHEREAS, the Board, with a quorum present, held a public hearing on the proposed annexation of the Annexation Area into the District 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 has 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 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 is authorized to adopt a resolution approving the annexation of the Annexation Area; and

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any special 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 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 requested annexation to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Central Weber Sewer 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 Central Weber Sewer Improvement District.

3. That, from and after the issuance by the Lt. Governor of a Certificate of Annexation pursuant to **UTAH CODE ANN. §§ 67-1a-6.5(2)** and **17B-1-414(2)(c)**, once the original Notice of Impending Boundary Action, the original Certificate of Annexation issued by the Lt. Governor, the original approved Final Local Entity Plat, and a certified copy of this Resolution have been recorded in the office of the Weber County Recorder as provided in **UTAH CODE ANN. §§ 17B-1-414(2)(c)(i)** and **59-2-305.5(2)**, the taxable property located within the Annexation Area 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 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

Impending Boundary Action and a copy of the approved Final Local Entity Plat for the annexed area (the Annexation Area) with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution.

5. 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 Lt. Governor issues the Certificate of Annexation and the documents referenced in paragraph 3 above have been recorded with the Weber County Recorder.

Approved and adopted by the Board of Trustees of the Central Weber Sewer Improvement District this 16th day of May, 2011

  
Mark C. Allen, Chairman

ATTEST:

  
Lance L Wood, General Manager

**EXHIBIT A**  
**Annexation Area**

**ANNEXATION BOUNDARY DESCRIPTION**

The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:

Beginning at the East Quarter Corner of said Section 34; thence North 88°36'18" West 148.04 feet along the southerly line of said Northeast Quarter; thence North 00°04'28" East 1247.17 feet; thence South 89°55'32" East 148.00 feet to the easterly line of said Section 34; thence South 00°04'28" East 1250.59 feet along said easterly line to the point of beginning.

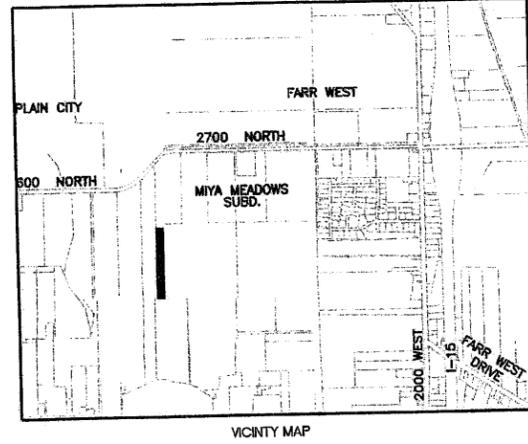
Contains: 184,833 sq. ft. or 4.243 Acres, more or less.

**ANNEXATION PLAT TO THE  
CENTRAL WEBER SEWER IMPROVEMENT DISTRICT RESOLUTION 2011-03**  
A PART OF THE NORTHEAST 1/4 OF SECTION 34,  
TOWNSHIP 7 NORTH, RANGE 2 WEST, SLB&M, U.S. SURVEY  
PLAIN CITY, WEBER COUNTY, UTAH  
JANUARY 2011

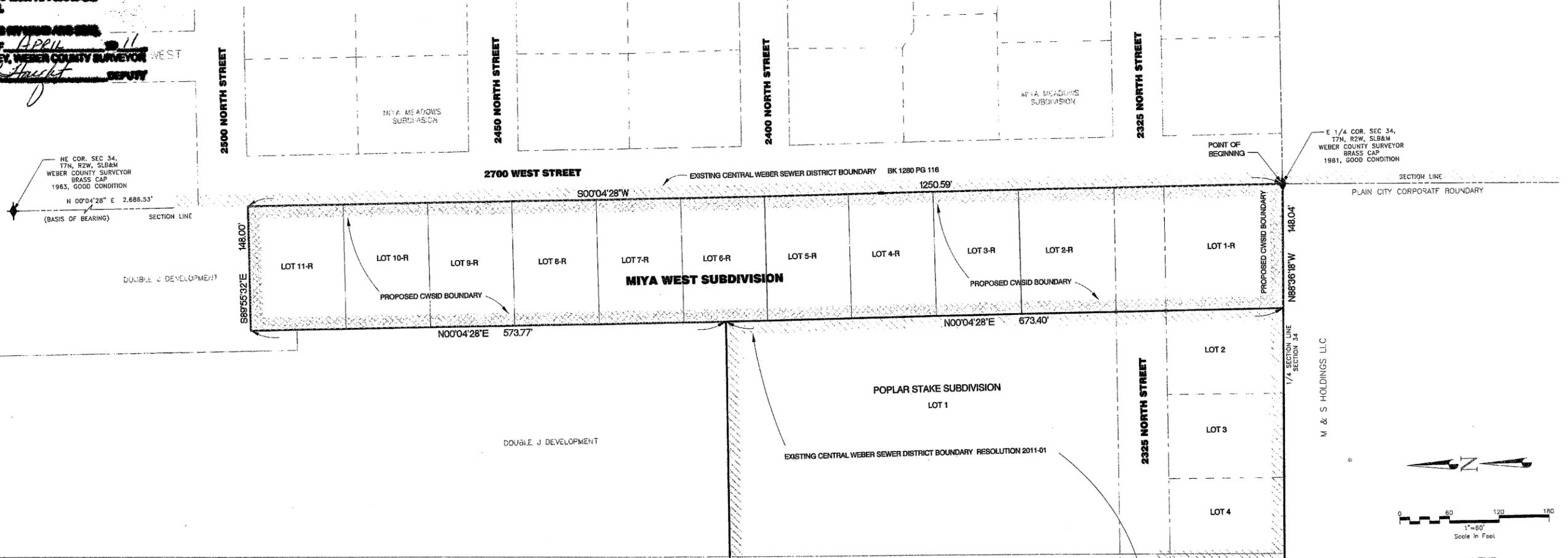
STATE OF UTAH  
COUNTY OF WEBER  
I HEREBY CERTIFY THAT THIS IS A TRUE COPY  
OF THE DOCUMENT THAT APPEARS ON  
FILE IN MY OFFICE.

WITNESSED BY ME AND ONE OTHER  
THIS 12<sup>th</sup> DAY OF APRIL 2011  
ERNEST B. ROMLEY, WEBER COUNTY SURVEYOR  
BY *Jack R. Haight* DEPUTY

NE COR. SEC 34,  
T7N, R2W, SLB&M  
WEBER COUNTY SURVEYOR  
BRASS CAP  
1963, GOOD CONDITION  
N 00°04'28" E 2,686.53'  
(BASIS OF BEARING) SECTION LINE



**ANNEXATION BOUNDARY DESCRIPTION**  
The Miya West Subdivision being a part of the Northeast Quarter of Section 34, Township 7 North, Range 2 West, Salt Lake Base and Meridian, located in Farr West City, Weber County, State of Utah, per the official plat thereof and more particularly described as follows:  
Beginning at the East Quarter Corner of said Section 34; thence North 88°36'18" West 148.04 feet along the southerly line of the Northeast Quarter of said Section 34 to the existing Central Weber Sewer District Boundary; thence North 00°04'28" East 673.40 feet along the existing Central Weber Sewer District Boundary; thence leaving said Boundary North 00°04'28" East 573.77 feet; thence South 89°55'32" East 148.00 feet to the easterly line of the Northeast Quarter of said Section 34, and to the existing Central Weber Sewer District Boundary; thence South 00°04'28" East 1250.59 feet along the existing Central Weber Sewer District Boundary also being along said easterly line to the point of beginning.  
Contains: 184,839 sq. ft. or 4.248 Acres, more or less.



**SURVEYOR'S CERTIFICATE**

I, TRAVIS J. DALEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 6387184 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS ANNEXATION PLAT IN ACCORDANCE WITH SECTION 17-29-20 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR RE-ESTABLISH THE BOUNDARIES OF THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND THAT THIS

ANNEXATION PLAT TO THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT  
IN PLAIN CITY, WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID ANNEXATION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDERS OFFICE.

SIGNED THIS 12<sup>th</sup> DAY OF APRIL, 2011



TRAVIS J. DALEY, FLS #6387184

NOTE: THIS PLAT DOES NOT INTEND TO SUBDIVIDE THE PROPERTY SHOWN

**WEBER COUNTY SURVEYOR**

THIS PLAT IS HEREBY APPROVED AS A FINAL LOCAL ENTITY PLAT AS REQUIRED BY UTAH CODE 17-29-20.

APPROVED THIS 12<sup>th</sup> DAY OF APRIL, 2011

WEBER COUNTY SURVEYOR

**CENTRAL WEBER SEWER  
IMPROVEMENT DISTRICT**

THIS PLAT IS APPROVED AS TO FORM, APPROVED  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

CHAIRMAN

Prepared By:

**Gardner Engineering**  
5875 South Adams Ave. Parkway, Suite 200 • Ogden, UT  
84405 • Phone (801) 478-0202 • Fax (801) 476-0086  
www.gardnerengineering.net

**COUNTY RECORDER**

ENTRY NO. \_\_\_\_\_  
FEE PAID \_\_\_\_\_ FILED FOR \_\_\_\_\_  
RECORD & RECORDED \_\_\_\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_  
OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR \_\_\_\_\_  
COUNTY RECORDER \_\_\_\_\_  
BY: \_\_\_\_\_ DEPUTY.

RECEIVED  
SEP 27 2010  
September 22, 2010  
O.C.C.

NOTICE OF ADOPTION OF OGDEN CITY ORDINANCE NO. 2010-30  
ADOPTING THE EAST WASHINGTON  
URBAN RENEWAL PROJECT AREA PLAN

Recently, the Ogden City Council formally adopted by its Ordinance No. 2010-30 the urban renewal project area plan entitled "East Washington Urban Renewal Project Area Plan," dated June 21, 2010 (the "Project Area Plan") and adopted August 24, 2010, as authorized by the Community Development and Renewal Agencies Act, Title 17C, Chapters 1 through 4, Utah Code Annotated, 1953, as amended (the "Act"). Because the officially adopted Project Area Plan contains tax increment provisions as permitted by the Act, the Ogden City Redevelopment Agency is forwarding to you the following documentation as required by Section 17C-2-109 of the Act:

1. A copy of the description of the land within the East Washington Urban Renewal Project Area.
2. A map indicating the boundaries of the East Washington Urban Renewal Urban Renewal Project Area.
3. A copy of the Ordinance of Ogden City adopting the Project Area Plan.
4. A copy of the East Washington Urban Renewal Project Area Budget.

The Project Area Plan provides that the Agency is to receive 100% of the total annual tax increment from the Project Area over a period not to exceed twenty (20) years up to a maximum of \$16,835,550, as shown in the enclosed Project Area Budget. The Project Area Plan and Budget also allocate for housing 20% of the tax increment to be received by the Agency over the life of the Project Area, as required by the Act.

Very truly yours,

By Richard McConkie  
Community and Economic Development  
Richard McConkie, Director

enclosures

ORDINANCE NO. 2010-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OGDEN, STATE OF UTAH, ADOPTING THE URBAN RENEWAL PROJECT AREA PLAN DATED JUNE 21, 2010 AND ENTITLED "EAST WASHINGTON URBAN RENEWAL PROJECT AREA PLAN"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OGDEN, STATE OF UTAH AS FOLLOWS:

SECTION I. This Ordinance pertaining to the "East Washington Urban Renewal Project Area Plan" is hereby enacted to read as follows:

EAST WASHINGTON URBAN RENEWAL PROJECT AREA PLAN

Sections:

1. Adoption of Project Area Plan.
2. Project Area Boundaries.
3. Purposes of Project Area Plan.
4. Project Area Plan Incorporated by Reference.
5. Findings.
6. Acquisition of Property.
7. Tax Increment Financing.
8. Effective Date.

Section 1. Adoption of Project Area Plan. The Ogden City Redevelopment Agency (the "Agency") has adopted the urban renewal project area plan dated June 21, 2010 and entitled "East Washington Urban Renewal Project Area Plan" (the "Project Area Plan" or the "Plan"). The Project Area Plan is hereby designated as the official urban renewal Project Area Plan of the East Washington Urban Renewal Project Area. The City, after review of the Agency's findings, as set forth herein, hereby adopts by Ordinance the Project Area Plan pursuant to Title 17C, Parts 1 through 4 of the Utah Community Development and Renewal Agencies Act (the "Act"), and Section 17C-2-107 of the Act.

Section 2. Project Area Boundaries. The legal description of the boundaries of the East Washington Urban Renewal Project Area (the "Project Area") covered by the Project Area Plan is as follows, to-wit:

All of blocks 31, 40, 45 and 54, Plat A Ogden City Survey, Weber County, more particularly described as:

Beginning at the southwest corner of Lot 2, Block 31, Plat "A", Ogden City Survey, Weber

County, Utah,  
thence North 00°58'00" East 2945.80 feet to the northwest corner of Lot 6, Block 54, Plat "A",  
Ogden City Survey, Weber County, Utah,  
thence South 89°02'00" East 759.98 feet to the northwest corner of Lot 6, Block 55, Plat "A",  
Ogden City Survey, Weber County, Utah,  
thence, South 00°58'00" West 2945.80 feet to the southwest corner of Lot 5, Block 30, Plat "A",  
Ogden City Survey, Weber County, Utah,  
thence North 89°02'00" West 759.98 feet to the southwest corner of Lot 2, Block 31, Plat "A",  
Ogden City Survey, Weber County, Utah; point also being the point of beginning.

Section 3. Purposes of Project Area Plan. The purposes and intent of the City Council of the City of Ogden with respect to the Project Area are to accomplish the following purposes by adoption of the Project Area Plan:

1. Removal of structurally substandard buildings or improvements to permit the return of the Urban Renewal Project Area land to economic use and new construction.
2. Removal of impediments to land disposition and development through assembly of land into reasonably sized and shaped parcels served by improved public utilities and infrastructure improvements.
3. Rehabilitation of commercial and multi-family structures if sound long term economic activity can be assured thereby; and rehabilitation of single family homes along Adams Avenue if the historic quality can be retained or restored.
4. The elimination of environmental deficiencies, including: irregular lot subdivision, inadequate drainage, weeds and excessive secluding vegetation, underutilized land, and soil contamination mitigation.
5. Achievement of an environment reflecting architectural, landscape and urban design principles consistent with the CBD guidelines and the character of historic homes along Adams Avenue, and developed through encouragement, guidance, appropriate controls, ordinances and professional assistance to owner participants and developers.
6. Promote and market the Project Area for development or urban renewal that would be complimentary to existing businesses and residential areas or would enhance the economic base of the community through diversification.
7. Provide utilities, streets, curbs, sidewalks, parking areas, landscaping and architecture to give the area a commercial look consistent with the objectives of the CBD and CBD that attracts business activity and combined with a residential portion that is architecturally sympathetic to the residential character of Adams Avenue.
8. Provide for the strengthening of the tax base and economic health of the entire community and the State of Utah.

9. Provide improved public streets and road access to the area to facilitate better traffic circulation and reduce traffic hazards by assisting in the street alignments and the implementation of City institutional controls and regulations to ensure management of any contaminated materials. The Agency shall work with the City to recommend ways to improve traffic and pedestrian circulation within and abutting the Project Area.

10. Provide for compatible relationships among land uses and quality standards for development, such that the area functions as a unified and viable center of social and economic activity for the City.

11. Provide improved pedestrian circulation systems that create landscaped walkways through the inner block to provide an attractive and safe pedestrian connection.

12. Coordinate and improve the public transportation system, including streets and public transit services.

13. Eliminate the blighting factors and blighting influences in the Project Area.

Section 4. Project Area Plan Incorporated by Reference. The Project Area Plan, together with supporting documents, is incorporated herein by this reference and made a part of this Ordinance. Copies of the Project Area Plan shall be filed and maintained in the office of the City Recorder and the Redevelopment Agency for public inspection.

Section 5. Findings. The Redevelopment Agency has determined and found as follows:

A. There is a need to effectuate a public purpose, and implementation of the Project Area Plan would accomplish the public purposes set forth in the Act, including but not limited to the elimination of blight, blight factors and blighting influences within the Project Area.

B. There is a public benefit under the analysis included in the Project Area Plan pursuant to Section 17C-2-103(2) of the Act, which benefit would accrue through the adoption and implementation of the Project Area Plan.

C. It is economically sound and feasible to adopt and carry out the Project Area Plan.

D. The Project Area Plan conforms to Ogden City's general plan.

E. Implementation of the Project Area Plan would develop the Project Area in conformity with the Act, and carrying out the Project Area Plan will promote the public peace, health, safety and welfare of Ogden City.

F. The Redevelopment Agency Board previously made and adopted its findings of blight entitled "Resolution Of The Board Of Directors Of The Redevelopment Agency of Ogden City, Pursuant To U.C.A. Section 17C-2-102(1)(a)(ii)(B)(I) Making A Finding Of Blight Regarding

The Proposed East Washington Urban Renewal Project Area,” finding and determining, among other things, that the East Washington Urban Renewal Project Area is a blighted area pursuant to the provisions of the Act because of the following factors:

#### **FINDING A**

**The Proposed Project Area consists predominantly of non-greenfield parcels.** "Greenfield" means land not developed beyond agricultural or forestry use. The proposed East Washington Urban Renewal Project Area contains no greenfield parcels.

#### **FINDING B**

**The Proposed Project Area is currently zoned for urban purposes and generally served by utilities.** The proposed East Washington Urban Renewal Project area is served by Electric, Water/Sewer, and Gas utilities, and is served by roads. The proposed East Washington Urban Renewal Project area is zoned commercial CBDI, CBD, CP-1 or CP-2 and residential R-2EC, R-3EC and R-1-5 in its entirety.

#### **FINDING C**

**At least 50% of the parcels within the Proposed Project Area contain nonagricultural or nonaccessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses.** 204 of the 204 parcels in the Proposed Project Area contain buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes. The parcels containing buildings or improvements represent 100% of the total parcels in the Proposed Project Area. The parcels containing buildings or improvements represent 100% of the acreage in the Proposed Project Area.

#### **FINDING D**

**The present condition or use of the Proposed Project Area substantially impairs the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic liability or is detrimental to the public health, safety, or welfare, as shown by the existence within the Proposed Project Area of at least four of the following factors:**

**(1) one of the following, although sometimes interspersed with well maintained buildings and infrastructure:**

substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure; or

significant noncompliance with current building code, safety code, health code or fire code requirements or local ordinances

(2) unsanitary or unsafe conditions in the Proposed Project Area that threaten the health, safety, or welfare of the community

(3) environmental hazards, as defined in state or federal law that require remediation as a condition of current or future use and development

(4) excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities

(5) abandoned or outdated facilities that pose a threat to public health, safety, or welfare

(6) criminal activity in the project area higher than that of comparable nonblighted areas in the municipality or county

(7) defective or unusual conditions of title rendering the title nonmarketable.

One hundred ninety four (194) of the total of two hundred four (204) or 95% of the number of parcels for a total of 29.28 +/- acres or 79% of the total Ogden East Washington Urban Renewal Proposed Project Area exhibit four or more of the legislated "blight" factors.

This Finding D is, among other things, supported by the information from the Blight Study set forth in Exhibit "A" to the Redevelopment Agency's Resolution No. 2010-2.

#### **FINDING E**

At least 50% of the parcels within the Proposed Project Area are affected by at least one of the blight factors set forth above, but not necessarily the same factor. (2) The affected parcels comprise at least 66% of the acreage of the Proposed Project Area. Thirty-five (35) of the total of thirty-five (35) or 100% of the number of private parcels for a total of 67.65 +/- acres or 100% of the total proposed East Washington Urban Renewal Project Area exhibit four or more of the legislated "blight" factors.

#### **FINDING F**

The proposed East Washington Urban Renewal Project Area is a blighted area, the renewal of which is necessary to effectuate a public purpose. Evidence of "blight"

conditions or indicators was found in the Proposed Project Area, sufficient to be determined to be present area wide, and therefore leads to the cumulative conclusion of blighted conditions in the proposed East Washington Urban Renewal Project Area.

The Agency Board's finding of blight was made on April 13, 2010, by adoption of Redevelopment Agency Resolution No. 2010-2.

Section 6. Acquisition of Property. The Agency may acquire property in the Project Area by negotiation, gift, devise, exchange, purchase, or other lawful method, but not by eminent domain (condemnation) except from an Agency officer or board member with their consent. The Agency is authorized to acquire any other interest in real property in the Project Area less than fee title such as leasehold interests, easements, rights of way, etc. by negotiation, gift, devise, exchange, purchase or other lawful method, but not by eminent domain (condemnation) except from an Agency officer or board member with their consent.

Section 7. Tax Increment Financing.

A. Subject to any limitations required by currently existing law (unless a limitation is subsequently eliminated), for example limitations of the Project Area Budget approved by the taxing entity committee, this Ordinance hereby specifically incorporates all of the provisions of the Act that authorize or permit the Agency to receive tax increment from the Project Area and that authorize the various uses of such tax increment by the Agency, and to the extent greater authorization for receipt of tax increment by the Agency or use thereof by the Agency is provided by any amendment of the Act or by any successor provision, law or act, those are also specifically incorporated herein. It is the intent of this Ordinance that the Agency shall have the broadest authorization and permission for receipt of and use of tax increment as is authorized by law, whether by existing or amended provisions of law. This Ordinance also incorporates the specific provisions of tax increment financing permitted by Sections 17C-1-401 and 405 of the Act, which provide, in part, as follows:

401 (1) "An agency may receive and use tax increment. . . . , as provided in this part.

(2) (a) The applicable length of time or number of years for which an agency is to be paid tax increment or sales tax under this part shall be measured:

....

(ii) for a post-June 30, 1993 urban renewal or economic development project area plan, from the first tax year for which the agency receives tax increment under the project area budget;

....

(b) Unless otherwise provided in a project area budget that is approved by a taxing entity committee, or in an interlocal agreement or resolution adopted by a taxing entity, tax increment may not be paid to an agency for a tax year prior to the tax year following:

(i) for an urban renewal or economic development project area plan, the effective date of the project area plan;

....

(4) With the written consent of a taxing entity, an agency may be paid tax

increment, from that taxing entity's tax revenues only, in a higher percentage or for a longer period of time, or both, than otherwise authorized under this title.

(5) Each county that collects property tax on property within a project area shall pay and distribute to the agency the tax increment that the agency is entitled to collect under this title, in the manner and at the time provided in Section 59-2-1365."

405 (1) "This section applies to tax increment under a project area plan adopted on or after May 1, 2006.

(2) Subject to the approval of the taxing entity committee, an agency board may provide in the project area budget for the agency to be paid any percentage of tax increment up to 100% or any specified dollar amount of tax increment for any period of time."

B. Subject to modifications of the Act by amendments or by any successor act or law that are beneficial to the Agency, this Ordinance (and the Agency's Resolution adopting the Project Area Budget) incorporates the provisions of Section 17C-1-408 of the Act, which states:

**"17C-1-408. Base taxable value to be adjusted to reflect other changes.**

(1) (a) (i) As used in this Subsection (1), "qualifying decrease" means:

(A) a decrease of more than 20% from the previous tax year's levy; or

(B) a cumulative decrease over a consecutive five-year period of more than 100% from the levy in effect at the beginning of the five-year period.

(ii) The year in which a qualifying decrease under Subsection (1)(a)(i)(B) occurs is the fifth year of the five-year period.

(b) If there is a qualifying decrease in the minimum basic school levy under Section 59-2-902 that would result in a reduction of the amount of tax increment to be paid to an agency:

(i) the base taxable value of taxable property within the project area shall be reduced in the year of the qualifying decrease to the extent necessary, even if below zero, to provide the agency with approximately the same amount of tax increment that would have been paid to the agency each year had the qualifying decrease not occurred; and

(ii) the amount of tax increment paid to the agency each year for the payment of bonds and indebtedness may not be less than what would have been paid to the agency if there had been no qualifying decrease.

(2) (a) The amount of the base taxable value to be used in determining tax increment shall be:

(i) increased or decreased by the amount of an increase or decrease that results from:

(A) a statute enacted by the Legislature or by the people through an initiative;

(B) a judicial decision;

(C) an order from the State Tax Commission to a county to adjust or factor its assessment rate under Subsection 59-2-704 (2);

(D) a change in exemption provided in Utah Constitution Article XIII, Section 2, or Section 59-2-103 ; or

(E) an increase or decrease in the percentage of fair market value, as defined under

Section 59-2-102 ; and

(ii) reduced for any year to the extent necessary, even if below zero, to provide an agency with approximately the same amount of money the agency would have received without a reduction in the county's certified tax rate if:

(A) in that year there is a decrease in the county's certified tax rate under Subsection 59-2-924 (2)(c) or (d)(i);

(B) the amount of the decrease is more than 20% of the county's certified tax rate of the previous year; and

(C) the decrease would result in a reduction of the amount of tax increment to be paid to the agency.

(b) Notwithstanding an increase or decrease under Subsection (2)(a), the amount of tax increment paid to an agency each year for payment of bonds or other indebtedness may not be less than would have been paid to the agency each year if there had been no increase or decrease under Subsection (2)(a).”

C. As shown in the Project Area Budget, the Agency has elected to receive 100% of the tax increment monies from the Project Area for a period not to exceed twenty (20) years; however, the applicable project area budget shall be the project area budget or amended project area budget that is approved and adopted pursuant to applicable provisions of law.

D. Pursuant to the provisions of Sections 17C-1-412 and 17C-2-203 of the Act, the Agency has allocated 20% of the total tax increment received by the Agency to be used for housing as set forth in the Act.

Section 8. Effective Date. This Ordinance shall take effect upon its first publication or posting.

***[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]***

PASSED and APPROVED by the City Council of the City of Ogden, State of Utah, this \_\_\_  
day of August 24, 2010.

THE CITY OF OGDEN

Caitlin Gochnour  
Caitlin Gochnour, Chair



ATTEST:

Cindi Mansell

Cindi Mansell, City Recorder

TRANSMITTED TO THE MAYOR ON: September 15, 2010

MAYOR'S ACTION:  Approved  Vetoed

Maurice R. Faulkner

MAYOR

ATTEST:

Cindi Mansell

Cindi Mansell, City Recorder Acting

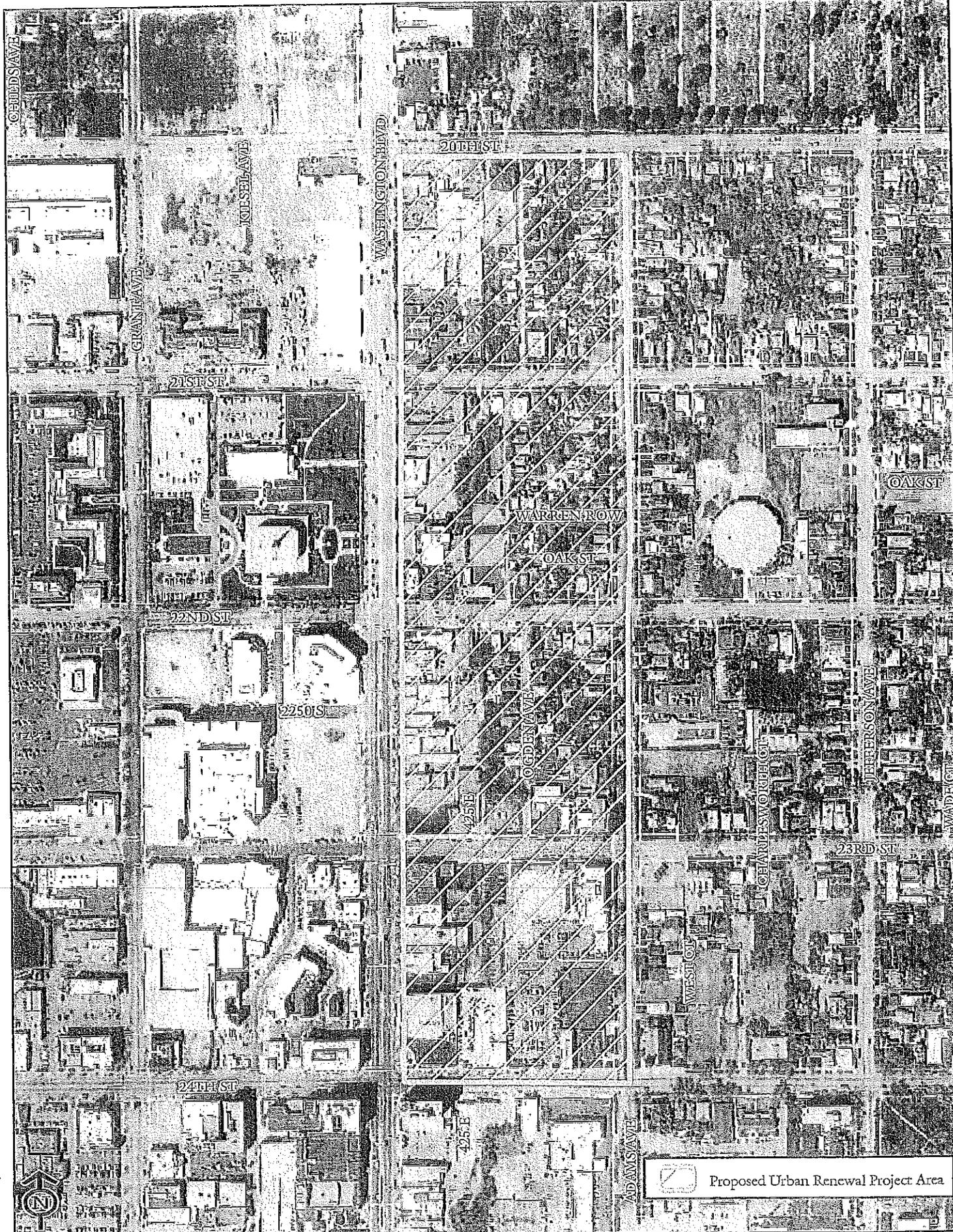
POSTING DATE: September 16, 2010

EFFECTIVE DATE: September 16, 2010

APPROVED AS TO FORM: Mark W. P. 9/13/10  
Legal Date



EAST WASHINGTON URBAN RENEWAL PROJECT AREA REDEVELOPMENT AGENCY OF OGDEN 20 YEAR - PROJECT AREA BUDGET - CUMULATIVE		DRAFT	8/18/2010
	BASE YEAR 2009	CUMULATIVE **2012-2031 **	ALLOCATED % OF TOTAL TAX INCREMENT
<b>PROJECT REVENUES</b>			
Property Tax (Base Year Taxable Value)	\$338,869 \$21,109,401	\$7,793,992	
Projected Tax Increment TOTAL -20 YEARS			
Agency			
Eligible Project Area Expenditures	\$0	\$13,047,551	77.5%
Housing	\$0	\$3,367,110	20.0%
Administration ***	\$0	\$420,889	2.5%
<b>TOTAL TAX INCREMENT</b>	<b>\$0</b>	<b>\$16,835,550</b>	<b>100.0%</b>
<b>PROJECT EXPENDITURES</b>			
<b>PROJECTED BUILDING &amp; CAPITAL EQUIPMENT EXPENSE/COSTS</b>			
Total Building Costs	\$0	\$79,189,438	
Total Capital Equipment Expense	\$0	\$2,770,250	
<b>TOTAL CAPITAL AND RELATED COSTS/EXPENSES</b>	<b>\$0</b>	<b>\$81,959,688</b>	
<b>EXPENDITURES REIMBURSABLE FROM TAX INCREMENT</b>			
Administration ***	\$0	\$420,889	2.50%
Housing	\$0	\$3,367,110	20.00%
Total tax increment for project area improvements and infrastructure benefiting the project area, in & outside the project area & other eligible expenditures, including but not limited too, land acquisition, loans, grants, incentives to private and public entities, cost of financing such as interest/issuance costs & reserves.	\$0	\$13,047,551	77.50%
<b>TOTAL EXPENDITURES REIMBURSABLE FROM TAX INCREMENT</b>	<b>\$0</b>	<b>\$16,835,550</b>	<b>100.00%</b>
<b>TOTAL PROJECT EXPENDITURES</b>	<b>\$0</b>	<b>\$98,795,237</b>	
<p>** TAX INCREMENT YEAR ONE MAY OCCUR ANYTIME FROM 2012 TO 2016 DEPENDING ON THE DETERMINATION OF THE REDEVELOPMENT AGENCY TO MAXIMIZE THE AMOUNT OF AVAILABLE ANNUAL TAX INCREMENT.**</p> <p>*** ANNUALLY, THE AGENCY MAY COLLECT FOR ADMINISTRATION PURPOSES, 2.5% OF THE AVAILABLE TAX INCREMENT OR \$22,000, WHICHEVER IS GREATER.</p>			



CEBALLOS AVE

GRANT AVE

KIESEL AVE

WASHINGTON BLVD

20TH ST

21ST ST

WARREN ROW

OAK ST

22ND ST

2250 S

225 E

OGDEN AVE

CHARLESWORTH CT

FERRIS CON AVE

23RD ST

24TH ST

225 B

ADAMS AVE

Proposed Urban Renewal Project Area



**East Washington Urban Renewal Area**

A tract of land in Ogden City, Weber County, Utah; more particularly described as:

Beginning at the southwest corner of Lot 2, Block 31, Plat "A", Ogden City Survey, Weber County, Utah,  
thence North 00°58'00" East 2945.80 feet to the northwest corner of Lot 6, Block 54, Plat "A",  
Ogden City Survey,  
Weber County, Utah,  
thence South 89°02'00" East 759.98 feet to the northwest corner of Lot 6, Block 55, Plat "A",  
Ogden City Survey,  
Weber County, Utah,  
thence, South 00°58'00" West 2945.80 feet to the southwest corner of Lot 5, Block 30, Plat "A",  
Ogden City Survey,  
Weber County, Utah,  
thence North 89°02'00" West 759.98 feet to the southwest corner of Lot 2, Block 31, Plat "A",  
Ogden City Survey,  
Weber County, Utah; point also being the point of beginning.



RECEIVED

NOV 25 2011

PROPERTY TAX DIVISION

November 21, 2011

NOTICE OF ADOPTION OF WEBER COUNTY ORDINANCE ADOPTING THE  
LITTLE MOUNTAIN ECONOMIC DEVELOPMENT PROJECT AREA PLAN

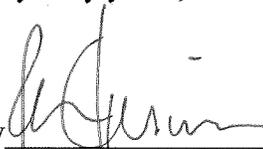
UTAH STATE TAX COMMISSION  
210 NORTH 1950 WEST  
SLC, UTAH 84134

On November 1, 2011 the County Commission of Weber County formally adopted by its Ordinance No. 2011-18 an economic development project area plan entitled "Little Mountain Economic Development Project Area Plan" (the "Project Area Plan"), as authorized by the Utah Community Development and Renewal Agencies Act, Title 17C, Chapters 1 through 4, Utah Code Annotated, 1953, as amended (the "Act"). Because the officially adopted Project Area Plan contains tax increment provisions as permitted by the Act, the Redevelopment Agency of Weber County hereby forwards to you the following documentation as required by Sections 17C-3-108 and 17C-3-204 of the Act:

1. A copy of the description of the land within said Project Area.
2. A map indicating the boundaries of the Project Area.
3. A copy of Ordinance No. 2011-18 of the County Commission of Weber County adopting the Project Area Plan.
4. A copy of the Little Mountain Economic Development Project Area Budget which has been adopted by the governing board of the Agency and approved by the Taxing Entity Committee.

The Project Area Plan and Project Area Budget provide that the Agency is to receive from the Project Area, for a period not to exceed five (5) years, 70% of the tax increment monies attributable to the levies of taxing entities during the 5 year period.

Very truly yours,



By \_\_\_\_\_  
Ron Kusina  
Redevelopment Agency of Weber County



\*W2548376\*

11-1

ORDINANCE NO. 2011-18

AN ORDINANCE OF THE COUNTY COMMISSION OF WEBER COUNTY, STATE OF UTAH, ADOPTING THE ECONOMIC DEVELOPMENT PROJECT AREA PLAN ENTITLED, "LITTLE MOUNTAIN ECONOMIC DEVELOPMENT PROJECT AREA PLAN"

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY, STATE OF UTAH AS FOLLOWS:

SECTION I. This Ordinance pertaining to the "Little Mountain Economic Development Project Area Plan" is hereby enacted to read as follows:

LITTLE MOUNTAIN ECONOMIC DEVELOPMENT PROJECT AREA PLAN

Sections:

1. Adoption of Project Area Plan.
2. Project Area Boundaries.
3. Purposes of Project Area Plan.
4. Project Area Plan Incorporated by Reference.
5. Findings.
6. Acquisition of Property.
7. Tax Increment Financing.
8. Effective Date.

EN 2548376 PG 1 OF 7  
 ERNEST D ROWLEY, WEBER COUNTY RECORDER  
 03-NOV-11 343 PM FEE \$1.00 DEP TDY  
 REC FOR: WEBER CO REDEVELOPMENT AGENCY

Section 1. Adoption of Project Area Plan. The Redevelopment Agency of Weber County (the "Agency") on September 27, 2011 has adopted the Project Area Plan entitled, "Little Mountain Economic Development Project Area Plan" (the "Project Area Plan"). The Project Area Plan is hereby designated as the official economic development project area plan of the Little Mountain Economic Development Project Area. Weber County, after review of the Agency's findings, as set forth herein, hereby adopts by Ordinance the Project Area Plan pursuant to Section 17C-3-106 of the Utah Community Development and Renewal Agencies Act.

Section 2. Project Area Boundaries. The legal description of the boundaries of the Little Mountain Economic Development Project Area (the "Project Area") covered by the Project Area Plan is as follows, to-wit:

LITTLE MOUNTAIN ECONOMIC DEVELOPMENT PROJECT AREA:

The Little Mountain Economic Development Project Area referred to as the Economic Development Project Area or Project Area, is enclosed within the following boundaries:

PARCEL A:

PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 20; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 425.58 FEET, THENCE EAST 25.00 FEET TO THE CENTERLINE OF AN EXISTING DRILL TRACK; THENCE IN A GENERAL SOUTHERLY DIRECTION ALONG SAID CENTERLINE AS FOLLOWS: SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY (FROM A TANGENT BEARING SOUTH) HAVING A RADIUS OF 477.68 FEET, THROUGH A CENTRAL ANGLE OF 55D23'00", A DISTANCE OF 461.74 FEET, SOUTH 55D23'00" EAST, TANGENT TO SAID CURVE, 100.00 FEET, SOUTHEASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 477.68 FEET, THROUGH A CENTRAL ANGLE OF 55D23'00", A DISTANCE OF 461.74 FEET, SOUTH, TANGENT TO LAST SAID CURVE 46.51 FEET, THENCE SOUTH 5D43'29" EAST, 97.80 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 545.87 FEET, THROUGH A CENTRAL ANGLE OF 71D11'58", A DISTANCE OF 678.33 FEET TO A POINT IN THE NORTHERLY LINE OF THE LAND (100 FEET WIDE) OF SOUTHERN PACIFIC TRANSPORTATION COMPANY THAT IS DISTANT THEREON SOUTH 89D21'31" EAST 950.41 FEET FROM THE WEST LINE OF THE EAST 1/2 OF SAID SECTION 20; THENCE SOUTH 89D21'31" EAST ALONG SAID NORTHERLY LINE 244.51 FEET, THENCE NORTH PARALLEL WITH SAID WEST LINE 1892.46 FEET TO THE SOUTH LINE OF 900 SOUTH STREET, THENCE WEST ALONG SAID SOUTH LINE 1195.00 FEET TO THE POINT OF BEGINNING.

RESERVING THEREFROM AN EASEMENT FOR RAILROAD TRANSPORTATION AND COMMUNICATION PURPOSES TOGETHER WITH THE RIGHT TO GRANT SAME TO OTHERS OVER THAT PORTION LYING WESTERLY OF A LINE THAT IS PARALLEL AND CONCENTRIC WITH AND 15.00 FEET EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE ABOVE DESCRIBED REAL PROPERTY THAT BEARS EAST 25.00 FEET FROM THE NORTHWEST CORNER THEREOF; THENCE SOUTH 425.50 FEET TO A POINT IN THE GENERAL WESTERLY BOUNDARY OF SAID REAL PROPERTY; THENCE SOUTHERLY ALONG SAID BOUNDARY FOLLOWING THE COURSES AND CURVATURES THEREOF TO THE NORTHERLY LINE OF THE LAND (100 FEET WIDE) OF SOUTHERN PACIFIC TRANSPORTATION COMPANY. THE EASTERLY SIDE LINE OF THE ABOVE DESCRIBED EASEMENT TERMINATES IN THE NORTHERLY AND SOUTHERLY LINES OF THE ABOVE DESCRIBED REAL PROPERTY. EXCEPTING THEREFROM THAT PORTION OF SAID PROPERTY LYING BELOW A DEPTH OF FIVE HUNDRED (500) FEET MEASURED VERTICALLY FROM THE CONTOUR OF THE SURFACE THEREOF; PROVIDED, HOWEVER, THAT GRANTOR, ITS SUCCESSORS AND ASSIGNS, SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY GRANTED HEREIN OR ANY PART THEREOF LYING BETWEEN SAID SURFACE AND FIVE HUNDRED (500) FEET

BELOW SAID SURFACE.

PARCEL B:

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS 25 FEET NORTH 89D50' EAST AND NORTH 0D02'24" EAST 50 FEET FROM THE INTERSECTION OF THE CENTERLINE OF 900 SOUTH STREET (BEING THE SOUTH SECTION LINE OF SECTION 17) AND THE WEST LINE OF THE EAST 1/2 OF SECTION 17; RUNNING THENCE NORTH 89D50' EAST ALONG THE NORTH LINE OF 900 SOUTH STREET 949.8 FEET TO THE WESTERLY LINE OF 9300 WEST STREET; THENCE NORTH 0D02'24" EAST ALONG THE WESTERLY LINE OF 9300 WEST STREET 2219.25 FEET; THENCE SOUTH 89D50' WEST 949.80 FEET TO THE CENTERLINE OF EASEMENT AS DEEDED IN BOOK 1229, PAGE 641, PARCEL 1, SAID POINT BEING ON EAST LINE OF THE PROPERTY DEEDED TO THE WESTERN ZIRCONIUM INC IN BOOK 1265, PAGE 698; THENCE SOUTH 0D02'24" WEST ALONG SAID EASTERLY LINE 2219.25 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT A POINT IN THE CENTER OF SPUR RAIL SAID POINT BEING 24.85 FEET NORTH 89D50' EAST ALONG THE SECTION LINE AND 1181.94 FEET NORTH 0D02'24" EAST FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION, RUNNING THENCE NORTH 0D02'24" EAST 255.62 FEET ALONG THE CENTERLINE OF SAID SPUR RAIL, THENCE NORTH 89D45'54" EAST 268.03 FEET TO AN EXISTING FENCE LINE EXTENDED, THENCE SOUTH 1D16'45" WEST 255.71 FEET ALONG SAID FENCE AND FENCE LINE EXTENDED THENCE SOUTH 89D45'54" WEST 262.50 FEET TO THE POINT OF BEGINNING.

Section 3. Purposes of Project Area Plan. The purposes and intent of the County Commission of Weber County with respect to the Project Area are to accomplish the following purposes by adoption of the Project Area Plan:

1. Encourage and assist economic development in order for a public or private employer to create additional jobs within the state.
2. Provide for the strengthening of the tax base and economic health of the community and the State of Utah.
3. Implement the tax increment financing provisions of the Utah Community Development and Renewal Agencies Act and any successor law or act (the "Act") which are incorporated herein by reference and made a part of this Plan.
4. Encourage economic use of and new construction upon the real property located within the Project Area.
5. Promote and market the Project Area for economic development that would be complimentary to existing businesses and industries or would enhance the economic base of the County through diversification.

6. Provide for compatible relationships among land uses and quality standards for development, such that the area functions as a unified and viable center of economic activity for the County.
7. Removal of impediments to land disposition and development through assembly of land into reasonably sized and shaped parcels served by adequate public utilities and infrastructure improvements.
8. Achievement of an environment reflecting an appropriate level of concern for architectural, landscape and design principles, developed through encouragement, guidance, appropriate controls, and financial and professional assistance to owner participants and developers.
9. Provide for improvements to public streets, utilities, curbs and sidewalks, other public rights-of-way, street lights, landscaped areas, public parking, and other public improvements, give the area a new look and to attract business activity.
10. Provide improved public streets and road access to the area to facilitate better traffic circulation and reduce traffic hazards by assisting in the street alignments and the implementation of County institutional controls and regulations to ensure management of any contaminated materials.

Section 4. Project Area Plan Incorporated by Reference. The Project Area Plan, together with supporting documents, is incorporated herein by reference and made a part of this Ordinance. Copies of the Project Area Plan shall be filed and maintained in the office of the Weber County Recorder and the Redevelopment Agency for public inspection.

Section 5. Findings. The Redevelopment Agency of Weber County has determined and found as follows:

- A. There is a need to effectuate a public purpose, and implementation of the Project Area Plan would accomplish the public purposes set forth in the Act.
- B. There is a public benefit under the benefit analysis referred to in Exhibit "C" to the Project Area Plan and described in Subsection 17C-3-103(2) of the Act.
- C. It is economically sound and feasible to adopt and carry out the Project Area Plan.
- D. The Project Area Plan conforms to Weber County's general plan.
- E. The Project Area Plan would develop the Project Area in conformity with the Act, and carrying out the Project Area Plan will promote the public peace, health, safety and welfare of Weber County.

Section 6. Acquisition of Property. The Agency may acquire property in the Project Area by negotiation, gift, devise, exchange, purchase, or other lawful method, but not by **eminent domain (condemnation)** except from an Agency board member or officer with their consent. The Agency is authorized to acquire any other interest in real property in the Project Area less than fee title such as leasehold interests, easements, rights of way, etc. by negotiation, gift, devise, exchange, purchase or other lawful method, but not by **eminent domain (condemnation)** except from an Agency board member or officer with their consent.

Section 7. Tax Increment Financing.

A. Subject to any limitations required by currently existing law (unless a limitation is subsequently eliminated), this Ordinance hereby specifically incorporates all of the provisions of the Act that authorize or permit the Agency to receive tax increment from the Project Area and that authorize the various uses of such tax increment by the Agency, and to the extent greater authorization for receipt of tax increment by the Agency or use thereof by the Agency is provided by any amendment of the Act or by any successor provision, law or act, those are also specifically incorporated herein. It is the intent of this Ordinance that the Agency shall have the broadest authorization and permission for receipt of and use of tax increment as is authorized by law, whether by existing, amended or new provisions of law. This Ordinance also incorporates the specific provisions of tax increment financing permitted by Sections 17C-1-401 and 404 of the Act, which provide, in part, as follows:

401 “(1) An agency may receive and use tax increment and sales tax, as provided in this part.

(2)(a) The applicable length of time or number of years for which an agency is to be paid tax increment or sales tax under this part shall be measured:

....

(ii) for a post-June 30, 1993 urban renewal or economic development project area plan, from the first tax year for which the agency receives tax increment under the project area budget; . . .

....

(b) Tax increment may not be paid to an agency for a tax year prior to the tax year following:

(i) for an urban renewal or economic development project area plan, the effective date of the project area plan; . . .

....

(4) With the written consent of a taxing entity, an agency may be paid tax increment, from that taxing entity's tax revenues only, in a higher percentage or for a longer period of time, or both, than otherwise authorized under this title.

(5) Each county that collects property tax on property within a project area shall pay and distribute to the agency the tax increment that the agency is entitled to collect under this title, in the manner and at the time provided in Section 59-2-1365.”

B. Subject to modifications of the Act by amendments or by any successor act or law, the Project Area Plan incorporates the provisions of Section 17C-1-408(2)(a) of the Act , which states:

- 408(2) “(a) The amount of the base taxable value to be used in determining tax increment shall be:
- (i) increased or decreased by the amount of an increase or decrease that results from:
    - (A) a statute enacted by the Utah State Legislature or by the people through an initiative;
    - (B) a judicial decision;
    - (C) an order from the Utah State Tax Commission to a county to adjust or factor its assessment rate under Subsection 59-2-704(2);
    - (D) a change in exemption provided in Utah Constitution, Article XIII, Section 2, or Section 59-2-103; or
    - (E) an increase or decrease in the percentage of fair market value, as defined under Section 59-2-102; and
  - (ii) reduced for any year to the extent necessary, even if below zero, to provide an agency with approximately the same amount of money the agency would have received without a reduction in the county's certified tax rate if:
    - (A) in that year there is a decrease in the county's certified tax rate under Subsection 59-2-924(2)(c) or (d)(i);
    - (B) the amount of the decrease is more than 20% of the county's certified tax rate of the previous year; and
    - (C) the decrease would result in a reduction of the amount of tax increment to be paid to the agency.
- (b) Notwithstanding an increase or decrease under Subsection (a), the amount of tax increment paid to an agency each year for payment of bonds or other indebtedness may not be less than would have been paid to the agency each year if there had been no increase or decrease under Subsection (a).”

C. The Project Area Plan specifically incorporates the provisions of Section 17C-1-407(2)(a) of the Act as follows:

- 407 “(2) (a) An agency may not be paid any portion of a taxing entity's taxes resulting from an increase in the taxing entity's rate that occurs after the taxing entity committee approves the Project Area Budget unless, at the time the taxing entity committee approves the Project Area Budget, the taxing entity committee approves payment of those increased taxes to the agency.”

D. As shown in the Project Area Budget, the Agency, for a period not to exceed five (5) years, has elected to receive from the Project Area 70% of the tax increment monies attributable to the levies of taxing entities during the five (5) year period, with no maximum dollar amount or cap.

Section 8. Effective Date. This Ordinance shall take effect upon its first publication or posting.

**PASSED, APPROVED and ADOPTED** by the County Commission of Weber County, State of Utah, this 1st day of November, 2011.

WEBER COUNTY COMMISSION

Jan M. Zogmaister  
By: Jan Zogmaister, Chair

Commissioner Dearden voted aye  
Commissioner Gibson voted aye  
Commissioner Zogmaister voted aye

ATTEST:

Ricky D. Hatch  
Ricky D. Hatch  
Weber County Recorder

EXHIBIT "A"  
PROJECT AREA MAP





**WEBER COUNTY REDEVELOPMENT AGENCY**  
**PROJECT AREA: LITTLE MOUNTAIN AREA A ~ ADVANCED FLUID CONTAINMENT (AFC)**  
**TAX INCENTIVE SUMMARY AND PROPOSED BUDGET**

This is a percentage based, 5 year budget.

Base Year Value = \$1,787,340.00

YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
2012	2013	2014	2015	2016

**INCREMENTAL VALUE:**

Real Property:	100,000	25,000	-	-	-
Personal Property:	1,246,000	2,418,750	3,995,250	3,652,250	3,413,750
Total Incremental Value:	1,346,000	2,443,750	3,995,250	3,652,250	3,413,750

**ESTIMATED PROPERTY TAX RATES:**

Real Property:	0.013378	0.013378	0.013378	0.013378	0.013378
Personal Property:	0.013378	0.013378	0.013378	0.013378	0.013378

**Cummulative Totals:**

Ttl Tax Increment Available:	18,007	32,692	53,448	48,860	45,669	\$ 198,677
30% Pass-Thru to Taxing Entities :	5,402	9,808	16,035	14,658	13,701	\$ 59,603
70% of Increment to Agency:	12,605	22,885	37,414	34,202	31,968	\$ 139,074
75% AFC Property Tax Incentive:	9,454	17,164	28,060	25,651	23,976	\$ 104,305
20% to Housing Trust Fund:	2,521	4,577	7,483	6,840	6,394	\$ 27,815
5.0% to Agency Administration:	630	1,144	1,871	1,710	1,598	\$ 6,954

*Note: Levels of property tax increment and distributions thereof are estimates only. Annual assessment levels and rates are anticipated to vary.*