



W2889196

EN 2889196 PG 1 OF 5
LEANN H KILTS, WEBER COUNTY RECORDER
09-NOV-17 2:13 PM FEE \$1.00 DEP CWC
REC FOR: STEVE WALDRUP

**JOINT RESOLUTION
OF
OGDEN VALLEY PARKS SERVICE AREA
(Resolution 4)
AND
EDEN PARK SERVICE DISTRICT
(Resolution 3)**

APPROVING AN ADJUSTMENT OF THE SERVICE AREAS' COMMON BOUNDARY

WHEREAS, the Ogden Valley Parks Service Area ("Ogden Valley") provides parks and recreation services to a portion of the area in Weber County commonly known as the Ogden Valley; and

WHEREAS, the Eden Park Service Area ("Eden Park") provides parks and recreation services to a different portion of the Ogden Valley area; and

WHEREAS, Ogden Valley and Eden Park share a common boundary; and

WHEREAS, Ogden Valley and Eden Park are sometimes referred to in this Joint Resolution as the "Entities"; and

WHEREAS, the affected area, which is described in attached Exhibit "A" (the "affected area"), is presently located within the boundaries of Eden Park; and

WHEREAS, the Entities desire to effectively merge the entire area of Eden Park (minus one strategic parcel for the purpose of being able to dissolve Eden Park after the boundary adjustment) into Ogden Valley, leaving one service area to provide parks and recreation services to the area in the Ogden Valley that has been served by both Entities; and

WHEREAS, Utah Code Ann. § 17B-1-417 provides a procedure whereby the boundaries of Ogden Valley may be adjusted to include essentially all of Eden Park; and

WHEREAS, a Joint Resolution of the Ogden Valley Parks Service Area (Resolution 3) and of the Eden Park Service Area (Resolution 3) declaring an intent to adjust the Entities' common boundary was adopted by the Boards of Trustees of both Entities; and

WHEREAS, after having provided public notice as required by law, the Ogden Valley Board of Trustees and the Eden Park Board of Trustees have held a joint public hearing on the proposed boundary adjustment pursuant to which the affected area will be withdrawn from Eden Park and be annexed into Ogden Valley; and

WHEREAS, sufficient protests to prevent the boundary adjustment from moving forward have not been filed by owners of private land within the affected area or by registered voters residing within the affected area; and

WHEREAS, all statutory requirements preparatory to the adoption of this Joint Resolution have been satisfied; and

WHEREAS, the Ogden Valley Board of Trustees, after having considered any comments made at the joint public hearing and the reasons for the proposed boundary adjustment, and the Eden Park Board of Trustees, after having considered any comments made at the joint public hearing and the reasons for the proposed boundary adjustment, deem it to be in the best interests of the respective Entities and their residents, and the owners of the affected area, for the affected area to be withdrawn from Eden Park and to be annexed as part of Ogden Valley and for Ogden Valley to provide parks and recreation services for the affected area in accordance with this Joint Resolution.

NOW, THEREFORE, BE IT RESOLVED and enacted by the Ogden Valley Parks Service Area Board of Trustees and by the Eden Park Service Area Board of Trustees as follows:

1. That this Resolution is adopted by each legislative body for the purpose of fulfilling and complying with the requirements of Utah Code Ann. § 17B-1-417 relating to adjusting the common boundary of the Entities by withdrawing the affected area from Eden Park and annexing the affected area into Ogden Valley.
2. That the Board of Trustees of Ogden Valley has determined and hereby does determine the proposed boundary adjustment to be equitable and necessary under the circumstances.
3. That the Eden Park Board of Trustees has determined and hereby does determine the proposed boundary adjustment to be equitable and necessary under the circumstances.
4. That the proposed boundary adjustment, which will withdraw the affected area from Eden Park and include the affected area as part of Ogden Valley, as described and depicted in attached Exhibit "A" which is incorporated by reference as part of this Joint Resolution, is hereby approved, with the boundary adjustment to be effective upon the Lieutenant Governor's issuance of a certificate of boundary adjustment under Utah Code Ann. §§ 17B-1-417(7) and 67-1a-6.5.
5. That, from and after the effective date of this boundary adjustment, the affected area shall be withdrawn from and no longer be part of the Eden Park Service Area.
6. That, from and after the effective date of this boundary adjustment, the affected area shall be annexed to and be part of the Ogden Valley Parks Service Area.
7. That the Chair of the Ogden Valley Board of Trustees, acting for the Board, shall be and hereby is authorized and instructed to issue a written notice of the boundary adjustment (the "notice of impending boundary action") for delivery to the Lieutenant Governor, including a certification by the Ogden Valley Board of Trustees that all requirements for the boundary adjustment have been complied with.
8. That the Chair of the Ogden Valley Board of Trustees be and is instructed, within thirty days after the adoption of this Joint Resolution by the later of the legislative bodies to adopt the

Resolution, to file with the Lieutenant Governor a copy of the notice of impending boundary adjustment and a copy of an approved final local entity plat.

9. That, after the Lieutenant Governor has issued the certificate of boundary adjustment to Ogden Valley, the Chair of the Ogden Valley Board of Trustees or Ogden Valley's General Manager is instructed to submit to the Weber County Recorder for recordation the following documents: the original notice of impending boundary action; the certificate of boundary adjustment issued by the Lieutenant Governor; an approved final local entity plat; and a certified copy of this Joint Resolution. After those documents have been recorded, Ogden Valley may levy and collect a property tax on the affected area and may otherwise proceed as allowed by Utah Code Ann. §§ 17B-1-417(7) and 59-2-305.5(2).

10. That this Resolution has been placed on the agenda of meetings of the legislative bodies of the respective Entities and this action is taken in compliance with the Utah Open and Public Meetings Act.

11. That this Joint Resolution shall take effect upon its approval and adoption by the later of the legislative bodies to act on this Resolution, but the annexation shall not be complete until the Lieutenant Governor issues a certificate of boundary adjustment as provided in paragraph 4 above and Ogden Valley may not assess a property tax against the affected area until the recordings referenced in paragraph 9 above have been completed.

Approved and passed by the Board of Trustees of the Ogden Valley Parks Service Area on the date set forth below and by the Board of Trustees of the Eden Park Service Area on the date set forth below.

OGDEN VALLEY PARKS SERVICE AREA

Date: July 13, 2017

By: Bryan Bailey
Board Chair

ATTEST:

Julie Rhoads
Board Secretary

EDEN PARK SERVICE AREA

Date: July 13, 2017

By: MAA
Board Chair

ATTEST:

Rebecca Peterson
Board Secretary ~~TREASURER~~

EXHIBIT A
AFFECTED AREA

All of Sections 1 to 10 inclusive, and the North Half of Section 11, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey:

Also, the South Half and the Northwest Quarter of Section 1; All of Sections 2 and 3, 10 to 15 inclusive; 22 to 27 inclusive, and the East Half of Section 28; All of Section 31, the Southwest Quarter of Section 32, and the East Half of Section 33; All of Sections 34 to 36 inclusive, Township 7 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey;

Also, all property within Weber County lying in Sections 34, 35 and the Southwest Quarter of Section 36, Township 8 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey;

Also, all property within Weber County lying in Section 4, the Southeast Quarter of Section 5, and the Southwest Quarter of Section 6; All of Sections 7 to 9 inclusive, 16 to 21 inclusive, 28 to 33 inclusive, Township 7 North, Range 2 East, Salt Lake Base and Meridian, U.S. Survey, the boundary of said proposed Service Area being more particularly described as follows:

Beginning at the Southwest corner of Section 7, Township 6 North, Range 1 East, Salt Lake Base and Meridian, and running thence North 3 miles to the Northwest corner of Section 31, Township 7 North, Range 1 East; thence East one mile to the northeast corner of said Section; thence South one half mile to the East Quarter corner of said Section; thence East one half mile to the center of Section 32 of said Township; thence South one half mile to the South Quarter corner of said Section; thence one mile to the South Quarter corner of Section 33 of said township; thence North 2 miles to the North Quarter corner of Section 28 of said Township; thence East one half mile to the Northeast corner of said Section; thence North 4 1/2 miles, more or less, to the Cache County line; thence Easterly along said line 2 miles, more or less, to the West line of Section 36, Township 8 North, Range 1 East; thence south to the west Quarter corner of said Section; thence East to the county line; thence Southeasterly along said line to the North-South Quarter Section line of said Section; thence South to the center of Section 1, township 7 North, Range 1 East; thence East to the county line; thence Southeasterly along said line to the North-South Quarter Section line of Section 6, Township 7 North, Range 2 East; thence South to the South Quarter corner of said Section; thence East one mile to the south Quarter corner of Section 5 of said Township; then North to the county line; thence Northeasterly along said line to the North line of Section 4 of said Township; thence East to the Northeast corner of said Section 4; thence South 6 miles to the Southeast corner of Section 33 of said Township; thence West 3 miles to the southwest corner of said Township; thence South one mile to the Southeast corner of Section 1 Township 6 North, Range 1 East;

thence West one mile to the Southwest corner of said Section, thence South one half mile to the East Quarter corner of Section 11 of said Township; thence West one mile to the West Quarter corner of said Section; thence South one half mile to the Southwest corner of said Section; thence West 4 miles to the point of beginning, containing 48.25 square miles, more or less.

NORDIC VALLEY

All of the North Half and the Southeast Quarter of Section 32 and the West Half of Section 33, Township 7 North, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at the West Quarter corner of said Section 32; thence North one half mile to the Northwest corner of said Section; thence East 1 1/2 miles to the North Quarter corner of said Section 33; thence South one mile to the South Quarter corner of said section; thence West one mile to the South Quarter corner of said Section 32; thence North one half mile to the center of said Section; thence West one half mile to the point of beginning, containing 1.25 square miles, more or less.