

#2004-212

Farmington, Utah
June 15, 2004

A regular meeting of the Board of County Commissioners of Davis County, Utah (the "County"), was held on Tuesday, the 15th day of June, 2004, at the hour of 10:00 a.m at the regular meeting place of said Commission, at which meeting there were present and answering roll call, either personally or electronically, the following members who constituted a quorum:

Dannie R. McConkie	Commission Chair (Telephonic)
Carol R. Page	Commissioner Pro-Tem
Michael J. Cragun	Commissioner

Also present.

Steve S. Rawlings	County Clerk
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Absent:

After the meeting had been duly called to order, and after other matters not pertinent to this resolution had been discussed, the Clerk presented to the County Commission a Certificate of Compliance with Open Meeting Law with respect to this June 15, 2004 meeting, a copy of which is attached hereto as Exhibit "A."

The following resolution was then introduced in written form, and after full discussion of the matter, pursuant to motion made by Commissioner Michael J. Cragun and seconded by Commissioner Dannie R. McConkie, was adopted by the following vote:

Aye:

Dannie R. McConkie
Carol R. Page
Michael J. Cragun

E 2017602 B 3623 P 1144
 RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
 2004 SEP 14 4:36 PM FEE .00 DEP MEC
 REC'D FOR SOUTH DAVIS RECREATION DIST

Nay:

16\Res\Establish SSD
June 14, 2004



(STATE OF UTAH) ss
 COUNTY OF DAVIS)
 I, THE UNDERSIGNED CLERK OF DAVIS COUNTY UTAH DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK
 WITNESS MY HAND SEAL OF SAID OFFICE
 THIS 13th DAY OF September, 2004
 STEVE S. RAWLINGS, CLERK/AUDITOR
 BY: Steve Rawlings

19

RESOLUTION NO. 2004-212

E 2017602 B 3623 P 1145

A RESOLUTION ESTABLISHING AND ORGANIZING THE SOUTH DAVIS RECREATION SPECIAL SERVICE DISTRICT, ESTABLISHING THE BOUNDARIES OF SAID DISTRICT, DESIGNATING THE TYPE OF SERVICE TO BE PERFORMED WITHIN THE BOUNDARIES OF THE DISTRICT, PROVIDING FOR THE APPOINTMENT OF AN INITIAL ADMINISTRATIVE CONTROL BOARD OF THE DISTRICT AND PRESCRIBING AND SETTING FORTH OTHER DETAILS AND MATTERS IN CONNECTION THEREWITH

WHEREAS, the Board of County Commissioners of Davis County, Utah (the "County") is the duly-authorized governing authority of Davis County, a body corporate and politic of the State of Utah; and

WHEREAS, the County has previously been approached by the municipalities located in the southern part of Davis County to form a special service district for recreation purposes; and

WHEREAS, the County Commission, on April 13, 2004, duly passed and adopted Resolution No. 2004-115 as provided in § 17A-2-1305, *Utah Code Annotated*, 1953, as amended, declaring the intention of the County to create and establish a special service district to be known as the South Davis Recreation District (the "District") pursuant to applicable Utah law and providing that notice of its intention be published by the Davis County Clerk in accordance with law; and

WHEREAS, following its passage by the County, a certified copy of Resolution No. 2004-115 was presented to the city councils of Bountiful City, Centerville City, Farmington City, North Salt Lake City, West Bountiful City and Woods Cross City; and

WHEREAS, County Resolution No. 2004-115 was approved by all of the aforementioned municipalities, with the exception of Farmington City, which rejected the same; and

WHEREAS, the County Commission subsequently, on April 27, 2004, amended Resolution No. 2004-115 by adopting Resolution No. 2004-A-115 deleting the areas within the corporate boundaries of Farmington City from the proposed boundaries of the District; and

WHEREAS, the County Clerk thereafter published notice of the County's intention to establish the District as required by law, a copy of which Notice is attached hereto as Exhibit "A" (the "Notice of Intention"); and

WHEREAS, the County has held, pursuant to the Notice of Intention, a public hearing on May 25, 2004, at which hearing all interested parties desiring to be heard were heard and their support or protest considered; and

WHEREAS, more than 15 days have elapsed since the conclusion of the public hearing held on May 25, 2004, and all protests against the establishment of the District or against the services it is to provide have been fully considered by the County; and

WHEREAS, the owners of over fifty percent (50%) of the assessed value of the taxable property included within the proposed District have not protested the establishment of the District or the services which it is to provide; and

WHEREAS, more than fifty percent (50%) of the qualified voters of the territory proposed to be included within the District have not protested the establishment of the District or the services which it is to provide, and

WHEREAS, pursuant to the information derived from all interested persons at the public hearing, the County has determined that a majority of the residents desire formation of the District; and

WHEREAS, the County is vested with the jurisdiction, power and authority to create and establish the District and to define the boundaries thereof, and

WHEREAS, the mayors of the five municipalities to be included within the District have requested that an administrative control board be appointed in accordance with law;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF DAVIS COUNTY, STATE OF UTAH, AS FOLLOWS:

Section 1. The South Davis Recreation Special Service District be and hereby is ordered and declared duly organized, created, and established under the laws of the State of Utah, as a separate body politic and corporate and a quasi-municipal public corporation, distinct from the County and from each municipality in which it is located.

Section 2. The name of the District is South Davis Recreation District.

Section 3. The District shall have and exercise, through its proper officers, all power and authority conferred upon special service districts created for the purposes herein described under and by virtue Title 17A, Chapter 2, Part 13 of the *Utah Code Annotated*, 1953, as amended (the "Act") and all laws amendatory thereof and supplemental thereto and all such power and authority as may hereinafter be conferred by law.

Section 4. The County does hereby finally determine and declare that:

a. No property which will not benefit from the services to be provided by the District is included within the boundaries thereof; and

b. No territory included within the boundaries of the District is included in whole or in part within the boundaries of any other special service district that is now providing the same services that will be supplied by the District.

Section 5. The District shall provide the following services, which services are the same services as those specified in the Notice of Intention.

a. Acquiring, operating, and maintaining recreational facilities and services, including but not limited to, the construction, installation, operation, repair, maintenance and replacement of recreational and park facilities, buildings, structures, venues and services within its boundaries through the construction, purchase, gift, condemnation or any combination thereof of the lands, facilities or systems necessary to provide the aforementioned recreational facilities and services;

b. Financing, constructing or arranging for the construction and/or installation of recreational facilities, equipment and services;

c. Raising funds, by way of taxes, fees, assessments or otherwise, for the purpose of acquiring and operating recreational facilities and providing recreational services on an ongoing basis and for raising additional capital for the purposes of (i) establishing and funding a capital account to be used to acquire and construct recreational facilities and to acquire and hold land and interests therein; (ii) establishing and funding a capital account to be used to acquire capital assets sufficient to service the needs of the District, and (iii) establishing and funding an administrative account to cover the expenses for operation and maintenance of the District. All such accounts and funds deposited therein shall at all times belong to and be administered by the District for the benefit of the residents of the District, and

d. Entering into such contracts, instruments, agreements and undertakings and such other activities as may be reasonably necessary and incidental to carry out the foregoing purposes of acquiring, operating and maintaining recreational facilities and providing recreational services.

Section 6. The District shall be comprised of and include within its boundaries the same area and territory as that described in the Notice of Intention attached hereto as Exhibit "A."

Section 7. The County, having control and supervisory authority over all activities of the District, shall hereafter establish, pursuant to § 17A-2-1326 of the Act, an administrative control board and will delegate to such board the power to act as the governing authority of the District and the right to exercise of all rights, powers and authority provided for in §§ 17A-2-1314, 1316, 1320 and 1321 of the Act; but notwithstanding anything to the contrary in this Resolution, the County shall not delegate and hereby expressly reserves to itself the power to levy a tax on the taxable

property of the District; to issue bonds payable from taxes, or to call or hold an election for the authorization of taxes or bonds; to levy assessments for improvements in an improvement district created under Part 2, Chapter 3 of Title 17A of the *Utah Code Annotated*, 1953, as amended; to issue interim warrants or bonds payable from those assessments; or to appoint a board of equalization under § 17A-3-217. The administrative control board may not hold an election, levy a tax or assessment, or issue bonds or interim warrants unless the County has approved. The County may revoke in whole or in part any power or authority delegated to the administrative control board or to any officers or employees of the District. The administrative control board may, at the expense of the District, employ staff commensurate with those duties and functions delegated to it by the County

Section 8. The administrative control board for the District, to be hereafter created, shall initially consist of eight (8) persons. The County has determined to hereafter appoint three (3) initial members of the administrative control board who shall serve until their successors are duly appointed by the County. Bountiful City, Centerville City, North Salt Lake City, West Bountiful City and Woods Cross City shall each appoint one (1) member to the administrative control board who shall serve at the pleasure of the governing body of the municipality appointing each such member. Each member of the administrative control board shall have one (1) vote. The administrative control board members may receive compensation and reimbursement of expenses as provided by law to the same extent as if they were members of a board of trustees of a local district, as defined in § 17B-2-404 of the *Utah Code Annotated*, 1953, as amended. Each member of the administrative control board shall hereafter execute and file with the District a corporate fidelity bond in an amount required for county commissioners and shall take an oath of office and file it as may be required by law. The expense of the fidelity bond shall be paid by the District. The term of office of members of the administrative control board shall be four (4) years each, except that two (2) persons on the initial board appointed by the County shall serve for a term of two (2) years, to be determined by drawing lots, and the remaining one (1) person appointed by the County shall have an initial term of four (4) years. The term of office of members of the administrative control board appointed by the municipalities shall be four (4) years each, except that two (2) persons on the initial board, when appointed, shall serve for a term of two (2) years, to be determined by drawing lots, and the remaining three (3) persons from the group appointed by the municipalities shall serve an initial term of four (4) years. The initial two-year terms shall conclude on December 31, 2005, and the initial four-year terms shall conclude on December 31, 2007. The initial appointed board members shall be appointed in accordance with the provisions of Chapter 1, Part 3, Title 17A of the *Utah Code Annotated*, 1953, as amended. The initial persons appointed to the administrative control board shall meet promptly following their appointment and shall organize the administrative control board in the manner prescribed by the laws of the State of Utah.

Section 9. Any person who has filed a written protest within the period provided by law and who is a qualified voter residing within the District or whose property is included within the boundaries of the District, notwithstanding such protest, may, within thirty (30) days after the adoption of this Resolution creating and establishing the District, apply to the Second Judicial District Court in and for Davis County, State of Utah, for a Writ of Review of the actions of the

County in establishing the District, but only upon the grounds that the protestor's property will not be benefitted by the services authorized to be furnished by the District or upon the ground that the proceedings taken in establishing the District have not been in compliance with law. A failure to timely apply for a Writ of Review forecloses the right of all owners of property or qualified voters within the District to further object.

Section 10. The officers of the County be, and the same hereby are, authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution and give any notices of any nature required by law.

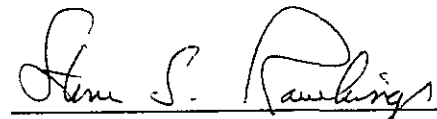
Section 11. The County, at any time hereafter and from time to time, may submit one (1) or more propositions to levy a tax and/or issue bonds to provide revenue to the District in accomplishing its purposes, which proposition(s) shall be submitted to the qualified voters of the District at an election or elections called or held for that purpose

Section 12. This Resolution shall become effective immediately upon its passage.

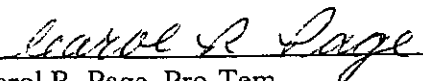
**PASSED AND ADOPTED BY THE COUNTY COMMISSION OF DAVIS COUNTY,
STATE OF UTAH, THIS 15th DAY OF JUNE, 2004.**

DAVIS COUNTY

ATTEST.



Steve S. Rawlings, County Clerk

By: 

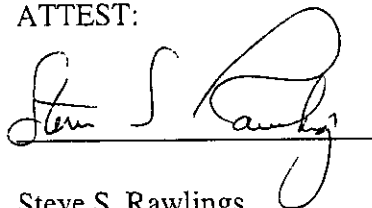
Carol R. Page, Pro-Tem

(Other business not pertinent to the above appears in the minutes of the meeting.)

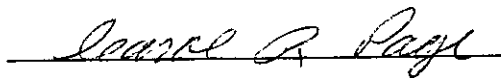
Pursuant to motion duly made and carried, the meeting was adjourned.

DAVIS COUNTY

ATTEST:

A handwritten signature in cursive script, appearing to read "Steve S. Rawlings", written over a horizontal line.

Steve S. Rawlings
Davis County Clerk/Auditor

A handwritten signature in cursive script, appearing to read "Carol R. Page", written over a horizontal line.

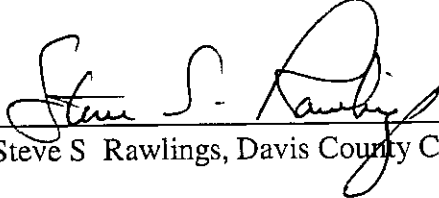
Carol R. Page, Chairman Pro-Tem

STATE OF UTAH)
 :SS.
 COUNTY OF DAVIS)

E 2017602 B 3623 P 1151

I, Steve S. Rawlings, the duly qualified and acting County Clerk of Davis County, Utah, do hereby certify that the foregoing constitutes a true and correct copy of the excerpts from the minutes of a meeting of the duly qualified and acting members of the County Commission of Davis County, Utah, held on the 15th day of June, 2004, including a Resolution adopted at said meeting, as said minutes and Resolution are of record in my official possession.

IN WITNESS WHEREOF, I have this 15th day of June, 2004, subscribed my official signature and impressed hereon the official seal of said County.



Steve S Rawlings, Davis County Clerk

EXHIBIT "A"

**NOTICE OF INTENTION TO ESTABLISH
SOUTH DAVIS RECREATION DISTRICT**

NOTICE IS HEREBY GIVEN THAT on April 27, 2004, the County Commission of Davis County, Utah (the "County"), adopted a Resolution proposing the establishment of a special service district to be called "South Davis Recreation District" (the "District") for the purpose of providing recreational facilities and services. The Resolution also provides for a public hearing on the establishment of the District in the County, to be held at the Bountiful City Hall at 790 South 100 East in Bountiful, Utah, at 6:00 p.m. on May 25, 2004.

DESCRIPTION OF THE PROPOSED DISTRICT

The District shall have the following boundaries:

See Exhibit "A" attached hereto and hereby incorporated herein reference.

PROPOSED SERVICES

The District will be authorized to provide recreational facilities and services including, but not limited to, the construction, installation, operation, repair, maintenance and replacement of recreational and park facilities, buildings, venues and services within its boundaries through the construction, purchase, gift, condemnation or any combination thereof of the facilities, systems and equipment necessary to provide said recreational facilities and services.

METHOD OF FINANCING

Pursuant to the provisions of the Utah Special Service District Act, Title 17A, Chapter 2, Part 13, *Utah Code Annotated*, 1953, as amended, and Article XI, Section 7 of the Constitution of Utah, the District may annually impose fees and charges to pay for all or a part of the services to be provided by the District. It may also annually levy taxes upon all taxable property within the District to provide the proposed facilities and services, and may issue bonds for the acquisition and/or construction of facilities or systems to provide said services, provided, however, that said levy to provide said facilities and services or to repay said bonds must be authorized and approved by a majority of the qualified electors of the District at an election held for that purpose.

PUBLIC HEARING ON PROPOSED ESTABLISHMENT OF DISTRICT

The County Commission of Davis County will hold a public hearing at the Bountiful City Hall on the establishment of the District and the furnishing of recreational facilities and services therein at 6:00 p m. on Tuesday, the 25th day of May, 2004. Any interested person may protest the establishment of the District or the furnishing of services therein either orally at the hearing or in writing, at or at any time prior to the hearing, or within fifteen (15) days of the conclusion of the hearing. Written protests must be filed with the Davis County Clerk and may be withdrawn by the protestant within thirty (30) days after the conclusion of the hearing.

Any protest signed on behalf of a corporation owning property in the District shall be sufficient if it is signed by the president, vice president, or any duly authorized agent of the corporation. Where title to any property is held in the name of more than one person, all of the persons holding title to the property must join in the signing of the protest.

At the public hearing, the County Commission will give full consideration to all protests which shall have been filed and will hear and consider all interested persons desiring to be heard. The County Commission may continue the hearing to another date and time if necessary. After conclusion of the hearing, and after the time for filing protests has expired, the County Commission shall adopt a resolution either establishing the District or determining that the establishment of the District should be abandoned. A resolution establishing the District may contain changes from the initial resolution or notice of intention including reduction of the boundaries of the District or elimination of one or more of the types of services proposed.

If, within fifteen (15) days after the conclusion of the hearing, over fifty percent (50%) of the qualified voters of the territory proposed to be included within the District or the owners of over fifty percent (50%) of the taxable value of the taxable property included within the proposed District file written protest against the establishment of the proposed District or against the specified type of service to be provided within the District with the County Clerk, the County Commission is required by law, in the former instance, to abandon the proposed establishment of the District and, in the latter instance, to eliminate the type of service objected to from the resolution finally establishing the District.

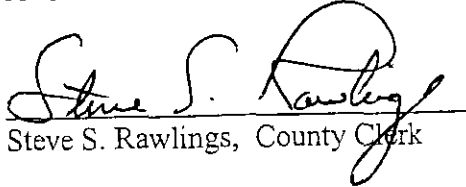
Any person who (i) filed a written protest and (ii) is a qualified voter residing within the proposed District or a qualified voter whose property has been included within the proposed District may, within thirty (30) days after the adoption of the resolution establishing the District, apply to the District Court of the Second Judicial District for a writ of review of the actions of the County in establishing the District, only upon the grounds, however, that his or her property will not be benefitted by one or more of the services authorized to be furnished by the District or that the proceedings taken in the establishment of the District have not been in compliance with the law.

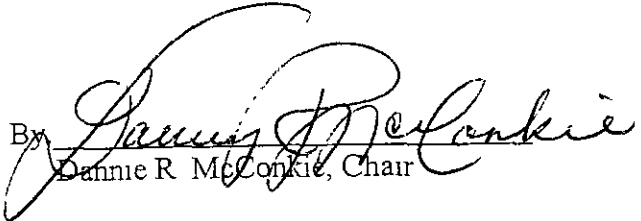
A FAILURE TO APPLY FOR SUCH A WRIT OF REVIEW WITHIN THE PRESCRIBED TIME SHALL FORECLOSE ALL OWNERS OF PROPERTY AND QUALIFIED VOTERS WITHIN THE DISTRICT SO ESTABLISHED FROM THE RIGHT FURTHER TO OBJECT THERETO

GIVEN by order of the County Commission of Davis County this 27th day of April, 2004.

DAVIS COUNTY

ATTEST.


Steve S. Rawlings, County Clerk

By 
Dannie R. McConkie, Chair

Published in the *Davis County Clipper* and the *Davis Standard Examiner* on May 4, 11, and 18, 2004.

EXHIBIT "A" TO NOTICE OF INTENTION

DESCRIPTION OF PROPOSED DISTRICT BOUNDARIES

Commencing at a point between Salt Lake and Davis Counties said point being North 00°05'49" East along the section line 624 28 feet from the West One Quarter Corner of Section 18, Township 1 North, Range 1 East Salt Lake Base and Meridian, said point being the POINT OF BEGINNING,

Thence along the following 68 Courses along the Salt Lake and Davis County Boundary thence S 89°42'45" W 5380.02 feet, thence S 89°42'47" W 2644 59 feet, thence S 89°42'47" W 2643.58 feet, thence S 89°42'47" W 4539 96 feet, thence N 0°00'00" E 1076 44 feet, thence N 45°00'39" E 645 95 feet, thence N 12°32'00" E 601 48 feet, thence N 9°27'57" W 992 09 feet, thence N 5°11'47" W 720 59 feet, thence N 4°30'36" E 243.07 feet, thence N 4°07'54" E 296 15 feet, thence N 28°11'12" E 105.69 feet, thence N 55°26'51" E 82 13 feet, thence N 42°37'17" E 85 30 feet, thence N 4°13'57" E 101 23 feet, thence N 37°20'05" W 211 04 feet, thence N 37°43'07" W 563 68 feet, thence N 25°26'48" W 851 30 feet, thence N 42°35'40" W 99 26 feet, thence N 67°14'59" W 120 15 feet, thence N 78°48'23" W 196.33 feet, thence N 36°24'38" W 150.63 feet, thence N 1°13'50" W 240 77 feet, thence N 11°09'36" W 192.09 feet, thence N 44°49'59" W 913 12 feet, thence N 15°03'13" E 145 75 feet, thence N 81°10'21" E 412 88 feet, thence N 1°44'40" W 304 75 feet, thence N 23°43'53" E 73 53 feet, thence N 0°01'58" E 67.09 feet, thence N 22°54'46" W 160 58 feet, thence N 52°26'02" W 172 26 feet, thence N 75°14'54" W 546.75 feet, thence N 71°30'02" W 21.57 feet, thence N 64°28'51" W 31 82 feet, thence N 54°40'13" W 42 82 feet, thence N 46°25'27" W 151 27 feet, thence N 38°33'02" W 31 68 feet, thence N 29°59'40" W 31 39 feet, thence N 20°01'48" W 41 95 feet, thence N 12°45'19" W 102 40 feet, thence N 14°55'30" W 385 88 feet, thence N 50°59'03" W 193.02 feet, thence N 61°26'16" W 269 38 feet to a point of curvature, thence 160 95 feet long the arc of an 181 84 foot radius curve to the right, through a central angle of 50°42'47", the chord of which bears N 18°56'18" W 155 75 feet to a point of curvature, thence 198 66 feet along the arc of an 146 15 foot radius curve to the right through a central angle of 77°52'56", the chord of which bears N 45°21'34" E 183 71 feet, thence N 84°18'02" E 155 06 feet, thence N 46°42'35" E 85 54 feet, thence N 26°28'02" E 46 29 feet, thence N 49°15'49" W 562 91 feet, thence S 63°26'44" W 898 35 feet, thence S 83°38'33" W 198.50 feet, thence S 47°06'24" W 523 75 feet, thence N 74°58'42" W 662 24 feet, thence N 30°01'25" W 293 94 feet, thence N 23°26'03" E 272.16 feet, thence N 33°08'07" W 381 70 feet, thence N 7°18'48" W 488 79 feet, thence N 85°22'02" W 478 08 feet, thence N 21°06'03" W 312.55 feet, thence N 29°09'16" E 313 94 feet, thence N 32°17'43" W 636 44 feet, thence N 10°53'35" E 716 16 feet, thence N 8°11'00" W 293.27 feet, thence N 22°08'12" E 188 83 feet, thence N 42°08'12" E 944 13 feet, thence N 29°06'48" W 512 53 feet, thence N 8°04'35" E 219.76 feet to the North Salt Lake City Boundary,

thence N 89°55'28" E along the North Salt Lake City Boundary 4209.48 feet to a point on the section line between Sections 33 and 34 Township 2 North Range 1 West, thence N 0°28'40" W along the section line 832.54 feet to the Quarter Corner common to Sections 33 and 34 Township 2 North Range 1 West, thence N 0°28'10" W along the section line 2704 21 feet to the Southwest Corner of Section 27 Township 2 North Range 1 West, thence N 0°12'40" W along the section line 2642.84 feet to the Quarter Corner common to Sections 27 and 28 Township 2 North Range 1 West, thence N 0°17'27" W along the section line 2643 54 feet to the Southwest Corner of Section 22 Township 2 North Range 1 West, thence N 0°04'07" W along the section line 5282.34 feet to the Southwest Corner of Section 15 Township 2 North Range 1 West, thence N 89°55'30" E along the section line 4506.86 feet to a point on the West Bountiful City Boundary

Thence along the following two courses along the West Bountiful City Boundary, thence N 0°01'36" W 798.95 feet, thence N 89°57'04" E 813.11 feet to a point on the west section line of Section 14 Township 2 North Range 1 West, thence N 0°28'57" W along the section line 1841.46 feet to the West Quarter Corner of Section 14 Township 2 North Range 1 West, thence N 89°50'47" E along the south quarter section line of the northwest quarter of Section 14 Township 2 North Range 1 West 2590 63 feet to the approximate center of Section 14 Township 2 North Range 1 West, thence N 0°03'27" W along the approximate east quarter section line of the northwest quarter of Section 14 Township 2 North Range 1 West 2677 07 feet to the North Quarter Corner of Section 14 Township 2 North Range 1 West, thence S

89°53'13" E along the section line 2639 89 feet to the southwest corner of Section 12 Township 2 North Range 1 West, thence N 0°03'26" W 1322 43 feet to the Centerville City Boundary,

Thence along the following 40 courses along the Centerville City Boundary, thence N 89°59'24" W 1319 94 feet, thence N 0°02'54" E 713 15 feet, thence N 64°55'56" E 1455 02 feet, thence N 64°55'56" E 123.23 feet, thence N 60°00'43" E 861 85 feet, thence N 46°02'33" E 813.48 feet, thence N 12°52'25" E 659 64 feet, thence N 15°04'15" W 810 19 feet, thence N 20°31'51" W 372.03 feet, thence N 24°46'38" W 471 53 feet, thence N 18°48'53" W 278 42 feet, thence N 43°24'49" E 2539 27 feet, thence N 10°53'09" E 591 87 feet, thence N 6°19'44" E 529 86 feet, thence N 3°50'39" E 405 00 feet, thence N 0°01'00" E 271 77 feet, thence N 25°02'18" W 833 33 feet, thence N 15°11'52" W 1028 83 feet, thence N 36°00'28" W 1516 48 feet, thence N 52°08'30" W 1394.57 feet, thence N 89°56'28" E 7398 33 feet, thence S 1°54'22" W 29 19 feet, thence N 89°38'15" E 315 08 feet, thence N 85°48'26" E 34 42 feet, thence N 81°13'41" E 15 72 feet, thence N 69°28'43" E 12 53 feet, thence N 61°07'26" E 19.00 feet, thence S 76°47'31" E 2 03 feet, thence N 89°27'40" E 154.22 feet, thence N 0°00'00" E 78.00 feet, thence N 89°38'15" E 182.50 feet, thence N 0°00'00" E 40 00 feet, thence N 89°38'15" E 134 11 feet, thence S 0°04'24" E 116 02 feet, thence S 89°55'04" E 320 37 feet, thence N 0°22'15" E 174.57 feet, thence N 89°48'20" E 821 08 feet, thence S 19°56'36" E 1554 74 feet, thence S 89°33'47" E 339 29 feet, thence S 8°54'17" E 1740 05 feet to a point on the north section line of Section 5 Township 2 North, Range 1 East, thence N 89°43'53" E along the section line 2380 62 feet to the North One Quarter Corner of Section 5 Township 2 North, Range 1 East, thence N 89°45'18" E along the section line 2629 85 feet to the Northeast Corner of Section 5 Township 2 North, Range 1 East, thence S 0°12'04" E along the section line 5275 71 feet to the Southeast Corner of Section 5 Township 2 North, Range 1 East, thence S 0°40'59" E along the section line 2669 64 feet to the East One Quarter Corner of Section 8 Township 2 North, Range 1 East, thence S 0°49'47" E along the section line 2662 75 feet to the Southeast Corner of Section 8 Township 2 North, Range 1 East, thence S 0°39'33" W along the section line 2664.18 feet to the East One Quarter Corner of Section 17 Township 2 North, Range 1 East, thence S 2°44'19" E along the section line 1460.61 feet to a point on the Bountiful City Boundary,

Thence along the following 13 Courses along the Bountiful City Boundary.

thence N 89°53'12" E 548 27 feet, thence S 0°23'16" E 1279 69 feet, thence S 89°22'55" E 143 78 feet, thence N 89°04'08" E 873 77 feet, thence S 1°01'32" E 635.38 feet, thence S 31°20'00" E 132 73 feet, thence S 34°07'41" E 472 34 feet, thence S 88°39'57" W 48 21 feet, thence S 33°33'33" E 759 55 feet, thence S 89°02'23" E 340 70 feet, thence S 0°26'33" W 519 38 feet, thence S 89°54'04" W 217 87 feet, thence S 0°30'00" E 322.43 feet to a point on the north quarter section line of the southwest quarter of Section 21, Township 2 North, Range 1 East, thence S 89°57'55" E along the quarter section line 247 68 feet to the center of Section 21, Township 2 North, Range 1 East, thence S 0°40'13" W along the quarter section line 574 70 feet to a point on the Bountiful City Boundary,

Thence along the following 3 Courses along the Bountiful City Boundary

thence N 89°59'30" E 405 08 feet, thence S 0°18'42" E 535 35 feet, thence S 89°41'24" W 414 29 feet to a point on the east quarter section line of the southwest quarter of Section 21, Township 2 North, Range 1 East, thence S 0°40'12" W along the quarter section line 1512.52 feet to the North One Quarter Corner of Section 28 Township 2 North, Range 1 East, thence S 89°33'14" E along the section line 2662 60 feet to the Northeast Corner of Section 28 Township 2 North, Range 1 East,

thence N 89°48'46" E along the section line 5206 08 feet to the Northeast Corner of Section 27 Township 2 North, Range 1 East, thence S 0°25'07" W along the section line 5260 43 feet to the Southeast Corner of Section 27 Township 2 North, Range 1 East, thence N 89°59'14" W along the section line 5276 04 feet to the Southwest Corner of Section 27 Township 2 North, Range 1 East, thence S 1°04'19" E along the section line 2643 68 feet to the East One Quarter Corner of Section 33 Township 2 North, Range 1 East, thence S 1°06'26" E along the section line 2843.21 feet to the Southeast Corner of Section 33 Township 2 North, Range 1 East, thence S 1°20'43" E along the section line 2656 28 feet to the East One Quarter Corner of Section 4 Township 1 North, Range 1 East, thence S 0°08'00" W along the section line 2627 83 feet to the Southeast Corner of Section 4 Township 1 North, Range 1 East, thence S 89°28'04" W along the section line 2654 66 feet to the South One Quarter Corner of Section 4 Township 1 North, Range 1 East, thence N 87°16'29" W along the section line 2665 78 feet to the Southwest Corner of Section 4 Township 1 North, Range 1 East, thence S 0°06'11" E along the section line 2646 45 feet to the East One Quarter Corner of Section 8 Township 1 North, Range 1 East, thence S 0°08'34" E along the section line 2340.71 feet to the Salt Lake and Davis County Boundary,

Thence along the Salt Lake and Davis County Boundary:

thence S 68°51'09" W 800.74 feet to a point on the south section line of Section 8 Township 1 North, Range 1 East, thence S 89°23'10" W along the section line 4516.08 feet to the Southwest Corner of Section 8 Township 1 North, Range 1 East, thence S 89°19'38" W along the section line 5162.08 feet to the Southwest Corner of Section 7 Township 1 North, Range 1 East, thence S 0°05'49" W along the section line 1977.28 feet to the POINT OF BEGINNING,

Containing 26728 acres, more or less

The above legal description wholly includes the following municipalities: Bountiful City, Centerville City, North Salt Lake City, West Bountiful City and Woods Cross City, together with portions of the unincorporated area of Davis County, Utah

EXHIBIT "B"

CERTIFICATE OF COMPLIANCE WITH OPEN MEETINGS LAW

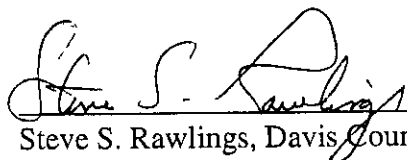
I, Steve S. Rawlings, the undersigned County Clerk of Davis County, Utah (the "County") do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), *Utah Code Annotated*, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the June 15, 2004, meeting held by the County as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "A," to be posted at the County's principal offices on June 14TH, 2004, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule "A," to be delivered to DAVIS COUNTY CLIPPER & OTHERS on June 14TH, 2004, at least twenty-four (24) hours prior to the convening of the meeting.

If the meeting is held electronically (including telephonically), the undersigned further certifies, pursuant to Section 52-4-7.8, *Utah Code Annotated*, 1953, as amended, that (i) the County Commission has established written procedures for governing electronic meetings and has established the County Commission Chambers, where meetings of the County Commission would normally be held, as the anchor location of its meetings, (ii) at the anchor location of the meeting, space and facilities were provided so that interested persons and the public may attend and monitor the meeting, and (iii) notice of the meeting was posted at said anchor location and notice of the meeting was provided to each member of the County Commission at least 24 hours before the meeting, including a description of how the members would be connected to the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 15TH day of June, 2004.


 Steve S. Rawlings, Davis County Clerk

CERTIFICATION

STATE OF UTAH)
 SS.
COUNTY OF DAVIS)

I hereby certify that the foregoing is a true and correct copy of Resolution No 7004-212 passed by the Davis County Commission on the 15th day of June, 2004.

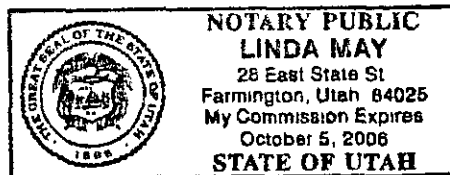
Steve S. Rawlings
Steve S Rawlings, Davis County Clerk

Subscribed and sworn to before me this 15th day of June, 2004

Linda May
Notary Public
Residing at:

My Commission Expires:
10/5/06

Farmington, UT



NOTICE OF CREATION AND ESTABLISHMENT OF THE
SOUTH DAVIS RECREATION DISTRICT

Gayle F. McKeachnie
Lieutenant Governor
201 State Capitol
Salt Lake City, UT 84114

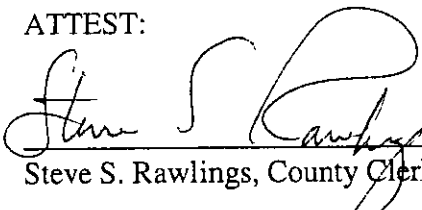
E 2017602 B 3623 P 1160

Notice is hereby given that the Board of County Commissioners of Davis County, State of Utah, has, on the 15th day of June, 2004, passed and adopted the attached Resolution No. 2004-212 creating and establishing a special service district to be known as the South Davis Recreation District (the "District"), which special service district shall be comprised of the territory which is more particularly described in Section 6 of the attached Resolution. An accurate map depicting the boundaries of the territory to be included within the District or a legal description of the territory to be included within the District is also attached hereto. Request is hereby made that you file in the records of your office the attached Resolution and map evidencing the approved creation of the District. The County Commission of Davis County hereby certifies that all requirements required by law for the creation of the District have been complied with.


SUBMITTED on this 15th day of June, 2004.

DAVIS COUNTY

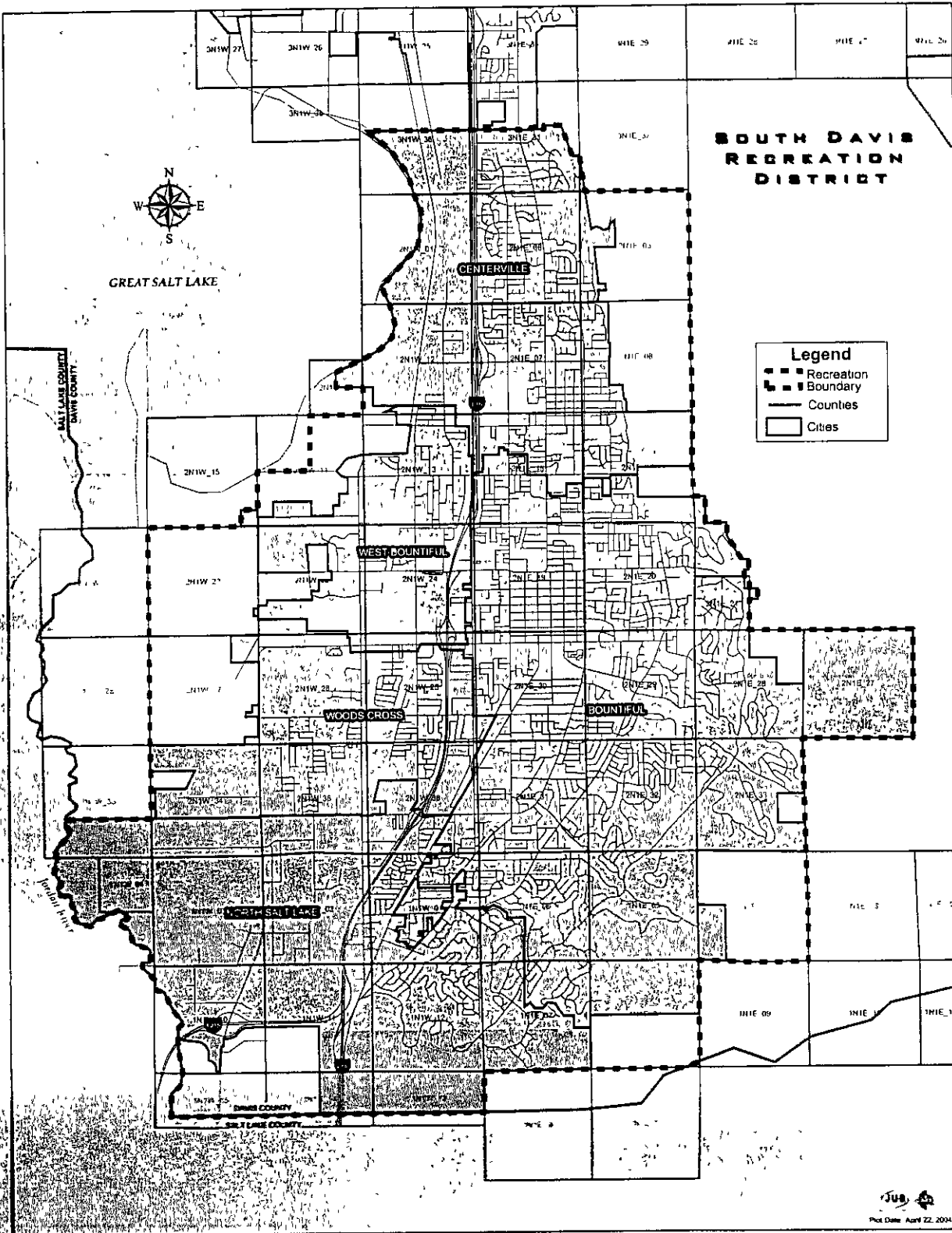
ATTEST:



Steve S. Rawlings, County Clerk

By: 

Carol R. Page, Chairman Pro-Tem



— MICROFILM MEMO —
 LEGIBILITY OF TYPING OR PRINTING
 UNSATISFACTORY IN THE DOCUMENT
 WHEN FILMED.

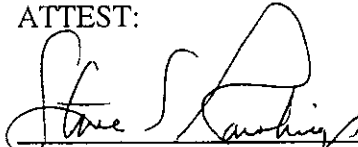
CERTIFICATION

The County Commission of Davis County, State of Utah, hereby finds and certifies that all requirements of law for the establishment of the South Davis Recreation District have been complied with.

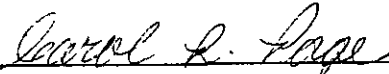
DATED this 15TH day of June, 2004

DAVIS COUNTY

ATTEST:



Steve S. Rawlings, County Clerk

By: 

Carol R. Page, Chairman Pro-Tem

STATE OF UTAH



E 2017602 B 3623 P 1163

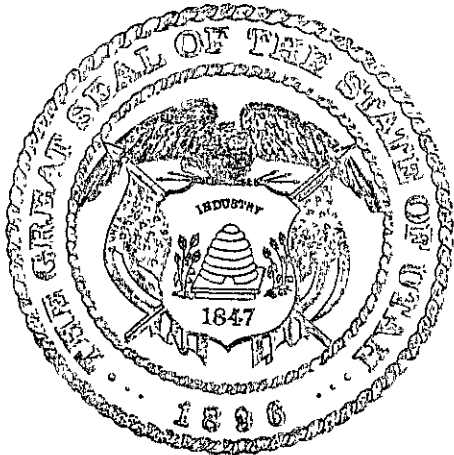
OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF INCORPORATION

I, GAYLE F MCKEACHNIE, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation and establishment of SOUTH DAVIS RECREATION DISTRICT from the Davis County Commission dated June 15, 2004, complying with Section 17A-2-1311, 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 creation and establishment, referred to above, on file with the Office of the Lieutenant Governor pertaining to SOUTH DAVIS RECREATION DISTRICT, located in Davis County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 21st day of June, 2004.



Gayle McKeachnie

GAYLE F MCKEACHNIE
Lieutenant Governor