

# ANNEXATION



\*W3292487\*

ANNEXATION TO: CENTRAL WEBER SEWER

ORDINANCE NO. 2023-12

RECORDED FOR: CENTRAL WEBER SEWER

RECORDING FEE: NONE

SEC. 15, 14, 23 TOWNSHIP CON RANGE 2W

BOOK 96 PAGE 13

- 15-060-0125
- 15-060-0024
- 15-060-0124
- 15-041-0028
- 15-041-0010
- 15-041-0008
- 15-061-0119
- 15-061-0048
- 15-061-0046
- 15-061-0118
- 15-061-0120
- 15-061-0050

STATE OF UTAH



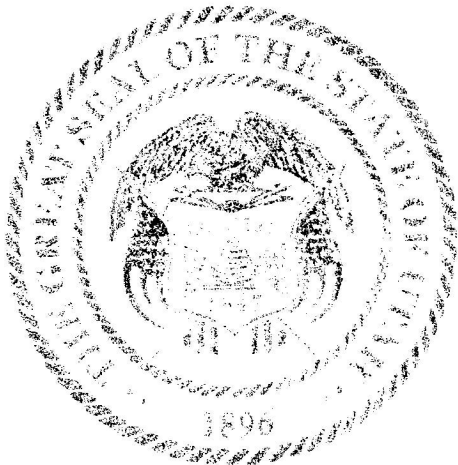
OFFICE OF THE LIEUTENANT GOVERNOR

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 known as the SMART ACRES ANNEXATION, located in WEBER COUNTY, dated JULY 13, 2023, complying with Section §17B-1-414 and § 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 SMART ACRES ANNEXATION, located in WEBER COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 20<sup>th</sup> day of July, 2023 at Salt Lake City, Utah.



A handwritten signature in black ink that reads "Deidre M. Henderson".

DEIDRE M. HENDERSON  
Lieutenant Governor

**NOTICE OF PROPOSED ANNEXATION  
CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

Notice is hereby given pursuant to the requirements of Utah Code Ann. § 17B-1-406 through 418 that it is proposed that the following described real property located in Weber County, Utah be annexed into and become part of the Central Weber Sewer Improvement District:

**Legal Description**

PART OF THE SOUTHEAST QUARTER OF SECTION 15, THE SOUTHWEST QUARTER OF SECTION 14, AND THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE WEBER RIVER, SAID POINT BEING 742.86 FEET NORTH 87°50'54" WEST AND 368.64 FEET SOUTH 02°09'06" WEST FROM THE NORTH QUARTER CORNER OF SAID SECTION 23 (SAID QUARTER CORNER BEING SOUTH 87°36'45" EAST 2656.18 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 23); THENCE SOUTH 00°05'47" WEST 125.32 FEET; THENCE SOUTH 00°47'17" WEST 803.13 FEET TO THE NORTH LINE OF 1200 SOUTH STREET (SR-39); THENCE ALONG SAID NORTH LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 84°45'46" WEST 1676.06 FEET; (2) NORTH 89°13'10" WEST 819.37 FEET TO THE EAST LINE OF 2800 WEST STREET; THENCE ALONG SAID EAST LINE THE FOLLOWING FOUR (4) COURSES: (1) NORTH 28°47'51" EAST 127.26 FEET; (2) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 283.00 FEET, AN ARC LENGTH OF 99.77 FEET, A DELTA ANGLE OF 20°12'00", A CHORD BEARING OF NORTH 18°41'51" EAST, AND A CHORD LENGTH OF 99.26 FEET; (3) NORTH 08°35'51" EAST 223.40 FEET; (4) NORTH 05°01'51" EAST 30.85 FEET; THENCE NORTH 85°43'50" EAST 582.70 FEET; THENCE NORTH 04°54'38" EAST 299.92 FEET; THENCE SOUTH 85°43'48" WEST 582.06 FEET TO THE EAST LINE OF 2700 WEST STREET; THENCE ALONG SAID EAST LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 05°01'51" EAST 833.76 FEET; (2) ALONG A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 2831.90 FEET, AN ARC LENGTH OF 411.28 FEET, A DELTA ANGLE OF 08°19'16", A CHORD BEARING OF NORTH 11°35'15" EAST, AND A CHORD LENGTH OF 410.92 FEET; (3) NORTH 15°44'53" EAST 347.75 FEET TO THE SOUTH LINE OF THE WEBER RIVER; THENCE ALONG SAID SOUTH LINE THE FOLLOWING FORTY-FOUR (44) COURSES: (1) SOUTH 69°16'22" EAST 13.87 FEET; (2) SOUTH 47°38'54" EAST 54.54 FEET; (3) SOUTH 60°41'53" EAST 40.01 FEET; (4) SOUTH 55°48'57" EAST 58.42 FEET; (5) SOUTH 48°54'09" EAST 40.85 FEET; (6) SOUTH 56°55'00" EAST 63.16 FEET; (7) SOUTH 53°12'54" EAST 60.11 FEET; (8) SOUTH 41°25'10" EAST 50.49 FEET;

(9) SOUTH 49°56'05" EAST 19.99 FEET; (10) SOUTH 45°34'53" EAST 48.96 FEET; (11) SOUTH 64°58'50" EAST 40.79 FEET; (12) SOUTH 68°33'45" EAST 81.68 FEET; (13) SOUTH 68°11'19" EAST 49.33 FEET; (14) SOUTH 58°39'57" EAST 54.77 FEET; (15) SOUTH 63°57'03" EAST 63.65 FEET; (16) SOUTH 63°04'09" EAST 64.46 FEET; (17) SOUTH 59°28'47" EAST 110.34 FEET; (18) SOUTH 60°30'35" EAST 98.12 FEET; (19) SOUTH 49°18'12" EAST 68.95 FEET; (20) SOUTH 49°31'42" EAST 32.76 FEET; (21) SOUTH 68°12'30" EAST 32.73 FEET; (22) SOUTH 58°12'27" EAST 46.13 FEET; (23) SOUTH 52°55'04" EAST 69.94 FEET; (24) SOUTH 61°19'59" EAST 121.59 FEET; (25) SOUTH 60°45'19" EAST 75.24 FEET; (26) SOUTH 45°00'52" EAST 67.90 FEET; (27) SOUTH 38°47'16" EAST 67.65 FEET; (28) SOUTH 51°36'17" EAST 54.29 FEET; (29) SOUTH 54°30'38" EAST 58.61 FEET; (30) SOUTH 63°05'23" EAST 43.63 FEET; (31)

SOUTH 50°57'20" EAST 47.75 FEET; (32) SOUTH 52°05'37" EAST 53.74 FEET; (33) SOUTH 19°17'58" EAST 19.31 FEET; (34) SOUTH 46°17'15" EAST 19.34 FEET; (35) NORTH 90°00'00" EAST 22.19 FEET; (36) SOUTH 65°06'23" EAST 56.29 FEET; (37) SOUTH 58°59'38" EAST 54.26 FEET; (38) SOUTH 74°33'36" EAST 44.21 FEET; (39) SOUTH 71°26'11" EAST 64.13 FEET; (40) SOUTH 61°53'56" EAST 80.49 FEET; (41) SOUTH 69°54'11" EAST 58.00 FEET; (42) SOUTH 65°05'35" EAST 68.10 FEET; (43) SOUTH 78°57'14" EAST 63.42 FEET; (44) SOUTH 77°29'53" EAST 76.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,638,172 SQUARE FEET OR 83.521 ACRES.

The owner of the above-described property has filed an annexation petition requesting that the property be annexed into and receive service from the Central Weber Sewer Improvement District ("Central Weber"). Central Weber owns and operates a sewage treatment plant and outfall lines that deliver untreated sewage to the treatment plant for treatment and disposal. Upon being annexed into Central Weber, and after satisfying applicable requirements, the subject property may receive sewage treatment and disposal services provided by Central Weber.

Inasmuch as the owners of all of the subject property signed the annexation petition, a public hearing respecting this proposed annexation is not required. However, notice is hereby given that a public hearing will be held if a written request to do so is submitted, within 20 days after the date of this notice, to the Central Weber Board of Trustees at 2618 West Pioneer Road, Ogden, Utah 84404, by an owner of property that is located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition. Otherwise, no public hearing will be held and, after the expiration of the above-referenced 20-day period, the proposed annexation will be presented to the Central Weber Board of Trustees for final action.

If additional information concerning the proposed annexation is desired, please telephone (801)731-3011.

DATED this 13<sup>th</sup> day of June, 2023.



Kevin Hall, General Manager  
Central Weber Sewer Improvement District

Mailed to:

Alan and Katrina Miller  
1172 South 2800 West  
Marriott-Slaterville, UT 84404

Scott Priest  
Hill Field Investments, LTD  
3237 Twin Peaks Drive  
Layton, UT 84040

SPB Ventures, LLC  
3237 Twin Peaks Drive  
Layton, UT 84404

Marriott-Slaterville City  
1570 West 400 North

Marriott-Slaterville, UT 84404

Weber County  
2380 Washington Boulevard #360  
Ogden, UT 84401

**Reference: Smart Acres**

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**  
**RESOLUTION 2023-12**  
**Annexation Approval Resolution**  
**(100% landowner petition)**

WHEREAS, the Central Weber Sewer Improvement District (the "District") is a duly organized improvement district primarily located in Weber County, Utah, but also including a relatively small part of Davis County, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the Utah Code and other relevant portions of Title 17B of the Utah Code;

WHEREAS, the District owns and operates sanitary sewer outfall collection and treatment facilities which serve much of Weber County and a small portion of Davis County, Utah;

WHEREAS, a Landowner Annexation Petition (the "Petition") has been filed with the District requesting that the real property identified on Exhibit "A" attached to this Resolution (the "Subject Property") be annexed into the District in order to receive sanitary sewer treatment and disposal services from the District (the Landowner is referred to herein as "Applicant");

WHEREAS, the District requires that Applicant's property be annexed into the District as a condition to receiving, and continuing to receive, sewer service;

WHEREAS, the District Board of Trustees (the "Board") has the statutory authority to annex areas into the District pursuant to the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, which outlines the procedure to be followed to accomplish such annexations;

WHEREAS, Applicant owns 100% of the Subject Property;

WHEREAS, the Petition satisfies the applicable requirements of Utah Code Ann. §§ 17B-1-403 and -404;

WHEREAS, within thirty days after the Petition was filed, at a duly called meeting of the Board of Trustees of the District for which certification of the Petition was listed on the agenda, the Board voted to certify the Petition in accordance with Utah Code Ann. § 17B-1-405;

WHEREAS, the identified contact sponsor was notified, in writing, of the certification of the Petition as required by Utah Code Ann. § 17B-1-405;

WHEREAS, since the Petition has been signed by the sole owner of the Subject Property, pursuant to Utah Code Ann. § 17B-1-413(1), the District Board is not required to hold a public hearing pursuant to Utah Code Ann. §§ 17B-1-409 and -410 and the protest provisions of Utah Code Ann. § 17B-1-412 are not applicable to this annexation proceeding;

WHEREAS, a notice of the proposed annexation was given pursuant to the requirements of Utah Code Ann. § 17B-1-413;

WHEREAS, the written Notice referenced in the immediately preceding paragraph contained a brief description of the proposed annexation and included the name of the Central Weber Sewer Improvement District, the services provided by the District, a description and/or map of the area proposed to be annexed, a local district telephone number where additional information about the proposed annexation could be obtained and an explanation of the right of an owner of property located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition to request a public hearing on the proposed annexation in accordance with Utah Code Ann. § 17B-1-413(2)(a)(ii)(B), provided that such request was submitted to the District Board of Trustees within 20 days after the date the Notice was given;

WHEREAS, more than 20 days have passed since the notice was given, no property owner or registered voter having a right to do so has requested a hearing, and the time for submitting a request for a public hearing has passed;

WHEREAS, not more than 30 days has passed since the expiration of the time for submitting a request for a public hearing;

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any local district or special service district which is authorized to perform the same functions or provide the same services as the District, nor is it located within the boundaries of any municipality or any county that provides the same service that the District provides;

WHEREAS, it is not necessary to provide a notice of the proposed annexation to any county or municipality pursuant to Utah Code Ann. § 17B-1-406 and the provisions of Utah Code Ann. §§ 17B-1-407 through -408 are not applicable; and

WHEREAS, the Board has determined that all applicable statutory requirements have been satisfied and, having considered the proposed annexation, has determined it to be in the best general interest of the District and of the property owners, residents and taxpayers within both the District as presently constituted and the area proposed to be annexed for the requested annexation to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Central Weber Sewer Improvement District, as follows:

1. That all of the legal requirements stated in Title 17B, Chapter 1, Part 4 of the Utah Code that must be satisfied before the adoption of this Resolution have been satisfied.

2. That, in accordance with Utah Code Ann. § 17B-1-414, the real property described and/or otherwise identified in attached Exhibit “A,” which is incorporated by reference as part of this Resolution, shall be and hereby is annexed into and, from the effective date of the annexation, shall be part of the Central Weber Sewer Improvement District.

3. That, from and after the issuance by the Lt. Governor of a certificate of annexation pursuant to Utah Code Ann. §§ 67-1a-6.5 and § 17B-1-414(3)(b), the Subject Property shall be an integral part of the District and, upon the submittal of the original notice of annexation, the original certificate of annexation issued by the Lieutenant Governor, the approved final local entity plat, and a certified copy of this Resolution to the Weber County Recorder for recordation, the taxable property located within the Subject Property shall be subject to taxation for the purposes of the District, including the payment of any bonds and other obligations now outstanding or hereafter authorized and issued. All properties within and users of services provided by the District, as enlarged by this annexation, shall be subject to the payment of service and user fees and such other applicable fees and charges as may be assessed from time to time by the District and shall be subject to all rules, regulations, powers and authority of the District and of the Board as provided by law or otherwise.

4. That the Chairman and/or General Manager of the District be and are instructed, within 30 days after adoption of this Annexation Resolution, to file a written notice of annexation with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution and an approved final local entity plat. The Chairman and/or General Manager are further instructed, upon receipt of the certificate of annexation from the Lieutenant Governor, to submit the documents identified in paragraph 3 above to the Weber County Recorder for recordation.

5. That this Resolution shall take effect immediately upon its approval and adoption, but the annexation shall not be complete and effective until the date specified in the certificate of annexation issued by the Lt. Governor.

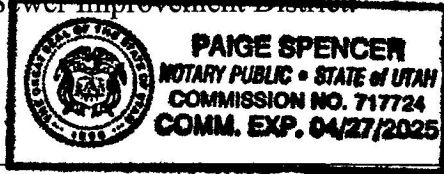


Approved and adopted by the Board of Trustees of the Central Weber Sewer Improvement District this 10<sup>th</sup> day of July, 2023.

Mark Allen  
Mark Allen, Chair

STATE OF UTAH            )  
                                      :SS.  
COUNTY OF WEBER        )

The foregoing Resolution was subscribed before me, a notary public and also the Clerk of the Central Weber Sewer Improvement District, this 10<sup>th</sup> day of July, 2023 by Mark Allen, Chairman of the Board of Trustees of the Central Weber Sewer Improvement District.



Paige Spencer, Notary Public  
Paige Spencer

## EXHIBIT A

### Legal Description

PART OF THE SOUTHEAST QUARTER OF SECTION 15, THE SOUTHWEST QUARTER OF SECTION 14, AND THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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