

# STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

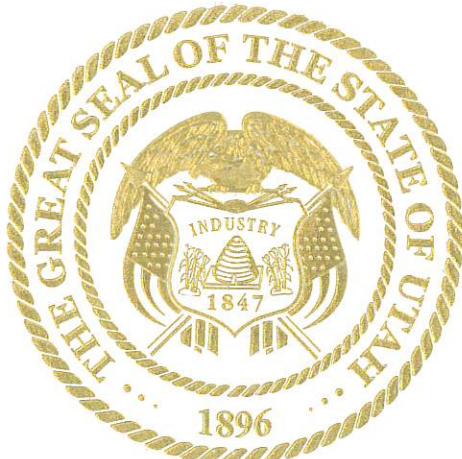
## CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation for STANSBURY GREENBELT LEGACY ESTATES, June 15, 2021, complying with Section 17B-1-412, 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 STANSBURY GREENBELT LEGACY ESTATES, located in Tooele County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 15<sup>th</sup> day of June, 2021 at Salt Lake City, Utah.

DEIDRE M. HENDERSON  
Lieutenant Governor



## NOTICE OF IMPENDING BOUNDARY ACTION

TO: The Lieutenant Governor, State of Utah

**NOTICE IS HEREBY GIVEN**, in conformance with the applicable provisions of Utah Code Ann. §17B-1-414(2)(a), that the Board of Trustees (the “Board”), of the STANSBURY GREENBELT SERVICE AREA OF TOOKELE COUNTY (the “Service Area”), has, at a regular meeting of the Board, duly convened, pursuant to notice, on March \_\_\_, 2021, approved a *Resolution Annexing Certain Property into the Boundaries of Stansbury Recreation Service Area of Tooele County (Legacy Estates Subdivision)*, a true and correct copy of which is attached as EXHIBIT “A” hereto and incorporated by this reference herein (the “Annexation Resolution”).

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Surveyor of Tooele County, Utah, is submitted herewith. The Board hereby certifies that all requirements applicable to the annexation of the property more particularly described in the Annexation Resolution have been met.

**WHEREFORE**, the Board hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-414(c).

**DATED** this 18 day of March, 2021.

## STANSBURY RECREATION SERVICE AREA OF TOOELE COUNTY

By:   
Veronica Hobby, General Manager

## VERIFICATION

The undersigned, being duly sworn upon oath, says that the facts set forth in the foregoing *Notice of Impending Boundary Action* are true, accurate, and complete to the best of the undersigned's knowledge and belief.

Veronica Hobby, General Manager

SUBSCRIBED AND SWORN to before me this 24 day of March, 2021.



Karen Butler  
NOTARY PUBLIC



# STANSBURY RECREATION SERVICE AREA OF TOOKELE COUNTY

## RESOLUTION NO. 2021 – 02A

### A RESOLUTION ANNEXING CERTAIN REAL PROPERTY INTO THE BOUNDARIES OF THE STANSBURY RECREATION SERVICE AREA OF TOOKELE COUNTY (Legacy Estates Subdivision)

**WHEREAS**, Utah Code Ann. Title 17B, Chapter 1, Section 4 (the “*Annexation Statute*”), specifically §17B-1-402 therein, provides that an area outside the boundaries of a local service area may be annexed into the local service area in order to enable the local service area to provide to the property to be annexed the services that the local service area provides; and

**WHEREAS**, the Stansbury Recreation Service Area of Tooele County (the “*Service Area*”), is a County Service Area as defined in and governed by Utah Code Ann. §17B-2a-901 et seq., as well as certain provisions of Title 17B, Limited Purpose Local Government Entities – Local Service Areas, Utah Code Ann. §17B-1-101 et seq., and is subject to the provisions of the Annexation Statute pertaining to the annexation of the property which is the subject of this Resolution; and

**WHEREAS**, the Board of Trustees of the Service Area (the “*Board*”), has received a certain Petition for the Annexation of Property into the boundaries of the Service Area, dated November 16, 2020 (the “*Petition*”), executed by Jack R. Walters and Bart Powell (collectively, the “*Petitioner*”); pursuant to which the Petitioner petitioned the Board to annex the real property described in the Petition (the “*Annexation Property*”), as more particularly described below, into the boundaries of the Service Area in order to receive the recreation and related services provided by the Service Area for the benefit of the Annexation Property; and

**WHEREAS**, the Petitioner is the owner of 100% of the private real property located within the Annexation Property, representing an assessed value equal to 100% of the assessed value of all private real property within the entire Annexation Property proposed to be annexed pursuant to the Petition; and

**WHEREAS**, on December 9, 2020, the Board adopted *A Resolution Certifying the Petition for Annexation and Providing Notice Thereof* (the “*Certification Resolution*”), pursuant to which, with respect

to ownership of the Annexation Property, the Board has verified, with the assistance of the Tooele County Recorder's Office, that the Petitioner is the current owner of 100% of the Annexation Property as more particularly described in the Petition; and with respect to the Petition, has found and determined that the Petition: (i) has been duly filed in conformance with the provisions of Utah Code Ann. §17B-1-403(1)(a)(ii)(A); (ii) describes the area proposed to be annexed and is accompanied by a map of the boundaries of the area proposed to be annexed in conformance with the provisions of Utah Code Ann. § 17B-1-403(3); and (iii) is otherwise in conformance with all of the specific requirements of Utah Code Ann. §17B-1-404 of the Annexation Statute; and as such, the Board has certified that the Petition is in compliance with all applicable requirements of State law and is a valid petition for the initiation of proceedings to annex the Annexation Property into the boundaries of the Service Area; and

**WHEREAS**, the Service Area has found and determined that notice of the certification of the Petition as required pursuant to Utah Code Ann. §17B-1-405(1)(b) has been given to the contact sponsor identified by the Petitioner; and

**WHEREAS**, notice of the proposed Annexation, in the form set forth in the Certification Resolution, was duly given within the required thirty (30) days after certification of the Petition by the Board as directed in the Certification Resolution, in conformance with the requirements of Utah Code Ann. §17B-1-413(2)(a)(i), by: (i) posting written notice thereof at the Service Area office and in one or more other locations within or proximate to the area proposed to be annexed; (ii) by providing written notice to the *Tooele Transcript Bulletin*, a newspaper of local circulation within the Service Area, and (iii) by publishing such notice on the Utah Public Notice Website; and

**WHEREAS**, the Board has found and determined that in conformance with the authority of Utah Code Ann. §17B-1-406(2), inasmuch as Tooele County does not provide the services as provided by the Service Area, written notice of the proposed annexation of the Annexation Property into the boundaries of the Service Area is not required to be delivered to Tooele County; and

**WHEREAS**, pursuant to the provisions of Utah Code Ann. §17B-1-413(1)(a)(ii), the public hearing, notice of hearing and protest provisions of the Annexation Statute are not required inasmuch as the Petition was signed by the owners of 100% of the private real property located within Annexation Property

representing an assessed value equal to 100% of the assessed value of all private real property within the entire Annexation Property proposed to be annexed pursuant to the Petition; and

WHEREAS, there being no persons residing within the boundaries of the Annexation Property, and no persons owning property within the boundaries of the Annexation Property who did not sign the Petition, the Service Area has not received a request to hold a public hearing from a qualifying person under Utah Code Ann. §17B-1-413(2)(a)(ii)(B); and

WHEREAS, the Board had determined not to hold a discretionary public hearing under Utah Code Ann. §17B-1-413(2)(a)(ii); and

WHEREAS, the Board has found and determined that, subject to compliance with all applicable requirements of the Service Area's rules, regulations and policies: (i) the Service Area is able and willing to provide its recreation and related services to the Annexation Property; (ii) the Annexation Property will be benefitted by its inclusion into and its receiving the services provided by the Service Area; and (iii) the annexation of the Annexation Property into the boundaries of the Service Area is in the best interest of the public served by the Service Area;

**NOW, THEREFORE**, be it hereby resolved by the Board as follows:

**SECTION 1. INCORPORATION OF RECITALS.** The Recitals hereinabove set forth and the Exhibit attached hereto are incorporated into this Resolution and made a part hereof as though fully set forth herein.

**SECTION 2. ANNEXATION.** The annexation of the real property referred to herein as the Annexation Property, being hereinafter more particularly described, is approved and, subject to all proper filings with the office of the Lt. Governor as required by the Annexation Statute, said property is hereby annexed into the boundaries of Stansbury Park Improvement Service Area. The Annexation Property is identified as Tooele County Land Parcel No. 05-037-0-0018, being more particularly described in EXHIBIT "A" attached hereto.

The Annexation Final Local Entity Plat for the above-described Property is attached as EXHIBIT "B" hereto.

**SECTION 3. EFFECT OF ANNEXATION.** The Annexation Property hereby annexed shall be

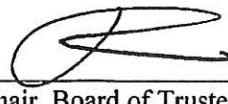
governed by and become an integral part of the Service Area. Pursuant to this annexation, the owner of the Annexation Property shall be entitled to receive all of the benefits of commodities, facilities and services provided by the Service Area, and shall be subject to all rights, powers and authority vested in the Service Area as set forth in the Utah Local Service Areas Act, Utah Code Ann. §17B-1-101 *et seq.*, and the Improvement Service Area Act, Utah Code Ann. §17B-2a-401 *et seq.*; including, without limitation, the right, power and authority of the Service Area to promulgate rules, regulations and policies for the operation of the Service Area; to levy ad valorem property taxes on the Annexation Property; to provide recreation and related services; and to impose fees and charges for the facilities and services to be provided to the Annexation Property by the Service Area and for payment of the Service Area's bonds and other obligations, all subject to compliance with the Service Area's rules, regulations and policies and in conformance with State law.

**SECTION 4. DIRECTION.** All officers and employees of the Service Area are hereby directed to take such action as shall be required pursuant to the Annexation Statute and otherwise, as necessary and appropriate, to effectuate the provisions of this Resolution and the intent expressed herein.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its approval and adoption by the Board.

APPROVED AND RE-ADOPTED this 18<sup>th</sup> day of March, 2021.

STANSBURY RECREATION SERVICE AREA  
OF TOOELE COUNTY



---

Chair, Board of Trustees

Attest:



---

Clerk/Secretary

**EXHIBIT "A"**

**(Legal Description of the Annexation Property)**

## EXHIBIT A

Beginning at a point North 89°39'20" East 1616.87 feet from the Southwest corner of Section 21, Township 2 South, Range 4 West, Salt Lake Base and Meridian; and running thence North 0°02'19" West along a fence line and fence line extended 450.00 feet; thence North 89°59'32" West 390.00 feet; thence South 0°22'54" East 450.00 feet; thence North 89°39'20" East 390.00 feet to the point of beginning.

Less that portion in road.

**EXHIBIT "B"**

**(Final Local Entity Plat)**

## CERTIFICATION

I, the undersigned clerk/secretary of the Stansbury Recreation Service Area (the "Service Area"), do hereby certify that the attached *Resolution Annexing Certain Real Property into the Boundaries of the Stansbury Recreation Service Area of Tooele County (Legacy Estates)*, is a true and correct copy of said resolution as duly adopted by the Board of Trustees (the "Board"), of the Service Area, at a regular meeting of the Board, duly convened, pursuant to notice, on March 18<sup>th</sup>, 2021.



---

Service Area Clerk