

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 know as the ANNEXATION OF THE PROPERTY WITHIN THE OLYMPIA DEVELOPMENT INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT located in SALT LAKE COUNTY, dated JULY 16, 2024, complying with §67-1a-6.5, 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 ANNEXATION OF THE PROPERTY WITHIN THE OLYMPIA DEVELOPMENT INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT located in SALT LAKE COUNTY, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 29th day of July, 2024 at Salt Lake City, Utah.

DEIDRE M. HENDERSON Lieutenant Governor

801.565.4300 fax 801.565.4399 jvwcd.org 8215 South 1300 West West Jordan, UT 84088



July 16, 2024

Ms. Deidre M. Henderson, Lieutenant Governor Utah State Capitol Complex, Suite 220 P.O. Box 142325 Salt Lake City, UT 84114

Subject: Notice of Impending Boundary Action - Annexation

Dear Lieutenant Governor Henderson:

The Board of Trustees of Jordan Valley Water Conservancy District (JVWCD), a Utah special district, hereby gives notice that, at meeting of the Board duly convened on July 10, 2024, it approved the annexation of real property into its boundaries. Accordingly, the following documents are enclosed to be filed with your office:

- 1. Certified copy of Resolution 24-12: "Approving Annexation of Lands into the Jordan Valley Water Conservancy District" (Olympia Hills Development).
- 2. Final Local Entity Plat signed by JVWCD and the Salt Lake County Surveyor.

On behalf of the Board, I hereby verify that all requirements applicable to the annexation of property into JVWCD's boundaries have been met. JVWCD hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. §67-1a-6.5(2).

Thank you for your assistance with this matter. Please call me at 801-565-4300 if you have any questions.

Corey L. Rushton
Chair of the Board of Trustees

STATE OF UTAH) :ss

County of Salt Lake)

Subscribed and sworn to before me this this 18 day of ______, 2024.

Mu Commission Funitary

My Commission Expires: 05-27-2025



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STATE OF UTAH **COUNTY OF SALT LAKE**

day of I hereby certify that I am the custodian of this locument and that this photocopy is a true, complete and

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RESOLUTION NO. 24-12

APPROVING ANNEXATION OF LANDS INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

WHEREAS, a written "Petition for Inclusion of Lands Within the Boundaries of the Jordan Valley Water Conservancy District" (the "Petition") was filed with the Board of Trustees on March 13, 2024, by The Last Holdout, LLC, a Utah limited liability company, The Board of Education of the Jordan School District, a body corporate and politic of the State of Utah, Salt Lake County, a body corporate and politic of the State of Utah, Ivory Land Corporation, a Utah corporation, Bastian Family Foundation, a nonprofit corporation, and Olympia Ranch, LLC, a Utah limited liability company, (collectively, "Landowner"), asking that certain real property Landowner owns in Salt Lake County (the "Lands") be annexed into the Jordan Valley Water Conservancy District:

WHEREAS, a copy of the Petition, including a description and map of the Lands. is attached as Exhibit A;

WHEREAS, the Landowner owned 100% of the Lands when the petition as filed;

WHEREAS, the Petition was certified by the Board of Trustees on March 13, 2024, and written notice of the "Petition Certification" was given to the Contact Sponsor identified in the Petition in accordance with Utah law;

WHEREAS, on March 28, 2024, within thirty (30) days after the Petition Certification, written notice of the Petition and of the proposed annexation was properly

JORDAN VALLEY WATER

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and timely given in accordance with Utah law;

WHEREAS, the notice allowed for owners of property or registered voters within the Lands to request a public hearing on the proposed annexation within twenty (20) days after the date the notice was given;

WHEREAS, no property owner or registered voter requested a hearing, and the time for submitting a request for a public hearing has passed;

WHEREAS, no objection or protest has been made either to the Petition or to the proposed annexation;

WHEREAS, not more than ninety (90) days have passed since the expiration of the time for submitting a request for a public hearing;

WHEREAS, all relevant statutory requirements under Utah law have been satisfied for approval of the Petition and for annexation of the Lands into the District;

WHEREAS, Herriman City ("Herriman") is a wholesale customer and Member Agency of the District; and;

WHEREAS, Herriman annexed the Lands into its geographical boundaries before March 13, 2024;

NOW, THEREFORE, BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

- 1. The Board of Trustees of the Jordan Valley Water Conservancy District ("District") finds that the District is a Utah special district organized in 1951 and existing under the Utah Water Conservancy District Act, Utah Code Ann. §§ 17B-2a-1001 et seq.;
 - 2 The Board finds that the District provides both wholesale and retail

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culinary water service within its geographical service area situated in parts of Salt Lake and Utah Counties;

- 3. The Board finds that the District provides wholesale culinary water service to Herriman pursuant to a written agreement between the parties, and that Herriman acquires the wholesale water service from the District and, in turn, provides it as a retail service;
- 4. The Board finds that Herriman is now located at least partly within the District;
- 5. The Board finds that Herriman intends to provide to the Lands the same retail water service that the District provides to the City as a wholesale service;
- 6. The Board finds that the Lands are not located within a project area described in a project area plan adopted by the military installation development authority under Utah Code Title 63H, Chapter 1, Military Installation Development Authority Act;
 - 7. The Board finds that the Lands are now outside the District's boundaries;
- 8. The Board finds that no part of the Lands is within the boundaries of another special district that provides the same wholesale service as the District;
- 9. The Board finds that the Lands may be benefited by annexation into the District in that over time they will have access to the District's water supply, facilities, and services:
- 10. The Board finds that annexation of the Lands into the District in accordance with the terms of this Resolution will not impair or adversely affect: (a) the

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District's organization; (b) the District's rights in or to property; (c) any of the District's other rights or privileges; or, (d) any contract, obligation, lien, or charge for or upon which the District might be liable or chargeable had the proposed annexation not been made:

- 11. The Board finds that the proposed annexation in accordance with the terms of this Resolution does not jeopardize the prompt payment of principal and interest on the bonds of the District now outstanding or of the payment by the District of installments of indebtedness or obligations under any contract;
- 12. The District has entered into an agreement with the United States that requires the consent of the United States for annexation of the Lands into the District. Prior to the adoption of this Resolution, the Board received the formal, written approval of the Bureau of Reclamation to the annexation of the Lands into the District on the terms set forth in this Resolution;
- 13. The Board finds that the inclusion of the Lands within the District's boundaries constitutes significant new development requiring the use of a water budget. An annexation agreement with the owners of all privately owned property is required as a condition of annexing the Lands, which must be signed before the Board files this Resolution with the Lieutenant Governor;
- 14. Within thirty (30) days after adoption of this resolution, and following compliance with paragraph 13, the Board shall file a notice with the Lieutenant Governor of the State of Utah, accompanied by a notice of impending boundary action, a copy of this Resolution and a copy of an approved final local entity plat, adequate for purposes

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Page 5

of the Salt Lake County Assessor and Recorder;

15. The Board determines that the proposed annexation shall be complete and effective upon the Lieutenant Governor's issuance to the Board of the certificate of annexation pursuant to Utah law, with copies sent as required by law, at which time:

(a) The Lands, as described in the approved final local entity plat, shall be annexed into the District;

(b) The Lands shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as adopted and/or amended from time to time; and,

(c) The Lands shall be assigned to Division 8 of the District.

16. This Resolution shall take effect immediately upon execution by an authorized member of the Board.

PASSED, ADOPTED, and APPROVED this _______ day of July 2024.

Corey L. Rushton

Chair of the Board of Trustees

ATTEST:

Alan F Packard

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EXHIBIT A

COPY OF PETITION FOR INCLUSION OF LANDS
WITHIN THE BOUNDARIES OF THE
JORDAN VALLEY WATER CONSERVANCY DISTRICT

PETITION FOR INCLUSION OF LANDS WITHIN THE BOUNDARIES OF THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

TO THE BOARD OF TRUSTEES OF THE JORDAN VALLEY WATER CONSERVANCY DISTRICT:

1. The undersigned, The Last Holdout, LLC, a Utah limited liability company (Parcel #26-27-300-001, 26-32-200-009, 26-32-400-007, 26-32-400-009, 26-33-301-004, 26-33-100-002, 26-34-100-003, 26-34-100-002), The Board of Education of the Jordan School District, a body corporate and politic of the State of Utah (Parcel #26-32-200-006, 26-32-200-007, 26-33-101-001), Salt Lake County, a body corporate and politic of the State of Utah (Parcel #26-32-400-008), Ivory Land Corporation, a Utah corporation (Parcel #26-33-326-005), Bastian Family Foundation, a nonprofit corporation (Parcel #26-34-201-002, 26-34-276-019), and Olympia Ranch, LLC, a Utah limited liability company (Parcel #26-34-226-004) (collectively, "Landowners"), pursuant to the provisions of Utah Code Ann. § 178-1-403(a)(ii), hereby petitions the Jordan Valley Water Conservancy District, through its Board of Trustees, to change the boundaries of the Jordan Valley Water Conservancy District to include and annex into the District the Lands which are described on attached Exhibit 1 located at about 6300 West 12800 South in Herriman City, Salt Lake County, Utah, and whose boundaries are shown on the map attached as Exhibit 2.

2. Landowners certify they are the owners of the Lands described on Exhibit 1. The Lands constitute all of the real property within the area proposed to be annexed, and the Lands are equal to 100% of the annual value of all private real property within the area proposed to be annexed.

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- 3. Landowners hereby assent to the inclusion of the Lands in the District and they acknowledge the Lands will be benefitted by inclusion. Landowners acknowledge that the Lands to be included in the District shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as they may be adopted and/or amended from time to time and that the Lands will receive retail water service from Herriman City which receives wholesale water supplies from the District. Landowners further acknowledge that the District's Rules and Regulations for Wholesale Water Service require that development of the Lands comply with the District's Water Efficiency Standards and that Herriman City will pay the District's Block 2 wholesale rate for all water delivered to the Lands.
- 4. Landowners acknowledge that the Lands are at elevations and/or locations which may not be served by the District's presently existing facilities and/or delivery system; that the schedule for constructing additional facilities and delivery systems which can serve the Lands depends in part upon regional water demands, funding, and other District priorities; that the construction schedule shall be at the sole discretion of the District; and that the decision to construct or extend any water delivery system or infrastructure from its present location to deliver water or render water service for the Lands shall be at the sole discretion of the District.
- 5 The current mailing address of Landowner's representative is 527 East Pioneer Road, Suite 200, Draper, Utah 84020.
- 6. The Contact Sponsor is Herriman City; Mailing Address: 5355 West Herriman Main Street, Utah 84096; Telephone Number: (801) 446-5323.

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		"Landowner":
Dated:	6-22-2023	The Last Holdout, LLC, a Utah limited liability company
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		Printed Name: Emily B. Markham
		Its: <u>Manager</u>
		Address: 7677 South Lincoln Street Midvale, Utah 84047
		Telephone: (801) 255-0643
Dated:	8/22/2023	"Landowner":
		The Board of Education of the Jordan School District, a body corporation and politic of the State of Utah
		By: A.
		Printed Name: John Larsen
		Its: Business Administrator
		Address: 7387 South Campus View Dr. West Jordan, Utah 84084

Telephone: 801 - 567-8148

	"Landowner":
Dated:	Salt Lake County, a body corporation and politic of the State of Utah By: Printed Name: JII Million Its: Million Address: 2001 South State Street, S3-110 Salt Lake City, Utah 84190 Telephone: 385-468-7028
Dated:	"Landowner": Ivory Land Corporation, a Utah corporation By: Printed Name: Revis Agglery Its: 978 Woodoak Lane Salt Lake City, Utah 84117 Telephone: 291-7-17-1890

		"Landowner":
Dated:	6-22-2023	Bastian Family Foundation, a nonprofit corporation By: Comily B markham Printed Name: Emily B. Markham Its: Trustee
		Address: 233 North 1250 West, Suite 202 Centerville, Utah 84014 Telephone: (801) 2-55-9643
		"Landowner":
Dated:	6227023	Olympia Ranch, LLC, a Utah limited liability company By: Printed Name: Doug Dung
		Its: <u>Manager</u>
		Address: 527 East Pioneer Road, Suite 200 Draper, Utah 84020
		Telephone:
		Concurring Party:
	. / ,	Herriman City
Dated:	11/4/2023	By: Infree Its: Mayer

PETITION FOR INCLUSION_DUMBRIA HILLS to:

STATE OF UTAH)
: ss. COUNTY OF SALT LAKE)
The foregoing instrument was acknowledged before me this 22 day of
June 2023, by Emily R Markham as
of The Last Holdout, LLC, a limited liability
company.
WENDE HARRIS NOTARY PUBLIC - STATE OF UTAH COMMISSION# 713434 COMM. EXP. 10-12-2024
STATE OF UTAH) : ss. COUNTY OF SALT LAKE)
The foregoing instrument was acknowledged before me this 22 day of
Avgust, 2023, by John Larson as
Business Almander of the Board of Education of the Jordan School
District, a body corporation and politic of the State of Utah.
Commission expires: AUG- 10, 1025
Lisa LeStarge Notary Public State of Utah My Commission Expires on: August 10, 2025 Comm. Number: 719809

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STATE OF UTAH)
: ss. COUNTY OF SALT LAKE)
The foregoing instrument was acknowledged before me this 10 day of October. 2023, by Jill Miller as
Associate Deputy Mayor of Salt Lake County, a body corporation and
politic of the State of Utah.
Commission expires: 2-24-2024 LISA O'BRYAN NOTARY PUBLIC State of Utah My Commission Expires out February 24, 2024 Comm. Number: 710750
STATE OF UTAH) : ss. COUNTY OF SALT LAKE)
The foregoing instrument was acknowledged before me this 29 day of
AUGUST, 2023, by KEVIN ANGLESEY as
SECRETARY of Ivory Land Corporation, a Utah corporation.
Commission expires: FEB 1 2027 STEVE OLDKNOW NOTARY PUBLIC Residing in Salt Lake STEVE OLDKNOW Notary Public - State of Uran Notary Public - State of Uran
PET 7 ON FIRE NOLLESION DU MARIA HILLS auc NY Commission Expires on NY Commission Expires on 1007

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STATE OF UTAH)
: ss. COUNTY OF SALT LAKE)
The foregoing instrument was acknowledged before me this $\frac{22}{2}$ day of
June 2023, by Emily B. Markham as
Trustee of Bastian Family Foundation, a nonprofit
corporation.
WENDE HARRIS NOTARY PUBLIC Residing in Se, Wash
MOTARY PUBLIC-STATE OF UTAH COMMISSION# 713434 COMM. EXP. 10-12-2024
STATE OF UTAH) : ss.
COUNTY OF SALT LAKE)
The foregoing instrument was acknowledged before me this 22 day of
Sure, 2023, by Doug Young as
company.
Commission expires: 10-12-2024
WENDE HARRIS NOTARY PUBLIC STATE OF UTAH COMMISSION# 713434 COMM. EXP. 10-12-2024

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STATE OF UTAH)		
COUNTY OF SALT LA	:ss. AKE)		
	, 2023, by	Lorin Palm	me this <u>6</u> day of
- May 11		_ of Herriman City.	
Commission expires:	July 28, 21	Sheli	a. Putu
		NOTARY PUBLIC Residing in	exriman City
			SHELLY A. PETERSON Notary Public State of Utah My Commission Expires on: July 28, 2024 Comm. Number: 712745

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EXHIBIT 1

LEGAL DESCRIPTION OF THE LANDS TO BE INCLUDED AND ANNEXED INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

The following real property is located in Salt Lake County, Utah:

A parcel of land, situate in parts of Sections 27, 32, 33, 34, and 35, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, more particularly described as follows:

Beginning at the Northeast Corner of Section 33, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence North 00°41'26" East 1,324.02 feet along the section line to the Northwest Corner of the Southwest Quarter of the Southwest Quarter of Section 27, Township 3 South, Range 2 West, Salt Lake Base and Meridian;

thence South 89°30'42" East 2,657.98 feet along the 1/16 section line to the Northeast Corner of the Southeast Quarter of the Southwest Quarter of said Section 27;

thence South 00°28'09" West 1,324.47 feet along the quarter section line to the South Quarter Corner of said Section 27;

thence South 89°30'06" East 2,664.00 feet along the section line to the Southeast Corner of said Section 27;

thence South 89°48'53" East 641.53 feet along the southerly line of Section 26, Township 3 South, Range 2 West, Salt Lake Base and Meridian;

thence South 00°30'22" East 1,659.00 feet said point also being a point on the thread of Butterfield Creek;

thence along said existing Herriman City boundary line and said thread of the Butterfield Creek as defined on the Blackhawk Estates Plat "C" recorded as Entry No. 11719743 in Book 2013P at Page 178, Blackhawk Estates "B" recorded as Entry No. 11386427 in Book 2012P at Page 53, Western Creek PUD Plat A recorded as Entry No. 10946923 in Book 2010P at Page 76, and Western Creek PUD Plat B recorded as Entry No. 11429199 in Book 2012P at Page 92 all in the Office of the Salt Lake County Recorder the following twenty-one (21) courses:

- (1) South 56°51'10" West 333.22 feet,
- (2) South 68°38'27" West 95.94 feet;
- (3) South 56°30'13" West 98.90 feet;
- (4) South 51°26'05" West 67.14 feet;
- (5) South 41°54'31" West 111.54 feet:
- (6) South 48°31'38" West 142.42 feet.
- (7) South 54°24'10" West 87.46 feet;
- (8) South 44°19'04" West 94.58 feet;
- (9) South 72°52'33" West 99.94 feet; •
- (10) South 72°52'34" West 12.55 feet;
- (11) South 82°11'10" West 94.89 feet,
- (12) South 86°16'00" West 83.86 feet,
- (13) South 66°09'21" West 95.83 feet:

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- (14) South 58'13'58" West 137.09 feet;
- (15) South 78°13'01" West 40.13:
- (16) thence South 12°44'34" East 10.64 feet:
- (17) South 78°07'21" West 16.66 feet;
- (18) South 57°11'41" West 95.42 feet;
- (19) South 73°50'10" West 172.86 feet;
- (20) South 73°27'12" West 291.53 feet;
- (21) South 80°15'09" West 106.84 feet along said Northerly Boundary Line of Western Creek Plat to the 1/16 section line:

thence North 00°10'31" East 1,342.34 feet also along the 1/16 section line;

thence North 89°31'41" West 2,661.50 feet also along the 1/16 section line,

thence South 00°02'54" West 1,325.66 feet also along the 1/16 section line;

thence North 89°35'57" West 1,329.28 feet along the quarter section line to the East Quarter Corner of said Section 33;

thence North 89°38'37" West 3,990.93 feet along the quarter section line;

thence South 00°20'42" East 1,323.10 feet along the 1/16 section line to the Southeast Corner of the Northwest Quarter of the Southwest Quarter of said Section 33;

thence North 89°38'31" West 1,327.74 feet along the 1/16 section line to the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 32, Township 3 South, Range 2 West, Salt Lake Base and Meridian;

thence North 89°29'26" West 2,641.53 feet along the 1/16 section line to the Southwest Corner of the Northwest Quarter of the Southeast Quarter of said Section 32;

thence North 00°09'01" East 149.81 feet along the 1/16 section line to the southwesterly corner of the Questar Gas parcel (Tax Parcel No. 26-32-400-003);

thence Easterly, Northerly and Westerly along the boundary line of said parcel the following four (4) courses:

- (1) North 86°15'53" East 292.00 feet;
- (2) South 88'11'07" East 207.61 feet;
- (3) North 00°09'01" East 185.12 feet:
- (4) South 86°15'53" West 500.00 feet to said 1/16 section line;

thence North 00°09'01" East 405 38 feet along the 1/16 section line to the Northeast Right-of-Way Line of State Route-111 (SR-111), also known as Bacchus Highway;

thence along said Northeast and the easterly Right-of-Way Line of SR-111 the following seven (7) courses:

- (1) Northwesterly 246.50 feet along the arc of a 268 31 foot radius curve to the right (center bears North 05°49'12" East and the chord bears North 57°51'41" West 237.92 feet with a central angle of 52°38'15"),
 - (2) North 31°32'34" West 437.23 feet;
- (3) Northwesterly 288.95 feet along the arc of a 331.97 foot radius curve to the right (center bears North 58°27'26" East and the chord bears North 06°36'27" West 279.91 feet with a central angle of 49°52'14");
 - (4) North 18°19'39" East 201.90 feet;
- (5) Northeasterly 470.16 feet along the arc of a 1,482 39 foot radius curve to the left (center bears North 71°40′21" West and the chord bears North 09°14′30" East 468 19 feet with a central angle of 18°10′19");
 - (6) North 89°50'40" West 17 00 feet:

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(7) North 00°09'20" East 792.30 feet to the northwesterly corner of an entire tract described as Parcel 21 in that Special Warranty Deed recorded as Entry No 8110216 in Book 8550 at Page 6633 in the Office of the Salt Lake County Recorder;

thence North 71°13'51" East 3,153.48 feet along the northwesterly boundary of said entire tract to the Northwest Corner of said Section 33;

thence South 89°35'41" East 5,303.20 feet along the north section line of said Section 33 to the point of beginning.

Contains 40,915,169 Square Feet or 939.283 Acres

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EXHIBIT 2

MAP SHOWING THE BOUNDARIES OF THE LANDS TO BE INCLUDED AND ANNEXED INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

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