

887- 810

Provo, Utah

October 7, 1977

**42813**

A regular meeting of the Board of County Commissioners of Utah County, Utah, was held on Friday, October 7, 1977, at the hour of 10:00 a.m. at the Board's regular meeting place in Provo, Utah, at which meeting there were present the following members who constituted a quorum:

Karl Lyman	Chairman
Yukus Inouye	Commissioner
Kenneth J. Pinegar	Commissioner

Also present:

William F. Huish	Clerk
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Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following proceedings, among others, were duly had and taken:

After considering all comments both in favor of and against the creation of the North Fork Special Service District, the Commission, upon the motion made by Yukus Y. Inouye and seconded by Kenneth J. Pinegar, unanimously approved the deletion of the following areas from the proposed North Fork Special Service District:

Brickerhaven  
J. R.'s Haven  
Big Pine Canyon  
Stewart Cascade Lands Plat B

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The description of the boundaries of the North Fork Special Service District as revised is set forth in Schedule A, a copy of which is attached hereto and by this reference made a part hereof.

The Commission further limited the purposes of said District to water and fire control services thereby deleting sewage, drainage, flood control, garbage, hospital, transportation and recreation services from said District.

The following resolution was then introduced by Commissioner Inouye:

RESOLUTION

A RESOLUTION TO ESTABLISH THE NORTH FORK SPECIAL SERVICE DISTRICT AS AMENDED AND TO AUTHORIZE CONSTRUCTION OF IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT, AS AMENDED.

BE IT RESOLVED by the Chairman and Board of Commissioners of Utah County, Utah:

Section 1. The Board of Commissioners of Utah County, Utah, believe that the public health, convenience and necessity require the construction of water and fire control improvements identified and described in the Notice of Intention concerning the establishment of the North Fork Special Service District, which notice has been published as required by law.

Section 2. The Board of Commissioners has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or the construction of any of the improvements therein or on any other matter pertinent to said Special Service District. The names of the protestants appearing at this hearing, and the description of their property are as follows:

Section 3. The improvements proposed and described in the Notice of Intention to create said Special Service District as herein amended are hereby authorized, and the North Fork Special Service District is hereby created, the boundaries of which have been revised as above set forth.

Section 4. The Board of County Commissioners will receive and consider further written protests against the creation of the North Fork Special Service District or the proposed improvements therein for twenty-one (21) days following this meeting or until 10:00 a.m. on October 28, 1977. The creation of said District pursuant to the adoption of this resolution shall remain in effect unless the Board determines as of October 28, 1977, that more than 50% of the qualified voters within the revised boundaries of the proposed District oppose creation of said District. In that event, the Commission shall meet again in regular session to reaffirm the establishment of the District, modify the boundaries or purposes of said District, or rescind this resolution creating said District.

Section 5. The membership of the Administrative Control Board of said Special Service District shall consist of seven (7) members of whom shall be appointed by the Board of Commissioners. The Board of County Commissioners shall appoint the initial seven (7) members of said Administrative Control Board which it is entitled to appoint, three members to serve two year terms and the other four members to serve four year terms, the determination of who shall serve in each category to be made by lot. Said terms shall commence on January 1, 1979, which is the next succeeding date

that the terms of office commence for members of the Board of Commissioners. The initially appointed members of the Administrative Control Board shall serve an additional term commencing on the date of appointment and continuing until the regular commencement of the above-specified terms.

Vacancies of the seven appointed members of said Board, other than by expiration of term, shall be filled by appointment of the Board of Commissioners for the unexpired term of the member whose vacancy is filled.

Section 6. Appointment of the initial membership of the Administrative Control Board shall be made by the Board of County Commissioners at a future Commission meeting.

Commissioner Pinegar seconded the motion to adopt the foregoing Resolution. The Resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

Those voting AYE:	Karl Lyman
	Yukus Inouye
	Kenneth J. Pinegar
Those voting NAY:	None

Thereupon, the motion was approved by the Chairman and made a matter of record by the Clerk.

PASSED and approved this 7th day of October, 1977.

  
Chairman

ATTEST:

  
Clerk



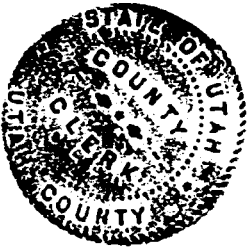
(Here follows other business not pertinent to the above).

Pursuant to motion duly made and seconded, the meeting  
adjourned.

  
Chairman

ATTEST:

  
Clerk



September 26 - October 7, 1977

<u>Protestant</u>	<u>Property Description</u>
(Written Protests)	
Richard L. Stone (More time needed)	Sundance area - 1275 N. University, Provo, UT
Mr. & Mrs. Stephen R. Covey (More time)	Sundance area - 2160 N. Oakcrest Lane, Provo, UT
Rodney Despain & G. Jack Hopkinson (Recommendations for Control Board)	Timphaven Homes
Arthur B. LeBaron (Requests exclusion)	Timphaven - 867 North 60 East, Orem, UT
Waldtraut Sorensen & Ted O. Sorensen	Timphaven - 6286 Boxwood Rd., SLC, UT 84121
Briant S. Jacobs	Stewart Cascade - 1650 Willow, Provo, UT
Hilda F. Stewart	Stewart Cascade - 1952 E. 5150 S., SLC, UT 84117
Peter & Janelle Lysenko	Timphaven - 1620 N. 200 W., Provo, UT
Sandford M. Bingham (water rights)	Aspen Grove - 1275 N. University, Provo, UT
G. Cloyd Krebs, M. D.	3353 Cherokee Lane, Provo, UT
Gregory E. Austin, President	Brickerhaven, Inc. - P.O. Box 110, Provo, UT
Lynn J. McKell (more time & information)	Sundance area - 3959 N. 650 E., Provo, UT
J. Roman Andrus & Irva Pratt Andrus	Stewart Cascade - 1765 N. 651 E. Provo, UT
Eugene Orton	297 E. 3140 N., Provo, UT
J. E. Stewart	Stewart Cascade - 489 W. Kwanzan Circle, Orem,
Arlin V. Kuhn	Stewart Cascade - 438 W. 610 S., Orem, UT
G. Jack Hopkinson (more time)	Stewart Cascade - 2018 N. 360 E., Provo, UT
Robert F. Bennion	Creekside Property - Sundance Area
Kristy Stewart Nelson	Stewart Cascade - 1935 W. 13550 S. Riverton, UT
Cozette S. Jeppson	Stewart Cascade - 884 S. 750 E., Orem, UT
Slyvia S. Day	Stewart Cascade - 1860 Spring Lane, SLC, UT 84117
Jed D. & Lynda S. Christensen	Stewart Cascade - 1371 Windemese Lane, Tustin, CA
Creekside Property Owners Petition	
Henry M. Stewart	P1153-N
Bruce Jimerson	P1153-D
F. H. Bennion	P1153-EF
Evelyn S. Gibson	P1133-ED
Stewart Cascade Property Owners Petition	
Steven Hatch	
J. Roman Andrus	
Irva Andrus	
Betty P. Davis	
Duane E. Davis	
Norman J. Rowley	

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NOTICE OF REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
OF UTAH COUNTY

PUBLIC NOTICE is hereby given that the Board of County Commissioners of Utah County, Utah, will hold a regular public meeting in the Commission's regular meeting place in Provo, Utah, commencing at 10:00 a.m. on Friday, October 7, 1977.

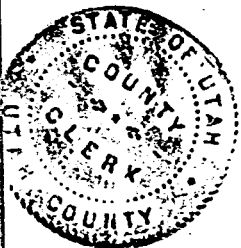
The Agenda for the meeting consists in part of the following item:

1. Consideration of a resolution calling for the creation of the North Fork Special Service District.

DATED: October 6, 1977.

By

William J. Hines  
Clerk



AFFIDAVIT OF PUBLICATION OF NOTICE OF REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, HELD ON OCTOBER 7, 1977.

PROOF OF PUBLICATION

from

THE DAILY HERALD

STATE OF UTAH

Utah County

ss.

I, Lois B. Brown, being first duly sworn  
 depose and say that I am the Legal Clerk of The Daily Herald  
 a newspaper of general circulation, published six times each week at Provo,  
 Utah, County of Utah; that the notice attached hereto, and which is a copy

**NOTICE OF REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY**

Public Notice is hereby given that the Board of County Commissioners of Utah County, Utah, will hold their regular session Friday, October 7, 1977, between the hours of 10:00 a.m. and 12 Noon and 2:00 p.m. and 4:00 p.m.

The agenda for the meeting consists in part of the following schedule:

- 10:00 a.m. Public Hearing - Continuation of proposed Special Service District in the North Fork of Provo Canyon
- 10:30 a.m. Public Hearing - Timpanogos Special Service District Amendment changing name of Advisory Board to Administrative Control Board
- 11:00 a.m. International Systems - Federal Grant Assistance program
- 3:00 p.m. CES - Election Demonstration

When prepared this agenda included all matters of business which were known to the Commission to require their attention on the date indicated. After considering the foregoing items, and the time permitting the Commission may hear other miscellaneous items of business which may be brought to it by the citizens or employees of Utah County.

BOARD OF COUNTY COMMISSIONERS - UTAH COUNTY, STATE OF UTAH  
 Kurt R. Lyman, Chairman  
 ATTEST:  
 William F. Huish, County Clerk  
 By: Shell Kizerian, Deputy Clerk  
 No. 385 Published in The Daily Herald October 2, 1977

was published in said newspaper for QNR consecutive issues, the first publication having been made on the 2nd day of October, 1977, and the last on the        day of       , 19      ; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in the newspaper proper and not in the supplement.

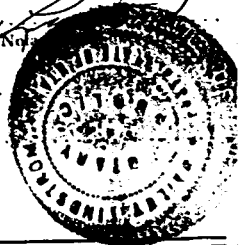
Lois B. Brown  
 Subscribed and sworn to before me this 2nd day of

October, A.D., 1977.

Bailey  
 Notary Public

Residence Provo, Utah

My Commission expires March 4, 1981





STATE OF UTAH            )  
                                  ) ss.  
COUNTY OF UTAH        )

I, William F. Huish, the duly qualified and acting Clerk of the Board of County Commissioners of Utah County, Utah, do hereby certify that on the 6th day of October, 1977, pursuant to Utah Code Annotated Section 52-4-6 (1953), as amended, I had posted at the County Building written notice of the regular meeting of the Board of County Commissioners of Utah County held on October 7, 1977, at said County Building in Provo, Utah. A correct copy of the Notice is attached hereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Commission on this 7th day of October, 1977.

*William F. Huish*  
Clerk



STATE OF UTAH            )  
                                  ) ss.  
COUNTY OF UTAH        )

I, William F. Huish, the duly appointed, qualified,  
Clerk of the Board of Commissioners of Utah County, Utah, do  
hereby certify as follows:

That the foregoing pages constitute a full, true and  
correct copy of the record of proceedings of the Board of  
County Commissioners of Utah County, Utah, at its regular  
meeting held on October 7, 1977, insofar as said proceedings  
relate to the hearing of protests against the establishment  
of the North Fork Special Service District and a resolution  
establishing said special service district as the same  
appears of record in my office. I personally attended said  
meeting, and the proceedings were in fact as specified in  
said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of said Commission this 7th day of October,  
1977.

William F. Huish  
Clerk



SCHEDULE A

DESCRIPTION OF PROPOSED DISTRICT

The boundaries proposed for such Special Service District are described as follows:

Located in Utah County, State of Utah: In Township 5 South, Range 3 East, Salt Lake Base Meridian: All of Sections 10, 14, 15, and 23; also the West 1/2 of Section 11; also the West 1/2 of the West 1/2 of Section 13; also the West 1/2 of the West 1/2 of Section 24; also the East 1/2 of Section 22; also the East 1/2 and the East 1/2 of the Southwest 1/4 of Section 27; also the North 1/2 of the North 1/2 of Section 26.

Excepting therefrom the following described property:

1. The properties known as Big Pine Canyon described as follows:

Commencing at a point which is South along the Section Line 1539.20 feet from the West Quarter Corner of Section 11, Township 5 South, Range 3 East, Salt Lake Base Meridian; thence South 80° 41' West 73.77 feet; thence North 51° 17' 56" East 25.97 feet; thence North 10° West 60.00 feet; thence South 77° 28' West 99.50 feet; thence South 4° 17' 21" East 4.41 feet; thence South 77° West 185.00 feet; thence South 9° 38' East 54.90 feet; thence South 61° 16' 16" West 166.77 feet; thence North 56° 25' West 200.00 feet; thence North 1° 50' 12" East 18.41 feet; thence North 8° 24' West 156.72 feet; thence South 65° 31' West 61.00 feet; thence South 71° 13' 14" West 63.62 feet; thence South 0° 39' West 195.55 feet; thence South 9° 50' East 65.60 feet; thence South 9° East 75 feet; thence South 72° 59' East 163.10 feet; thence South 74° 25' East 50.27 feet; thence North 71° 57' 47" East 282.27 feet; thence South 85° 06' 46" East 116.32 feet; thence North 72° 30' East 52.5 feet; thence North 71° East 54.00 feet; thence North 77° 30' East 51.00 feet; thence North 80° 41' East 20.52 feet; thence South 63.18 feet; thence East 112.18 feet; thence South 77° 25' East 68.33 feet; thence South 54° 40' East 83.50 feet; thence South 36° 20' East 71.15 feet; thence South 41° 34' East 97.85 feet; thence South 42° 22' 42" West 45.30 feet; thence South 42° 56' East 280.60 feet; thence South 88° 40' East 97.30 feet; thence North 63° 10' East 58.00 feet; thence South 24° 06' East 60.6 feet; thence South 54° 06' East 52.60 feet; thence North 35° 40' East 61.50 feet; thence North 58° 03' West 40.9 feet; thence North 78° West 70.0 feet; thence North 63° 10' East 60.10 feet; thence North 5° 43' West 127.85 feet; thence North 65° 29' West 100.48 feet; thence North 43° 21' West 178.72 feet; thence North 34° 28' West 26.73 feet; thence North 36° 15' West 37.8 feet; thence North 36° 15' West 40.20 feet; thence North 53° West 107.50 feet; thence North 44° 41' 25" West 9.89 feet; thence North 72° 25' West 111.33 feet; thence North 82° 17' West 69.30 feet; thence North 76° 08' 30" West 28.46 feet; thence North 37° 04' West 144.19 feet; thence North 89° 52' 43" West 47.25 feet to the point of beginning.

2. The properties known as J.R.'s Haven described as follows:

Commencing at a point which is South 1762.15 feet and East 1911.13 feet from the Northwest Corner of Section 10, Township 5 South, Range 3 East, Salt Lake Base Meridian; thence North 34° 30' West 220.4 feet; thence North 35° 51' West 61.5 feet; thence North 54° 09' East 114.00 feet; thence North 42° 16' West 62.66 feet; thence South 54° 09' West 28.98 feet; thence North 36° 15' West 154.53 feet; thence South 70° 00' West 40.00 feet; thence North 19° 53' West 150.00 feet; thence North 43° 33' West 262.24 feet; thence North 44° 30' West 48.97 feet; thence North 48° 22' West 146.40 feet; thence North 56° 45' West 49.22 feet; thence South 19° 00' West 91.75 feet; thence South 16° 37' East 23.29 feet; thence North 79° 12' West 140.50 feet; thence North 57° 40' West 241.58 feet; thence North 64° 13' West 169.20 feet; thence North 70° 15' West 38.40 feet; thence South 205.94 feet; thence North 84° 0' West 22.31 feet; thence South 80° 00' West 40.50 feet; thence South 39° 00' West 30.00 feet; thence South 8° 24' East 58.05 feet; thence North 85° 39' East 19.54 feet; thence South 82° 29' East 123.3 feet; thence South 8.1 feet; thence

South 79° 35' East 93.78 feet; thence South 62° 35' East 56.28 feet; thence South 80° 00' East 50.66 feet; thence North 74° 12' East 51.73 feet; thence South 70° 11' East 17.08 feet; thence South 30° 00' West 117.90 feet; thence South 53° 00' East 19.5 feet; thence South 3° 45' West 20.3 feet; thence South 48° 15' East 65.5 feet; thence North 28° 30' East 167.98 feet; thence South 70° 11' East 51.24 feet; thence South 11° 00' East 109.50 feet; thence South 62° 45' East 73.00 feet; thence South 70° 00' East 60.0 feet; thence South 37° 58' 20" East 177.77 feet; thence South 45° 00' East 50.00 feet; thence North 70° 30' East 85.00 feet; thence South 64° 06' 35" East 34.56 feet; thence South 25° East 120.00 feet; thence South 24° 13' East 88.66 feet; thence South 33° 51' East 61.5 feet; thence South 34° 30' East 220.40 feet; thence North 55° 30' East 155.00 feet to the point of beginning.

3. The properties known as Brickerhaven more particularly described as follows:

Brickerhaven Corporation Planned Dwelling Group as recorded in the County Recorder's Office, Utah County, Utah.

Also a parcel of land adjoining on the west of the subdivision and running westerly approximately 166 feet, northerly 179 feet, easterly 129.12 feet, and southerly 143.50 feet to place of beginning. As well as the spring, water tank and water lines are located southwesterly from the southwest corner of Brickerhaven.

4. The properties known as Stewart Cascadelands Plat B; more particularly described as follows:

Lots 1 through 14 inclusive of Stewart Cascadelands Planned Dwelling Group Plat B as recorded in the County Recorder's Office, Utah County, Utah.

42813  
RECORDED AT THE REQUEST OF  
*County Comm.*  
BACK  
1977 DEC 16 AM 10:30  
NINA D. HEILD  
UTAH COUNTY RECORDER  
DEPUTY  
PR ABS IND R  
*Heild*