

Ordinance 82-4

Tooele, Utah

Date: March 9, 1982

A regular meeting of the Board of County Commissioners of Tooele County, Utah was held at the Commission Chambers in the Tooele County Courthouse, 47 South Main Street, Tooele, Utah, on Tuesday, the 9 day of March, 1982, at the hour of 1:00 o'clock p.m., there being present and answering roll call, the following:

Charles Stromberg, Chairman

Reed Russell, Commissioner

Lee Brackew, Commissioner

Also Present:

Almonis H. Loring, Clerk

Ronald Litter, Attorney

Absent:

\_\_\_\_\_  
\_\_\_\_\_

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following Ordinance was introduced in writing, read in full, and pursuant to motion duly made by Commissioner Lee Brackew and seconded by Commissioner Charles Stromberg, was adopted by the following vote:

YEA:

Charles Stromberg  
Lee Brackew  
Reed Russell

The Ordinance was then signed by the Chairman in open meeting and recorded by the County Clerk in the official records of Tooele County, Utah. The Ordinance is as follows:

ORDINANCE NO. 82-4

AN ORDINANCE AMENDING SECTION VI OF  
ORDINANCE NO. 81-17 BY PROVIDING FOR AN  
APPOINTED BOARD OF TRUSTEES TO REPLACE  
THE BOARD OF COUNTY COMMISSIONERS AS  
TRUSTEES FOR TOOELE COUNTY SERVICE AREA  
NUMBER ONE AT STANSBURY PARK, UTAH.

The Board of County Commissioners of the County of  
Tooele ordains as follows:

SECTION I - PURPOSE: This ordinance is for the purpose  
of providing for an appointed Board of Trustees for Tooele  
County Service Area Number One, pursuant to the provisions  
of Section 17-29-10.1(2), U.C.A., 1953, as amended.

SECTION II - AMENDMENT: It is hereby determined that  
the interests of Tooele County Service Area Number One will  
best be served by the appointment of a Board of Trustees,  
and therefore, Section VI of Ordinance No. 81-17 is amended  
to read as follows:

SECTION VI - BOARD OF TRUSTEES: The Board of Commissioners  
of Tooele County shall appoint a Board of Trustees for  
said Service Area, consisting of three members, to  
serve for terms of two, four, and six years from the  
first Monday in January next following their appointment.

SECTION III - EFFECTIVE DATE: In the opinion of the  
Board of County Commissioners, it is necessary for the  
immediate preservation of the peace, health and safety of  
the County and the inhabitants thereof that this ordinance  
shall take effect immediately upon publication in one issue  
of a newspaper published in and having general circulation  
in Tooele County.

IN WITNESS WHEREOF, the Board of County Commissioners  
of Tooele County has passed, approved and enacted this

ordinance this 9th day of March, 1982.

ATTEST:

Dennis D. Ewing  
DENNIS D. EWING, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF TOOELE COUNTY:

By Charles Stromberg  
CHARLES STROMBERG, Chairman  
Tooele County Commission

APPROVED AS TO FORM:

Ronald L. Elton  
RONALD L. ELTON  
Tooele County Attorney

( S E A L )

Commissioner Bracken voted Yes  
Commissioner Russell voted Absent  
Commissioner Stromberg voted Yes

STATE OF UTAH )

:ss

COUNTY OF TOOELE )

On the 9th day of March, 1982, personally appeared before me Charles Stromberg and Dennis D. Ewing, signers of the above instrument, who duly acknowledged to me that they executed the same.

Kari Rogers  
NOTARY PUBLIC  
Residing in Tooele County, Utah  
My Commission Expires: 2-28-84

Date of First Publication: Mar 11, 1982

APR 23 1982

# PROOF OF PUBLICATION



STATE OF UTAH  
County of Tooele

SS.

I, Joel J. Dunn, being first duly sworn, depose and say that I am the Publisher of The Tooele Bulletin, a weekly newspaper of general circulation published each Tuesday at Tooele City, Utah, that the notice attached hereto and which is a part of the proof of publication of

Ordinance No. 82,4

ished in said newspaper for one consecutive weekly first publication having been made on the 11th day of March, 19 82, and the last on the \_\_\_\_\_, 19\_\_\_\_, that said notice was published in the regular and entire issue of every Thursday number during the period and time of publication, and the same was published in a newspaper proper and not in a supplement.

and sworn to me, this 26 day of April, A. D., 19 82

Jolynn O. Gubler  
Notary Public Residing at Tooele, Utah

AN ORDINANCE AMENDING SECTION VI OF ORDINANCE NO. 81-17 BY PROVIDING FOR AN APPOINTED BOARD OF TRUSTEES TO REPLACE THE BOARD OF COUNTY COMMISSIONERS AS TRUSTEES FOR TOOEE COUNTY SERVICE AREA NUMBER ONE AT STANSBURY PARK, UTAH.  
The Board of County Commissioners of the County of Tooele ordains as follows:

SECTION I - PURPOSE: This ordinance is for the purpose of providing for an appointment Board of Trustees for Tooele County Service Area Number One, pursuant to the provisions of Section 17-29-10.1(2), U.C.A., 1953, as amended.

SECTION II - AMENDMENT: It is hereby determined that the interests of Tooele County Service Area Number One will best be served by the appointment of a Board of Trustees, and therefore, Section VI of Ordinance No. 81-17 is amended to read as follows:

SECTION VI - BOARD OF TRUSTEES:

The Board of Commissioners of Tooele County shall appoint a Board of Trustees for said Service Area, consisting of three members, to serve for terms of two, four, and six years from the first Monday in January next following their appointment.

SECTION III - EFFECTIVE DATE: In the opinion of the Board of County Commissioners, it is necessary for the immediate preservation of the peace, health and safety of the County and the inhabitants thereof that this ordinance shall take effect immediately upon publication in one issue of a newspaper published in and having general circulation in Tooele County.

IN WITNESS WHEREOF, the Board of County Commissioners of Tooele County has passed, approved and enacted this ordinance this 9th day of March, 1982.

BOARD OF COUNTY COMMISSIONERS OF TOOEE COUNTY.

By CHARLES STROMBERG, Chairman Tooele County Commission.

ATTEST:

DENNIS D. EWING, Clerk

Commissioner Bracken voted yea

Commissioner Russell was absent

Commissioner Stromberg voted yea

(Published in the Tooele Transcript March 11, 1982)

COPY

ORDINANCE NO. 82-4

AN ORDINANCE AMENDING SECTION VI OF  
ORDINANCE NO. 81-17 BY PROVIDING FOR AN  
APPOINTED BOARD OF TRUSTEES TO REPLACE  
THE BOARD OF COUNTY COMMISSIONERS AS  
TRUSTEES FOR TOOELE COUNTY SERVICE AREA  
NUMBER ONE AT STANSBURY PARK, UTAH.

The Board of County Commissioners of the County of  
Tooele ordains as follows:

SECTION I - PURPOSE: This ordinance is for the purpose  
of providing for an appointed Board of Trustees for Tooele  
County Service Area Number One, pursuant to the provisions  
of Section 17-29-10.1(2), U.C.A., 1953, as amended.

SECTION II - AMENDMENT: It is hereby determined that  
the interests of Tooele County Service Area Number One will  
best be served by the appointment of a Board of Trustees,  
and therefore, Section VI of Ordinance No. 81-17 is amended  
to read as follows:

SECTION VI - BOARD OF TRUSTEES: The Board of Commissioners  
of Tooele County shall appoint a Board of Trustees for  
said Service Area, consisting of three members, to  
serve for terms of two, four, and six years from the  
first Monday in January next following their appointment.

SECTION III - EFFECTIVE DATE: In the opinion of the  
Board of County Commissioners, it is necessary for the  
immediate preservation of the peace, health and safety of  
the County and the inhabitants thereof that this ordinance  
shall take effect immediately upon publication in one issue  
of a newspaper published in and having general circulation  
in Tooele County.

IN WITNESS WHEREOF, the Board of County Commissioners  
of Tooele County has passed, approved and enacted this

ordinance this 9<sup>th</sup> day of March, 1982.

ATTEST:

Dennis D. Ewing  
DENNIS D. EWING, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF TOOELE COUNTY:

By Charles Stromberg  
CHARLES STROMBERG, Chairman  
Tooele County Commission

APPROVED AS TO FORM:

Ronald L. Elton  
RONALD L. ELTON  
Tooele County Attorney

( S E A L )

Commissioner Bracken voted yes  
Commissioner Russell voted Assent  
Commissioner Stromberg voted yes

STATE OF UTAH )  
:ss  
COUNTY OF TOOELE )

On the 9<sup>th</sup> day of March, 1982, personally appeared before me Charles Stromberg and Dennis D. Ewing, signers of the above instrument, who duly acknowledged to me that they executed the same.

Kari Rogers  
NOTARY PUBLIC  
Residing in Tooele County, Utah  
My Commission Expires: 2-28-84

Date of First Publication: Mar 11-1982

## ORDINANCE NO. 81-18

AN ORDINANCE CREATING AND ESTABLISHING A TOOELE COUNTY SERVICE AREA; DESCRIBING AND ESTABLISHING THE BOUNDARIES OF SAID SERVICE AREA; SETTING FORTH THE TYPES OF SERVICE OR SERVICES TO BE PROVIDED IN THE AREA; PROVIDING THAT THE PAYMENT FOR SERVICES SHALL BE BY A PROPERTY TAX OR SERVICE CHARGE, OR A COMBINATION THEREOF; APPOINTING THE INITIAL BOARD OF TRUSTEES; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

The Board of County Commissioners of the County of Tooele ordains as follows:

SECTION I - ESTABLISHMENT OF A COUNTY SERVICE AREA:

There is hereby created and established in the County of Tooele, State of Utah, a County Service Area. Said Service Area is ordered and declared duly formed, organized and established under and by virtue of the provisions of Title 17, Chapter 29, U.C.A. 1953, as amended, and the same is hereby deemed a body corporate and politic and a quasi municipal public corporation of the County of Tooele, State of Utah.

SECTION II - NAME OF SERVICE AREA: The corporate name of said Service Area is and shall hereafter be known as Tooele County Service Area Number Two.

SECTION III - AUTHORITY OF SERVICE AREA: Said Service Area shall have and exercise through its proper officers all the power and authority conferred upon service areas by law for the purposes as herein provided.

SECTION IV - BOUNDARIES: The boundaries of said Service Area and the territory included therein are commonly known as Stansbury Park and are described with particularity, definiteness and certainty as set forth in Exhibit "A", which is attached hereto and by reference made a part hereof.

RECORDERS MEMORANDUM

PLATTED	
RECORDED	
PROOF READ	<i>All Stansbury Park</i>
ABSTRACT	<i>2</i>
INDEX	<i>2</i>
PAGED	
GRANTEE	<i>1</i>
GRANTOR	<i>1</i>
NOTES MADE	
REMARKS	

No.	349205
RECORDED AT THE REQUEST OF	<i>Tooele County (Utah)</i>
DATE	DEC 23 1981
TIME	11:20 am
BOOK	199 OF RECORDS PAGE 127
FEE	<i>1.00</i>
RECORDED BY	DONNA S. MCKENDRICK TOOELE COUNTY RECORDER
TOOELE COUNTY RECORDER	NA S. MCKENDRICK

SECTION V - SERVICES PROVIDED: The Service Area is hereby empowered to provide and extend the following services to the area as they are deemed necessary and desirable by the governing body thereof and as the needs for such services arise and develop; to-wit: Acquisition, development, operation and maintenance of recreation facilities, which may include but are not limited to golf courses, tennis courts, playgrounds, athletic fields, swimming pools, lakes, clubhouses, and such other recreation facilities as may be owned by said Service Area.

SECTION VI - BOARD OF TRUSTEES: The Board of Commissioners of Tooele County shall be the initial Board of Trustees of said Service Area and shall constitute all the Trustees thereof until such time when a different Board of Trustees shall have been appointed or elected and qualified to serve in such capacity as is provided in the County Service Area Act.

SECTION VII - AUTHORITY OF BOARD OF TRUSTEES: The Board of Trustees of the Service Area shall have, and they are hereby vested with the powers, duties and responsibilities conferred upon such Board by Title 17, Chapter 29, U.C.A. 1953, as amended, and all laws amendatory thereof and supplemental thereto, and such as may be by law hereinafter provided.

SECTION VIII - ORGANIZATION OF THE BOARD OF TRUSTEES: The members of the Board of Trustees as initially designated herein shall meet as soon after enactment of this ordinance or is practicable, and shall organize into a Board of Trustees in the manner prescribed by law. Each of said Trustees shall execute, record and file a corporate surety bond in the amount and in the manner prescribed by law for County Commissioners. The premiums on said bonds shall be paid for by the Service Area.

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At the time of the first meeting of the Board of Trustees, each Trustee shall take an oath of office and shall file the same with the County Clerk of Tooele County as required by law.

SECTION IX - PAYMENT FOR SERVICES: Payment for services that are to be provided to the Service Area as listed in this ordinance shall be by means of ad valorem property taxes levied upon the property of the area, or by the imposition and collection of service charges or fees from the users of the services provided or shall be by a combination of both such taxes and charges or fees. The details of payment for such services shall be as established by the Board of Trustees of the Service Area at the time when the cost of such services can be accurately determined, or at the time when it is determined that bonds or other obligations of the Service Area will be necessary to provide for the financing of the desired facilities.

SECTION X - SEVERABILITY: In the event that any section, paragraph, clause, or provision of this ordinance is for any reason held to be invalid, unconstitutional, or unenforceable, the invalidity, unconstitutionality or unenforceability of such section, paragraph, clause, or provisions shall not affect any of the remaining provisions of this ordinance.

SECTION XI - REPEAL OF INCONSISTENT ORDINANCES: All acts and ordinances or parts of ordinances not consistent with this ordinance are hereby repealed to the extent of such inconsistency. This repealer shall not be construed so as to revive any ordinance or any part of any ordinance heretofore repealed.

SECTION XII - COUNTY OFFICERS: All officers of the County of Tooele are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this ordinance.

In the opinion of the Board of County Commissioners, it is necessary for the immediate preservation of the peace, health or safety of the County and the inhabitants thereof that this ordinance shall take effect immediately upon publication in one issue of a newspaper published in and having general circulation in Tooele County.

IN WITNESS WHEREOF, the Board of County Commissioners of Tooele county has passed, approved and enacted this ordinance this 22<sup>nd</sup> day of December, 1981.

BOARD OF COUNTY COMMISSIONERS  
OF TOOELE COUNTY:

By Charles Stromberg  
CHARLES STROMBERG, Chairman  
Tooele County Commission

ATTEST  
Dennis D. Ewing  
DENNIS D. EWING, Clerk

APPROVED AS TO FORM:  
Ronald L. Elton  
RONALD L. ELTON  
Tooele County Attorney

( S E A L )

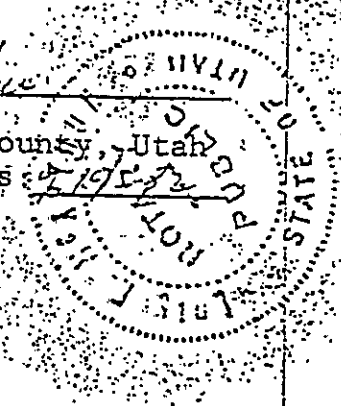
Commissioner Bracken voted yes  
Commissioner Russell voted yes  
Commissioner Stromberg voted yes

STATE OF UTAH )  
                          : ss  
COUNTY OF TOOELE )

On the 22<sup>nd</sup> day of December 1981, personally appeared before me Charles Stromberg and Dennis D. Ewing, signers of the above instrument, who duly acknowledged to me that they executed the same.

David L. McArthur  
NOTARY PUBLIC  
Residing in Tooele County, Utah  
My Commission Expires 7/19/82

Date of First Publication: Dec 30 - 81



## EXHIBIT "A"

LEGAL DESCRIPTION

Beginning at a point at the junction of the South Right-of-Way Line of State Highway 138 and the West Right-of-Way Line of State Highway 36, said point of beginning lying N62°30'E. 1650 feet more or less from the SW Corner of Section 10, Township 2 South, Range 4 West, Salt Lake Base and Meridian, thence following said West Right-of-Way Line S5°42'E. 4647.92 feet; thence continuing along said West Right-of-Way Line S11°35'W. 4491.14 feet; thence N71°00'W. 820 feet; thence N79°00'W. 470 feet; thence N66°00'W. 750 feet; thence N88°00'W. 680 feet; thence N39°00'W. 870 feet; thence N62°00'W. 360 feet; thence S79°00'W. 430 feet; thence S56°00'W. 1020 feet; thence N55°00'W. 1090 feet; thence N45°00'W. 3013 feet to the South Right-of-Way Line of State Highway 138; thence following said South Right-of-Way Line N59°08'E. 1740 feet; thence N61°00'E. 710 feet; thence N62°42'E. 1945.62 feet; thence N59°00'E. 1560 feet; thence continuing along said South Right-of-Way Line N50°50'E. 3891.91 feet to point of beginning. (Containing approximately 938 acres.)

## ORDINANCE NO. 81-17

AN ORDINANCE CREATING AND ESTABLISHING A TOOELE COUNTY SERVICE AREA; DESCRIBING AND ESTABLISHING THE BOUNDARIES OF SAID SERVICE AREA; SETTING FORTH THE TYPES OF SERVICE OR SERVICES TO BE PROVIDED IN THE AREA; PROVIDING THAT THE PAYMENT FOR SERVICES SHALL BE BY A PROPERTY TAX OR SERVICE CHARGE, OR A COMBINATION THEREOF; APPOINTING THE INITIAL BOARD OF TRUSTEES; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

The Board of County Commissioners of the County of Tooele ordains as follows:

SECTION I - ESTABLISHMENT OF A COUNTY SERVICE AREA:

There is hereby created and established in the County of Tooele, State of Utah, a County Service Area. Said Service Area is ordered and declared duly formed, organized and established under and by virtue of the provisions of Title 17, Chapter 29, U.C.A. 1953, as amended, and the same is hereby deemed a body corporate and politic and a quasi municipal public corporation of the County of Tooele, State of Utah.

SECTION II - NAME OF SERVICE AREA: The corporate name of said Service Area is and shall hereafter be known as Tooele County Service Area Number One.

SECTION III - AUTHORITY OF SERVICE AREA: Said Service Area shall have and exercise through its proper officers all the power and authority conferred upon service areas by law for the purposes as herein provided.

SECTION IV - BOUNDARIES: The boundaries of said Service Area and the territory included therein are commonly known as Stansbury Park and are described with particularity, definiteness and certainty as set forth in Exhibit "A", which is attached hereto and by reference made a part hereof.

RECORDERS MEMORANDUM

PLATTED \_\_\_\_\_  
 RECORDED \_\_\_\_\_  
 PROOF READ All data in S. Park  
 ABSTRACT 2-1-A  
 INDEX \_\_\_\_\_  
 PAGED \_\_\_\_\_  
 GRANTEE \_\_\_\_\_  
 GRANTOR \_\_\_\_\_  
 NOTES MADE \_\_\_\_\_

No. 349204  
 RECORDED AT THE REQUEST OF Tooele County Clerk  
 DATE DEC 23 1981 TIME 11:20 A.M.  
 BOOK 199 OF RECORDS PAGE 122 FEE No fee  
DORNA S. MCKENDRICK TOOELE COUNTY RECORDER  
 Tooele County Recorder  
 WA S. MCKENDRICK

SECTION V - SERVICES PROVIDED: The Service Area is hereby empowered to provide and extend the following services to the area as they are deemed necessary and desirable by the governing body thereof and as the needs for such services arise and develop, to-wit: Acquisition, development, operation and maintenance of commonly held common areas, parkways, greenbelts; maintenance of street and other public lighting, and all other similar facilities owned by said Service Area.

SECTION VI - BOARD OF TRUSTEES: The Board of Commissioners of Tooele County shall be the initial Board of Trustees of said Service Area and shall constitute all the Trustees thereof until such time when a different Board of Trustees shall have been appointed or elected and qualified to serve in such capacity as is provided in the County Service Area Act.

SECTION VII - AUTHORITY OF BOARD OF TRUSTEES: The Board of Trustees of the Service Area shall have, and they are hereby vested with the powers, duties and responsibilities conferred upon such Board by Title 17, Chapter 29, U.C.A. 1953, as amended; and all laws amendatory thereof and supplemental thereto, and such as may be by law hereinafter provided.

SECTION VIII - ORGANIZATION OF THE BOARD OF TRUSTEES: The members of the Board of Trustees as initially designated herein shall meet as soon after enactment of this ordinance or is practicable; and shall organize into a Board of Trustees in the manner prescribed by law. Each of said Trustees shall execute, record and file a corporate surety bond in the amount and in the manner prescribed by law for County Commissioners.. The premiums on said bonds shall be paid for by the Service Area.

At the time of the first meeting of the Board of Trustees, each Trustee shall take an oath of office and shall file the same with the County Clerk of Tooele County as required by law.

SECTION IX - PAYMENT FOR SERVICES: Payment for services that are to be provided to the Service Area as listed in this ordinance shall be by means of ad valorem property taxes levied upon the property of the area, or by the imposition and collection of service charges or fees from the users of the services provided or shall be by a combination of both such taxes and charges or fees. The details of payment for such services shall be as established by the Board of Trustees of the Service Area at the time when the cost of such services can be accurately determined, or at the time when it is determined that bonds or other obligations of the Service Area will be necessary to provide for the financing of the desired facilities.

SECTION X - SEVERABILITY: In the event that any section, paragraph, clause, or provision of this ordinance is for any reason held to be invalid, unconstitutional, or unenforceable, the invalidity, unconstitutionality or unenforceability of such section, paragraph, clause, or provisions shall not affect any of the remaining provisions of this ordinance.

SECTION XI - REPEAL OF INCONSISTENT ORDINANCES: All acts and ordinances or parts of ordinances not consistent with this ordinance are hereby repealed to the extent of such inconsistency. This repealer shall not be construed so as to revive any ordinance or any part of any ordinance heretofore repealed.

SECTION XII - COUNTY OFFICERS: All officers of the County of Tooele are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this ordinance.

In the opinion of the Board of County Commissioners, it is necessary for the immediate preservation of the peace, health or safety of the County and the inhabitants thereof that this ordinance shall take effect immediately upon publication in one issue of a newspaper published in and having general circulation in Tooele County.

IN WITNESS WHEREOF, the Board of County Commissioners of Tooele county has passed, approved and enacted this ordinance this 22<sup>nd</sup> day of December, 1981.

BOARD OF COUNTY COMMISSIONERS  
OF TOOELE COUNTY:

By Charles Stromberg  
CHARLES STROMBERG, Chairman  
Tooele County Commission

ATTEST

Dennis D. Ewing  
DENNIS D. EWING, Clerk

APPROVED AS TO FORM:

Ronald E. Elton  
RONALD E. ELTON  
Tooele County Attorney

( S E A L )

Commissioner Bracken voted yes  
Commissioner Russell voted yes  
Commissioner Stromberg voted yes

STATE OF UTAH )

:ss

COUNTY OF TOOELE )

On the 22 day of December, 1981, personally appeared before me Charles Stromberg and Dennis D. Ewing, signers of the above instrument, who duly acknowledged to me that they executed the same.

L. J. McArthur  
NOTARY PUBLIC  
Residing in Tooele County, Utah  
My Commission Expires 12-19-82

Date of First Publication: Dec 30-1981

## EXHIBIT "A"

LEGAL DESCRIPTION

Beginning at a point at the junction of the South Right-of-Way Line of State Highway 138 and the West Right-of-Way Line of State Highway 36, said point of beginning lying N62°30'E. 1650 feet more or less from the SW Corner of Section 10, Township 2 South, Range 4 West, Salt Lake Base and Meridian, thence following said West Right-of-Way Line S5°42'E. 4647.92 feet; thence continuing along said West Right-of-Way Line S11°35'W. 4491.14 feet; thence N71°00'W. 820 feet; thence N79°00'W. 470 feet; thence N66°00'W. 750 feet; thence N88°00'W. 680 feet; thence N39°00'W. 870 feet; thence N62°00'W. 360 feet; thence S79°00'W. 430 feet; thence S56°00'W. 1020 feet; thence N55°00'W. 1090 feet; thence N45°00'W. 3013 feet to the South Right-of-Way Line of State Highway 138; thence following said South Right-of-Way Line N59°08'E. 1740 feet; thence N61°00'E. 710 feet; thence N62°42'E. 1945.62 feet; thence N59°00'E. 1560 feet; thence continuing along said South Right-of-Way Line N50°50'E. 3891.91 feet to point of beginning. (Containing approximately 938 acres.)



Resolution 81-5 Grubel

Tooele, Utah

Date: November 17, 1981

A regular meeting of the Board of County Commissioners of Tooele County, Utah was held at the Commission Chambers in the Tooele County Courthouse, 47 South Main Street, Tooele, Utah, on Tuesday, the 17 day of Nov, 1981, at the hour of 7:00 o'clock p.m., there being present and answering roll call, the following:

Charles Stromberg, Chairman

Reed Russell, Commissioner

Lee Bracken, Commissioner

Also Present:

Dennis J. Swain, Clerk

Ronald Elton, Attorney

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following Resolution was introduced in writing, read in full, and pursuant to motion duly made by Commissioner Bracken and seconded by Commissioner Russell, was adopted by the following vote:

YEA:

Charles Stromberg

Reed Russell

Lee Bracken

The Resolution was then signed by the Chairman in open meeting and recorded by the County Clerk in the official records of Tooele County, Utah. The Resolution is as follows:

COPY

RESOLUTION NO. 81-5

A RESOLUTION INITIATING PROCEEDINGS FOR THE CREATION AND ESTABLISHMENT OF A COUNTY SERVICE AREA TO BE LOCATED WITHIN THAT PORTION OF TOOELE COUNTY KNOWN AS STANSBURY PARK, TO BE NAMED THE TOOELE COUNTY SERVICE AREA NUMBER ONE, *Greenbelt* FIXING A TIME AND A PLACE FOR A PUBLIC HEARING ON THE PROPOSAL TO CREATE AND ESTABLISH SAID SERVICE AREA AT WHICH HEARING ALL PERSONS INTERESTED THEREIN SHALL BE HEARD: PRESCRIBING OTHER MATTERS CONCERNING THE SAID SERVICE AREA AND AUTHORIZING THE PUBLICATION OF THIS RESOLUTION PRIOR TO THE PUBLIC HEARING AS REQUIRED BY LAW.

BE IT KNOWN AND REMEMBERED:

THAT, WHEREAS, the Board of County Commissioners of Tooele County has been informed by the County Clerk that a petition has been filed with him requesting the institution of proceedings to create a County Service Area for the unincorporated territory of Tooele County as described herein, and

WHEREAS, the Board finds that said petition has been signed by not less than ten percent (10%) of the qualified voters residing in the territory proposed to be included within the area; that the petition describes the boundaries of the proposed area with definiteness and certainty; that it appears to be in the form required by law and that it contains those matters required by Section 17-29-5, U.C.A., 1953, as amended, of the County Service Area Act, and

WHEREAS, the Board has determined to proceed with the steps necessary for the creation and establishment of the proposed service area as required by the County Service Area Act, and as is proposed by said petition,

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF TOOELE, STATE OF UTAH, RESOLVES as follows:

1. The boundaries of the territory to be included within the proposed County Service Area are described with particularity, definiteness and certainty as set forth in Exhibit "A", which by reference is made a part hereof.

2. The name of the proposed service area shall be Tooele County Service Area Number One.

3. That the proposed service area shall be empowered to provide the following extended services which are not provided on a County-wide basis: Acquisition, development, operation and maintenance of commonly held common areas, parkways, greenbelts, local streets and roads, curb, gutter and sidewalk, street and other public lighting, and all other facilities owned by said service area.

4. A tax or taxes will be levied annually upon all taxable property within the service area or a service charge or charges will be imposed periodically upon the users of the authorized services to be provided within the service area or a combination of property tax or taxes and service charge or charges will be levied, imposed and collected as aforesaid which shall be sufficient to pay for all services furnished by the service area within said service area.

5. No part of the proposed service area described herein is included with the boundaries of any city or town. The proposed service area is located entirely within Tooele County, State of Utah.

6. No territory included within the boundaries of the proposed service area is also included in whole or in part within the boundaries of any other county service area, improvement district or special service district in Tooele County created pursuant to state law for the purposes of performing the same functions or providing the same services.

7. It is proposed that the Board of County Commissioners in the initial ordinance creating the service area, appoint three persons to act as Board of Trustees, the members of which are to serve for terms of two, four and six years. An election for the Board of Trustees may be held pursuant to law after the creation of a Board of Trustees upon the filing of a petition signed by at least ten percent (10%) of the persons eligible to vote in the service area, and provided said petition is filed at least thirty (30) days prior to the date set for a bond election or ninety (90) days prior to the date set for any general election of County officers.

8. PUBLIC NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT A PUBLIC HEARING on the creation and establishment of the service area proposed in this Resolution WILL BE HELD ON December 15, 1981, at the hour of 6:30 o'clock p.m., at the Tooele County Courthouse, 47 South Main Street, Tooele, Utah. All interested persons shall be heard at the time and place above set forth.

9. At the public hearing for which provisions is made in paragraph 8 above and in accordance with Section 17-29-8, U.C.A., 1953, as amended, protests against the creation and establishment of the service area of the furnishing of specified types of extended services within the service area may be made orally or in writing by an interested person. Any protest made may be withdrawn in writing by the protestant at any time before final action is taken by the Board of County Commissioners on the formation of the proposed service area.

10. In accordance with Section 17-29-9 and 10, U.C.A., 1953, as amended, if property owners owning taxable property in the proposed service area with an assessed value in excess of forty percent (40%) of the assessed value of all the taxable property within the proposed service area,

according to the last assessment roll for county taxes completed prior to the conclusion of the public hearing specified in this Resolution, or if persons constituting and consisting of twenty-five percent (25%) of the registered voters of the territory proposed to be included within the service area file written protests within thirty (30) days after the conclusion of the said public hearing against the establishment of the County Service Area or against the specified type or types of extended services within the area, the Board shall, in the former instance, abandon the proposed establishment of the service area, and in the latter instance, eliminate those types of services objected to from the ordinance finally establishing the service area. A protest filed by a corporation owning property in the proposed service area shall be sufficient if signed by an officer or duly authorized agent of the corporation. Any aggrieved property owner or person qualified to vote who has filed a written protest within the time specified hereinabove may appeal as provided by law to the District Court in and for Tooele County from any decision of the Board of County Commissioners to establish the County Service area.

11. The County Clerk shall publish this Resolution in its entirety in the Tooele Transcript, a newspaper of general circulation published in Tooele County, said publication to be at least once a week during four consecutive weeks, the first publication of which shall be not more than sixty (60) days nor less than twenty-eight (28) days prior to the time set in this Resolution for the public hearing. This Resolution shall also be mailed to property owners in the proposed service area, if appropriate to do so pursuant to Section 17-29-7, U.C.A., 1953, as amended.

12. The officers and employees of Tooele County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

13. If any one or more sections, sentences, clauses or parts of this Resolution shall for any reason be held inapplicable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Resolution so held inapplicable or invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this Resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Resolution in any other instance.

14. All resolutions, bylaws, and regulations of the County of Tooele in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, bylaw, or regulation, or part thereof, heretofore repealed.

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY, STATE OF UTAH, this \_\_\_\_\_ day of \_\_\_\_\_, 1981.

BOARD OF COUNTY COMMISSIONERS  
OF TOOELE COUNTY:

ATTEST:

\_\_\_\_\_  
DENNIS D. EWING, Clerk

By \_\_\_\_\_  
CHARLES STROMBERG, Chairman  
Tooele County Commission

( S E A L )

Commissioner Bracken voted \_\_\_\_\_  
Commissioner Russell voted \_\_\_\_\_  
Commissioner Stromberg voted \_\_\_\_\_

Date of First Publication: \_\_\_\_\_

EXHIBIT "A"

LEGAL DESCRIPTION

BEGINNING AT A POINT AT THE JUNCTION OF THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 138 AND THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 35, SAID POINT OF BEGINNING LYING N62°30'E., 1650 FT. MORE OR LESS FROM THE SE CORNER OF SECTION 10 T2S - R4W, SLB&M, THENCE FOLLOWING SAID WEST RIGHT-OF-WAY LINE S5°42'E., 4647.92 FT.; THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE S11°35'W., 4491.14 FT.; THENCE N71°00'W., 820 FT.; THENCE N79°00'W., 470 FT.; THENCE N66°00'W., 750 FT.; THENCE N88°00'W., 620 FT.; THENCE N39°00'W., 870 FT.; THENCE N62°00'W., 360 FT.; THENCE S79°00'W., 430 FT.; THENCE S55°00'W., 1020 FT.; THENCE N55°00'W., 1090 FT.; THENCE N45°00'W., 3013 FT. TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 138; THENCE FOLLOWING SAID SOUTH RIGHT-OF-WAY LINE N59°08'E., 1740 FT. ; THENCE N61°00'E., 710 FT.; THENCE N62°42'E., 1945.62 FT.; THENCE N59°00'E., 1560 FT.; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE N50°50'E., 3891.91 FT. TO POINT OF BEGINNING (CONTAINING APPROXIMATELY 938 ACRES).