



**RESOLUTION NO. R-2009-1404**

**A RESOLUTION AMENDING THE BOUNDARY OF THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT**

WHEREAS, Washington County ("County") established the Hurricane Valley Fire Special Service District ("Hurricane Valley Fire SSD") by Resolution No. R-2007-1203, on December 18, 2007; and

WHEREAS, the Washington County Commission ("Commission") has determined that it is in the best interest of the citizens of Washington County that the boundary of the Hurricane Valley Fire SSD be amended pursuant to Utah Code Annotated, Sections 17D-1-201 *et seq.* and 17D-1-401 *et seq.* (1953, as amended); and

WHEREAS, pursuant to Utah Code Annotated, § 17D-1-401 *et seq.* (1953, as amended), the boundary of a special service district may be amended if the governing authority gives a new notice of intention and holds a public hearing; and

WHEREAS, on September 15, 2009, the Commission passed Resolution No. 2009-1373 proposing the amendment of the Boundary of the Hurricane Valley Fire SSD; and

WHEREAS, the Washington County Deputy Clerk published in *The Spectrum*, a newspaper of general circulation in Washington County, the following Notice of Intention to Amend the Boundary of the Hurricane Valley Fire District:

**NOTICE OF INTENTION TO AMEND THE BOUNDARY OF THE HURRICANE VALLEY FIRE DISTRICT**

NOTICE is hereby given to all interested persons that on the 15<sup>th</sup> day of September 2009, the Washington County Commission adopted a resolution proposing the amendment of the boundary of the Hurricane Valley Fire Special Service District ("Hurricane Valley Fire SSD"). The Resolution provided for the holding of a public hearing on the proposed amendment.

The public hearing shall be held on the 3<sup>rd</sup> day of November, 2009, at 4:00 p.m., at the Commission Chambers, located at 197 East Tabernacle, St. George, Utah. Any interested person may protest the proposed amendment either orally at said public hearing, or in a written protest filed with the Washington County Clerk/Auditor at 197 East Tabernacle, St. George, UT 84770. All written protests must be filed within 15 days after the conclusion of said public hearing and all withdrawals or cancellations of withdrawals must be filed within 30 days after the conclusion of said public hearing. The Washington County Commission will hear all interested persons desiring to be heard and will give full consideration to all protests. If special accommodations are required, please call Chris Hall (634-5700) with reasonable advance notice.

If adopted, taxes may be annually levied upon all taxable property within the Hurricane Valley Fire SSD, and fees and charges may be imposed to pay for all or a part of the services to be provided by the Hurricane Valley Fire SSD.

Any written protest made on behalf of a corporation owning property within the Hurricane Valley Fire SSD shall be signed by the president, vice president, or any duly authorized agent of the corporation. Where property within the Hurricane Valley Fire SSD is owned by more than one person or entity, all owners holding title to the property must join in the signing of the protest in order for it to be considered in the fifty percent (50%) calculation discussed below.

If, within 30 days after the conclusion of said public hearing, more than fifty percent (50%) of the qualified voters of the Hurricane Valley Fire SSD, or the owners of over fifty percent (50%) of the taxable value of the taxable property within the Hurricane Valley Fire SSD, file written protests against the proposed amendment, the Washington County Commission is required by law to abandon the proposed amendment.

After the 30-day protest period closes, the Washington County Commission shall adopt a resolution either amending the boundary of the Hurricane Valley Fire SSD or abandoning the proposed amendment. Any person who shall have timely filed a written protest and who is a qualified voter residing within, or owning property within the Hurricane Valley Fire SSD, may petition the district court within 30 days after the adoption of said resolution for a writ of review. The grounds for such a petition are limited to: (1) a claim that the petitioner's property will not be benefited by the services to be provided by the Hurricane Valley Fire SSD; and (2) a claim that the procedures used to amend the services to be provided by the Hurricane Valley Fire SSD violated the law.

**FAILURE TO TIMELY FILE A WRITTEN PROTEST PRECLUDES THE PROTEST FROM BEING INCLUDED IN THE 50% CALCULATION DISCUSSED ABOVE AND THE PROTESTANT FROM FILING A PETITION FOR A WRIT OF REVIEW. FAILURE TO TIMELY FILE A PETITION FOR WRIT OF REVIEW FORECLOSES ANY RIGHTS TO THEREAFTER OBJECT TO THE PROPOSED AMENDMENT OF ADDING RECREATION TO THE SERVICES TO BE PROVIDED BY THE HURRICANE VALLEY FIRE SSD.**

WHEREAS, the Washington County Commission scheduled a public hearing to consider the amendment of the boundary of the Hurricane Valley Fire SSD on November 3, 2009, as outlined in the Notice of Intention; and

WHEREAS, on November 3, 2009, the Washington County Commission held a public hearing to consider any comments regarding the proposed amendment of the boundary of the Hurricane Valley Fire SSD; and

WHEREAS, there were no written protests filed after the conclusion of the public hearing; and

WHEREAS, all of the property and the citizens within the proposed boundary of the Hurricane Valley Fire SSD will be benefited by the enactment of the proposed amendment; and

WHEREAS, it is in the interest of the citizens of Washington County that the proposed amendment of the boundary of the Hurricane Valley Fire SSD be authorized.

NOW, THEREFORE, at a regular meeting of the legislative body of Washington County, Utah, duly called, noticed, and held on the 15<sup>th</sup> day of December 2009, upon motion duly made and seconded, it is unanimously resolved that:


1. The boundary of the Hurricane Valley Fire SSD shall be amended as described and set forth in the attached map showing the amended boundary of the Hurricane Valley Fire SSD.
2. Taxes may be annually levied upon all taxable property within the Hurricane Valley Fire SSD and fees and charges may be imposed to pay for all or a part of the services to be provided.

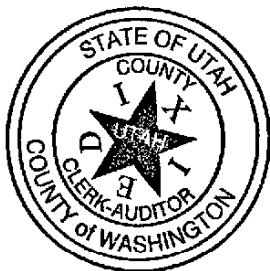
VOTED UPON AND PASSED BY THE WASHINGTON COUNTY COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY COMMISSION HELD ON THE 15<sup>TH</sup> DAY OF DECEMBER 2009.




WASHINGTON COUNTY

  
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JAMES J. EARDLEY  
Washington County Commission

ATTEST:

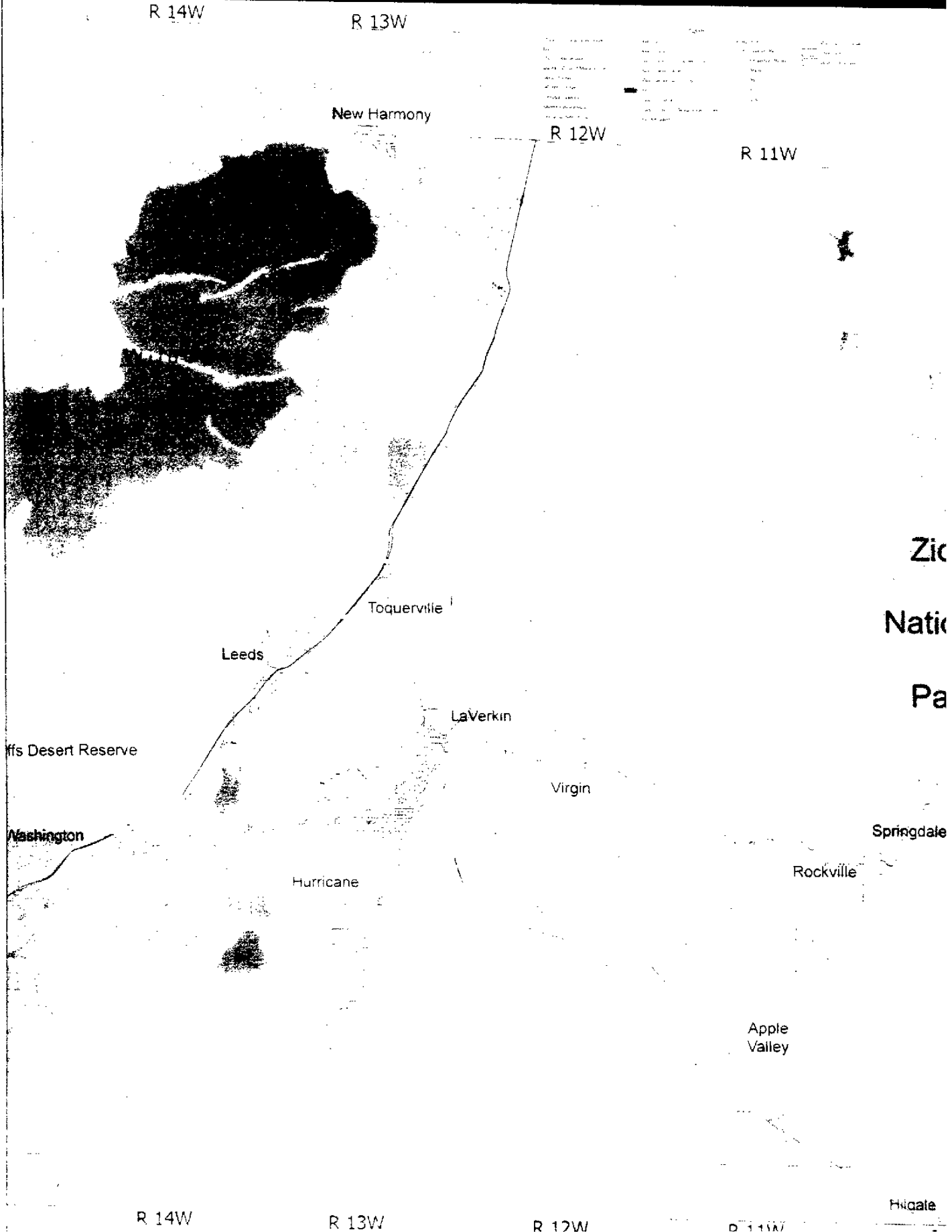
  
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Kim M. Hafen  
Washington County Clerk-Auditor



Commissioner Eardley voted   
Commissioner Gardner voted   
Commissioner Drake voted 



# Hurricane Valley Fire District



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Springdale

Rockville

Apple Valley

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## AMENDED HURRICANE VALLEY FIRE DISTRICT BOUNDARY DESCRIPTION

Beginning at the Northeast corner of Section 23, Township 41 South, Range 14 West, Salt Lake Base and Meridian, said point being on the City Boundary of the City of Hurricane and running; thence West along the North line of said Section 23 to a point on the East line of the Northbound lane of Interstate 15; thence Southerly along the East line of the Northbound lane of Interstate 15 to a point on the East line of Section 32, Township 41 South, Range 14 West; thence South along said East Section line to the Southeast corner of Section 32; thence West along the South line of Section 32 to a point on the East right of way line of the Northbound lane of Interstate 15; thence Southerly along said right of way line to the intersection of the Centerline of State Route 9; thence Southeasterly along the Centerline of State Route 9 to the intersection of the Centerline of Telegraph Street; said point being on the Easterly City Boundary line of Washington City; thence following the Easterly Washington City Boundary line through the following Sections: 4, 8, 17, 16, 21, 20, and 19; to the Southwest Corner of Section 19, Township 42 South, Range 14 West; said point being a point on the Range line between Range 14 West and Range 15 West; thence South along said Range line to the South line of the State of Utah; thence East along the State line to the Southeast corner of Section 35, Township 43 South, Range 12 West; thence North along the East line of Sections 35 and 26 to a point on top of and the edge of the ledges on the South side of Little Creek Mountain; thence along the top of the ledges through the following Sections: 26, 24, 23, 14, 22, 21, 28, 20, 19, and 18, in Township 43 South, Range 12 West, Salt Lake Base and Meridian; thence along the top of the ledges through Sections 13 and 12 in Township 43 South, Range 13 West, along the top of the ledges through Sections 7 and 6, in Township 43 South, Range 12 West; thence along the top of the ledges through Section 32, Township 42 South, Range 12 West, and Section 5, Township 43 South, Range 12 West, to a point on the East line of Section 5; thence North along the East line of Section 5, Township 43 South, Range 12 West, and North along the East lines of Sections 32, 29, 20, and 17, Township 42 South, Range 12 West, to a point on the Apple Valley Municipal Boundary in Section 16; said point being on the southerly right-of-way line of State Highway SR 9; thence Easterly along the Municipal Boundary line through the following Sections: 21, 22, 27, and 23, to a point on the East Section line of Section 23, Township 42 South, Range 12 West; thence North along the East line of Sections 23 and 14 to the Northeast Corner of Section 14, Township 42 South, Range 12 West; thence East along the South Section lines of the following Sections: Section 12, Township 42 South, Range 12 West, Sections 7 and 8, Township 42 South, Range 11 West, to the Southeast Corner of Section 8; thence North along the East Section lines of Sections 8 and 5, to the Northeast Corner of Section 5; thence East along the South line of Section 33, Township 41 South, Range 11 West; thence North along the East Section lines of Sections 33 and 28 to the Northeast Corner of Section 28; thence West along the North line of Section 28 to the Southeast Corner of Section 20; thence North along the East

lines of Sections 20, 17, and 8, to the East  $\frac{1}{4}$  Corner of Section 8; thence West along the Center Section line to the Center  $\frac{1}{4}$  Corner of Section 8; thence North along the Center Section lines of Sections 8 and 5, to the North  $\frac{1}{4}$  Corner of Section 5; thence East along the Township line and South line of Section 32, Township 41 South, Range 11 West to the Southeast Corner of Section 32; thence North along the East Section lines of Sections 32, and 29 to the Southwest Corner of Section 21; thence East along the South line of Section 21 to the Southeast Corner of Section 21; thence North along the East lines of Sections 21 and 16 to the Southwest Corner of Section 10; thence East along the South line of Section 10 to the Southeast Corner of Section 10; thence North along the East Section lines of Sections 10 and 3, in Township 41 South, Range 11 West, and Sections 34 and 27 in Township 39 South, Range 11 West to the Southwest Corner of Section 23, said point being on the Boundary line of Zion National Park; thence along the Boundary line of Zion National Park as follows: East along the South line of Section 23 to the Southeast Corner of Section 23; thence North along the East line of Section 23 to the West  $\frac{1}{4}$  Corner of Section 24; thence West along the Center Section line to the Center  $\frac{1}{4}$  of Section 24; thence North along the Center Section line to the North  $\frac{1}{4}$  Corner of Section 24; thence East along the South line of Section 13 to the  $\frac{1}{16}$  Corner; thence Northerly and Easterly along Zion's National Park Boundary through Section 13 and along the East Section line of Section 13 to the Northeast Corner of Section 30, Township 39 South, Range 11 West; thence along Zion's National Park Boundary Easterly and Southerly through Sections 30 and 31 to a point on the North Township line of Township 40 South, Range 10 West; thence East along said Township line to the Southeast Corner of Section 31; thence North along the East Section lines of Sections 31, 30, 19, 18, 7, and 6 of Township 39 South, Range 10 West, and the East Section lines of Sections 31, 30, and 19, of Township 38 South, Range 10 West, to a point on the North Boundary line of Washington County; thence West along the North Boundary line of Washington County to the Northwest Corner of Section 19, Township 39 South, Range 11 West, said point being on the Range line between Ranges 11 and 12 West; thence South along said Range line to the Northeast Corner of Section 24, Township 39 South, Range 12 West; thence West along the North lines of Sections 24, 23, and 22 to the Southeast Corner of Section 16; thence North along the East Section line of Section 16 to the Northeast Corner; thence West along the North Section line to the Northwest Corner of Section 16; thence West along the North line of Section 17, to the top West edge of the ridge; thence Southwesterly along the top West edge of said ridge, through the following Sections: 17, 20, 29, 30, and 31 of Township 39 South, Range 12 West; thence continuing along the top West edge of said ridge line through the following Sections: 6 of Township 40 South, Range 12 West, and Sections 1, 12, 13, 24, and 23, of Township 40 South, Range 13 West, to the North Section line of Section 26; said point being on the North Municipal Boundary line of Toquerville; thence West following the North Municipal Boundary line to the Northwest Corner of Section 28; thence along the Municipal Boundary of Toquerville the following courses: South along the West line of Sections 28 and 33 to the West  $\frac{1}{4}$  Corner

of Section 33; thence East along the Center Section line to the East  $\frac{1}{4}$  Corner of Section 33; thence South along the Section line of Section 33 to the Southeast Corner of Section 33, Township 40 South, Range 13 West; thence to the Northwest Corner of Section 3, Township 41 South, Range 13 West; thence South along the West line of Sections 3, 10, and 15, to the Southwest Corner of Section 15; thence East along the South line of Section 15 to the Southeast Corner of Section 15; thence South along the West line of Section 23 to a point on the Municipal Boundary line between LaVerkin and Hurricane; thence running Westerly and Northerly along the Hurricane City Boundary line through Sections 22, 27, 28, 29, and 30 to a point on the West line of Section 30, Township 41 South, Range 13 West; thence continuing along the Hurricane City Boundary through Section 25, Township 41 South, Range 14 West, to the Northwest Corner of Section 25; thence North along the Section line between Sections 23 and 24 to the Northeast Corner of Section 23, Township 41 South, Range 14 West, Salt Lake Base and Meridian; said point being the point of beginning.